

The Home Office and Public Disturbance, c.1800-1832

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Abstract

This thesis examines the role of the Home Office in the machinery of order from c.1800-1832. It combines institutional enquiry with the study of popular protest by examining protest from the viewpoint of the Home Office. It looks at how the growth of the Home Office was stagnated due to efforts to economise, and how it transformed its systems to make them more efficient in response to peaks of administrative work caused by popular tumult. The different roles that each person performed in the Home Office is outlined, and by doing so the pivotal role of the permanent under-secretary of state, who remains underrepresented in histories of protest, is exposed.

It also looks at what powers the home secretary had at his disposal, and how they were used to repress food riots, the Luddite disturbances, the movement for parliamentary reform, the Swing riots, political agitation leading to the Great Reform Act, and trade unions. It compares the different approaches of home secretaries and argues that although the use of powers was generally guided by established precedent, others such as domestic espionage were more divisive, and were influenced by the personality and experience of the home secretary. The thesis also examines the relationships between the Home Office hierarchy and government departments with authorities in the provinces.

This thesis brings together all the available records which relate to the Home Office as an institution and those which relate to public disturbance. It demystifies the Home Office and its archives, presents a new analysis of Home Office powers and influence, and adds to our understanding of the way the machinery of order functioned, and the Home Office's role within it. The thesis argues that the home secretary performed the role of overseer in the machinery of order; interjecting only when necessary when civil authorities failed to contain disturbances, or when the judiciary failed to provide a firm example. It contends that there were clear limits to state authority, contests claims of extraordinary state intervention, and argues that the state struggled to innovate to defeat the threats that the early nineteenth century presented.

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Abbreviations

DHC – Devon Heritage Centre, Exeter

FO – The National Archives, Kew, London, Foreign Office Papers

HO – The National Archives, Kew, London, Home Office Papers

HPD – Hansard's Parliamentary Debates

PP – Parliamentary Papers

PRO – The National Archives, Kew, London, Public Record Office Papers

UNL – University of Nottingham Library

Chapter 1 - Introduction

From its creation in 1782, the Home Office was inundated with letters from provincial justices of the peace which informed the home secretary of public gatherings, secretive meetings, riots, acts of intimidation, and seditious conspiracies. At the Office, this correspondence was categorised broadly as disturbance correspondence, for although collective violence was not always the end result, such activity by the disaffected posed a threat to the King's peace. It was the Home Office's duty to ensure that the King's peace was preserved, but it did not do so alone. As soon as a gathering was announced, or rumour spread, the machinery of public order began to turn. The local machinery of order; the lord lieutenants of respective counties, the magistracy, judiciary, and constabulary were supported by the institutions of central government; primarily the Home Office, the Treasury, and their subordinate branches, along with legislation enacted by the Houses of Parliament in order to protect people and property against potential disorder. However, our understanding of this machinery is incomplete.

The Home Office disturbance papers, which detail the interactions between the various components of the machinery of order, are the principal source for the study of popular disturbance in the early nineteenth century, but they remain underutilised.¹ This is partly due to their confusing arrangement, which has discouraged historians from using the papers to their full potential. The potential of the corresponding entry books has similarly been ignored, but more as a result of historians' approach to the study of protest than because of their confusing arrangement in the archives. The subject of public disturbance has usually been studied in the field of social and labour history, and its scholars have been intent on distancing themselves from older political narratives, and as a consequence core components of the history of protest have been neglected, notably the role of the Home Office in preserving the King's peace. Social and labour historians have been

¹ HO42 (1782-1820); HO40 (1812-1855); HO52 (1820-1850).

primarily concerned with the character of protest movements, and thus the activities of the authorities have received little attention.

The thesis seeks to unravel the Home Office's archival series and to lay the groundwork for historians to give the Home Office papers the rigorous scholarly interrogation that they deserve. It also fills an important gap in existing historiography by concentrating on the Home Office's responses to popular disaffection. It questions whether the Home Office was simply an administrative clearing house, acting when it was obliged to when provincial authorities requested, or as will be suggested, whether it performed a much more integral role as a caretaker or overseer. The realities of early nineteenth-century local and central government precluded any greater role. Only when the machinery stopped or began to falter was the Home Office required to intervene; to provide assistance through advice, military support, and to use other powers at its disposal to ensure the preservation of the King's peace.

This first chapter in the thesis will situate it amongst the existing historiography of protest and institutional histories of the Home Office. The second chapter considers the early years of the Home Office's existence from 1782 and analyses the role and responsibilities of Office personnel. The third chapter seeks to demystify the Home Office's archives, it deconstructs the mechanical system of dealing with correspondence and explains the reasoning behind the confusing archival arrangement which now exists. The fourth chapter analyses the various resources at the home secretary's disposal to preserve the peace. The chapters following this analyse the application of Home Office powers and influence in response to public disturbances. Chapter five considers the food riots, chapter six the Luddite disturbances, chapter seven the parliamentary reform movement, and chapter eight considers the Swing disturbances, the renewed agitation for parliamentary reform, and trade unions.

This introductory chapter outlines the historiography of popular protest and public order. It begins by looking at existing Whiggish histories of the Home Office, which provide an overview of

the Office's responsibilities but lack a close analysis of the Home Office's role in the machinery of order. Next, the chapter considers early approaches to the study of protest in the early twentieth century which seemed to signify a promising future for studies of the machinery of order. However, attention later shifted to the instigators of disturbance, the crowd, rather than its repressors, in the second half of the century. Next, the chapter looks at the intersection of the studies of crime and protest in the 1960s-70s, and the benefits of criminal historians' institutional approach, before considering more recent trends. Lastly, the chapter outlines the contribution this thesis makes to the existing historiography and outlines the methodology adopted.

Histories of the Home Office

As the public eye turned from matters abroad to matters at home after the two world wars, so too did the attention of some academics. The growth of the role and influence of 'the state' or 'government' was the subject of two Whitehall series in the 1920s and 1950s.² The latter was part of a much broader, and still expanding, literature aiming to understand the historical origins of government growth which culminated in the establishment of the welfare state. In both series the portfolio of business, responsibilities of senior officials and established precedents are explored, and to a degree their historic origins. A volume on the Home Office was produced in both series, the former by Sir Edward Troup and the latter by Sir Frank Newsam, both of whom served as permanent under-secretary of state at the Home Office. Analysis within both of these publications is largely retrospective, as both Newsam and Troup methodically link key responsibilities and concerns during their time in office to their historic origins, for example, police administration to the Metropolitan Police Act, civil defence to the Napoleonic Wars, alien control to post-Napoleonic restrictions, and

² Joanna Innes aptly surveys the historiography and complexities in studying government growth in Joanna Innes, 'Forms of 'government growth', 1780-1830', in *Structures and Transformations in Modern British History*, ed. by David Fieldman and Jon Lawrence (Cambridge: Cambridge University Press, 2011), pp. 74-99; D. Roberts, *Victorian Origins of the British Welfare State* (New Haven: Yale University Press, 1960).

naturalisation to the eighteenth-century Nationality Acts. Newsam, in particular, does this to assert his argument that the Home Office was the 'product of casual and haphazard growth'; key legislation and changes in policy are noted but the context in which these alterations were made is neglected.³

Although authoritative and historical in approach, the minutiae of daily operations and the struggles and dilemmas of their predecessors lay outside the purview of the under-secretaries' reflective publications. This void has been partly filled by the keen eye of the academic and later politician Ronald Roy Nelson in *The Home Office, 1782-1801* (1969).⁴ Nelson explores the institution in the first two decades of its existence and provides an outline of the various responsibilities of the Office, changes to staff administration, and procedures which were followed. However, in the three chapters dedicated to the role of the Office in maintaining public order no comment is made as to the effect of the strains placed on the Office during domestic disturbance or any consequent alterations to internal operations as a result. Furthermore, his comments on the powers and actions of the secretaries of state are mostly anecdotal; a supportive narrative to accompany analysis is omitted and in its stead pages are dedicated to a proclaimed interest in espionage during the Napoleonic Wars.⁵

Subsequent publications on the Home Office were a part of broader scholarship on government growth and the civil service. A.P. Donajgradzki published in a collection of essays to complement existing scholarship on mid-nineteenth century civil service reform leading up to and as a result of the 1854 Northcote-Trevelyan report.⁶ In his thesis, written around the same time, Donajgradzki considers the state of the Home Office from the succession of Sir Robert Peel in 1822

³ Frank Newsam, *The Home Office* (London: George Allen & Unwin, 1954), p. 13.

⁴ R.R. Nelson, *The Home Office, 1782-1801* (Durham, N.C.: Duke University Press, 1969).

⁵ Nelson, *Home Office, 1782-1801*, preface.

⁶ E. Cohen, *The Growth of the British Civil Service, 1780-1939* (London: George Allen & Unwin, 1941); E. Hughes, 'Civil Service Reform 1853-5', *Public Administration*, 32:1 (1954), 17-51; W.J. Reader, *Professional Men: The Rise of the Professional Classes in Nineteenth Century England* (London: Weidenfeld and Nicolson, 1966); A.P. Donajgradzki, 'New Roles for Old: the Northcote-Trevelyan Report and the clerks of the Home Office 1822-48', in *Studies in the Growth of Nineteenth-Century Government*, ed. by G. Sutherland (London: Routledge & Kegan Paul, 1972), pp. 82-109.

to the year of the most important source for Home Office administration, an enquiry into its transactions initiated by Home Secretary Sir George Grey in 1848. Donajgrodzki goes a step further than Nelson in understanding Office procedure and notes the importance of oral conversation within the Office as opposed to surviving correspondence and memoranda. He also explores the relationship between the Office and its 'agents' (the sources it derived information from, for example local authorities, employed spies, and voluntary informers), a task later undertaken in more detail by Clive Emsley. The strains placed upon an understaffed Office and the secretive nature of political organisations in the 1790s, Emsley argues, compelled the Home Office to employ informers and secret agents even though their reports were not always dependable.⁷ Although already understaffed, the workload of the Office continuously increased over time, particularly during the markedly more tumultuous decades of the early nineteenth century. Added to this was an increase in the Office's portfolio of business. This originated in part from Peel's metropolitan police reforms, a natural increase in business over time as the population of the country expanded, and the passing of regulatory legislation which placed the Home Office in a supervisory role over newly appointed bodies to inspect prisons, factories, mines, and to operate the New Poor Law. As the Home Office became increasingly involved in social reform its doors were opened to theoreticians and statisticians, culminating in the professionalization of the Office during the mid-century.

Donajgrodzki's study ceases in 1848, but this is where the final history of the Office by Jill Pellew, written in 1982, begins.⁸ Both Donajgrodzki's thesis and Jill Pellew's study of the Home Office, which looks at the period 1848 to 1914, portray the Office as almost unrecognizable to its early nineteenth century structure and standing; antiquated systems of patronage to staff the Office were removed, a registry system for incoming correspondence was finally introduced, and an explosion in responsibilities necessitated the creation of a range of new subordinate departments.

⁷ A.P. Donajgrodzki, 'The Home Office, 1822-48' (unpublished PhD thesis, University of Oxford, 1973); Clive Emsley, 'The Home Office and its Sources of Information and Investigation 1791-1801', *English Historical Review*, 94:372 (1979), 532-561.

⁸ Jill Pellew, *The Home Office, 1848-1914: From Clerks to Bureaucrats* (London: Heineman, 1982).

Yet the latter half of the century witnessed an enduring battle between Office tradition and standardisation reforms within the civil service; the question of the 'mechanical' and 'intellectual' dichotomy of work was accompanied by customary inquisitions of expenditure and calls for reductions in staff by parliamentary commissions and the Treasury.⁹

The institutional histories mentioned above have analysed the development of the Home Office from its creation to the middle of the twentieth century, with the progressive acquisition of responsibilities being a key focus. Within these histories, the changes which altered the balance of power are emphasised. The absence of reforms to give greater control to central institutions, principally the Home Office to preserve the public peace, is not considered. Historians have given a great deal of attention to how institutions acquired new powers to interfere in provincial affairs, but they have not paid enough attention to how clear limits in place so as not to upset the balance of power between centre and province.¹⁰ Furthermore, whilst these histories detail the range of the Home Office's responsibilities, little consideration is given as to how, when, and why the Office's powers were used. This approach, the consideration of how local and central government functioned in practice, featured in the works of early social historians.

The Influence of the Webbs

The pioneering and voluminous works of Sidney and Beatrice Webb were a key inspiration for future studies of government and its machinery. Between 1906 to 1929 they explored the intricacies of and changes to local administration from 1689 to 1835, from the structure of the parish vestry to county justices and sheriffs, and central government's involvement in their affairs, such as prison and poor law administration as a result of Benthamite centralisation.¹¹ For the Webbs, it was their

⁹ Pellew, *Home Office, 1848-1914*, pp. 22-32.

¹⁰ H. Butterfield, *The Whig Interpretation of History* (London: G. Bell and Sons, 1959), pp. 50-2.

¹¹ Sidney and Beatrice Webb, *English Local Government*, 7 vols (London: Longmans, Green and Co., 1922), IV, p. 465.

Fabian mind-set that determined their reformist approach. They believed state control and strong bureaucratic systems were a precursor to the emergence of socialism, and thus sought to understand its origins. Their other works were equally political; a scholarly reaction to seek out the origins of what they perceived to be unacceptable contemporary social and economic conditions.¹² It is in this light that the Webbs argue that the use of military in the disturbances from 1795-1831, who received instructions from central government, was a 'revolutionary extension into the provinces of the authority of the National Executive' which developed into 'a more continuous supervision by the Home Office than had ever before been customary of the County Justices and the Corporate magistracies' as police and prison authorities.¹³

A similarly political tone was adopted in a trilogy of books written by the Hammonds, contemporaries of the Webbs. In *The Village Labourer* (1911), *The Town Labourer* (1917), and finally *The Skilled Labourer* (1919) the Hammonds explore the effects of reform on the social and economic condition of labourers from 1760 to the Great Reform Act.¹⁴ The volumes are notable for their meticulous use of Home Office correspondence, their multifarious approach to an understanding of industrialising society, and for being the first to give sufficient attention to the agricultural disputes leading to the food riots of the 1790s, the Luddite disturbances, the use of spies in 1817, and the Swing Riots. Despite detailed analysis of these disturbances, their humanistic sympathies are evident in their portrayal of government activity. For example, in their account of secret service activity, the Hammonds underestimate the capacity of workers for militancy and instead attribute it to *agent provocateurs* in the employ of the government.¹⁵ In these works they address the imbalance in contemporary scholarship by shifting attention from the ruling classes to the labouring

¹² David Cannadine, 'The Present and the Past in the English Industrial Revolution, 1880-1980', *Past and Present*, 103:1 (1984), 131-172, (pp. 134-135).

¹³ Webb, *English Local Government*, p. 461.

¹⁴ For a critical evaluation of the Hammonds' place in historiography see Teresa Javurek, 'A New Liberal Descent: The 'Labourer' Trilogy by Lawrence and Barbara Hammond', *Twentieth Century British History*, 10:4 (1999), 375-403; J.L. Hammond and B. Hammond, *The Village Labourer* (London: Longmans, 1920 (first published 1911)); J.L. Hammond and B. Hammond, *The Town Labourer* (London: Longmans, 1917); J.L. Hammond and B. Hammond, *The Skilled Labourer* (London: Longmans, 1919).

¹⁵ Hammond and Hammond, *Skilled Labourer*, chapter XII.

classes, and, as with the Webbs, qualitatively assessed the impact of the Industrial Revolution on the average labouring family. It is in this light that the Hammonds and Webbs are credited with a significant contribution to the legitimisation of the study of social history.

The standard was set when F.O. Darvall wrote *Popular Disturbances and Public Order in Regency England* first published in 1934.¹⁶ Darvall's narrative of the Luddites combined the meticulousness of the Hammonds with an unrivalled understanding of local and central government exemplified by the Webbs. Home Office disturbance correspondence is used to provide an account of their proceedings, to explore their motivations and objectives, and to analyse their immediate influence. But it is also used to provide an account and analysis of the machinery of public order; to explain how it functioned, to explore the influence of key personalities, to determine the effect and enforcement of repressive measures such as Watch and Ward Act, and to assess the efficacy of spies, informers, and military repression. The actions of parliament, military, spies, lord lieutenants, justices of the peace and the home secretary are all considered, and the processes of those actions are analysed. Darvall's tone is notably less sympathetic to the plight of the Luddites than the Hammonds, but his work is more concerned with the system of repression and the people involved than the people it repressed. Darvall acknowledges the Home Office's integral role in the organisation and repression of public disturbance and their 'extensive powers'.¹⁷ The narrow chronology precludes any comment as to continuity or change, giving little indication if responses were typical or atypical. Although certainly an incomplete summary of the role the Home Office played, Darvall was the first to provide a detailed analysis of the machinery of order in response to Luddism.¹⁸

¹⁶ For an earlier account see Frank Peel, *The Rising of the Luddites* (Heckmondwike: T.W. Senior, 1880); F.O. Darvall, *Popular Disturbances and Public Order in Regency England* (London: Oxford University Press, 1969; first published 1934).

¹⁷ Darvall, *Popular Disturbances*, p. 229.

¹⁸ Darvall, *Popular Disturbances*, chapter 12.

Approaches to the 'Crowd'

Thereafter, however, attention began to be drawn to the participants of disturbance, more broadly characterised as the crowd. As part of a broader effort towards a 'total history', the *Annales* school turned from political histories towards the analysis of societies and collectives. In 1934 George Lefebvre's 'Foules révolutionnaires' examined the role and psychology of the crowd during the French Revolution.¹⁹ Yet the 'historical revolution' in France, as Peter Burke has termed it, passed by unnoticed for a time in Britain.²⁰ A post-war expansion in university education produced a new generation of historians intent on contesting economic reductionism and Whiggish interpretations, which habitually produced reductionist and progressive narratives. At the forefront of this new scholarly movement in Britain were Marxists who intended to, as Nicholas Rogers terms it, 'reassert the primacy of agency in popular history.'²¹ This new generation of historians was quick to take to the Annalists' style in moving to a 'history from below', within which disturbance was seen from the viewpoint of its authors rather than its repressors. E.J. Hobsbawm's 1952 'Machine Breakers', for example, refined an argument first made by the Hammonds, that the Luddite disturbances were not a mindless knee-jerk reaction to the decline of the handloom trade, but that 'collective bargaining by riot' was a means through which the crowd was able to negotiate or renegotiate with their respective employers.²² Historians also began to look beyond understanding popular mentalities and towards crowd composition. Assumptions that the crowd or 'face-to-face' groups were formed from the worst of those at the bottom of the social heap were convincingly contested in George

¹⁹ G. Lefebvre, 'Foules révolutionnaires', *Annales historiques de la Révolution française*, 11:61 (1934), 1-26.

²⁰ Peter Burke, *The French Historical Revolution: The Annales School, 1929-89* (Stanford: Stanford University Press, 1990).

²¹ Nicholas Rogers, *Crowds, Culture, and Politics in Georgian Britain* (Oxford: Clarendon Press, 1998), p. 7.

²² Hammonds, *Skilled Labourer*, pp. 258-60; Eric J. Hobsbawm, 'The Machine Breakers', *Past and Present*, 1:1 (1952), 57-70; Eric J. Hobsbawm, *Primitive Rebels: studies in archaic forms of social movement in the 19th and 20th Centuries* (Manchester: Manchester University Press, 1959).

Rudé's *The Crowd in History* (1964).²³ Rudé brought the components of this crowd to the fore, challenging overtly political labels of the crowd as 'the people' or 'the rabble'.²⁴

In *The Making of the English Working Class*, first published in 1963, and more clearly in his 1971 article, 'The moral economy of the English crowd', E.P. Thompson convincingly denounced economic reductionism in the study of popular protest. In the quantification of protest, historians had adopted simplistic models of an unvarying cause and effect, ignoring the underlying factors which governed popular response to hardship.²⁵ Thompson particularly refers to eighteenth-century food riots in his article, but his work exposed the vulnerabilities of quantification. There was certainly no axis for morality, culture and tradition in the economist W.W. Rostow's social tension chart (1948), in which the causes of popular action were reduced to the economic variables of wheat prices and the movements of the trade cycle.²⁶ Thompson argues that the participants in the food riots of the 1790s held a clear concept of 'Englishman's rights' and social and economic justice. By violating these rights and challenging the historic subsistence ethic by raising the price of bread, farmers and distributors legitimised the rioters' actions to ensure that bread continued to be supplied at a fair price.²⁷ The form that these actions took, Thompson argues, exemplified crowd discipline, a conclusion which rejected earlier assumptions of crowds using 'desperate violence' when pushed beyond their limits.²⁸ Thompson argues that this paternalist model, in which those in positions of power and influence had ensured the accessibility of foodstuffs for the labouring poor, had begun to degrade by the mid-eighteenth century. Government intervened less frequently in

²³ For an example of such a viewpoint see Christopher Hibbert, *King Mob: the Story of Lord George Gordon and the Riots of 1780* (London: Longmans Green and Co, 1958).

²⁴ George Rudé, *The Crowd in History: A Study of Popular Disturbances in France and England, 1730–1848* (New York: Wiley & Sons, 1964).

²⁵ E.P. Thompson, *The Making of the English Working Class* (London, Penguin, 2013; first published 1963); E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past & Present*, 50:1 (1971), 76–136.

²⁶ Thompson, 'The Moral Economy', p. 77; W.W. Rostow, *British Economy of the Nineteenth Century* (Oxford: Clarendon, 1948), pp. 123-5.

²⁷ Thompson, 'The Moral Economy', pp. 128-9.

²⁸ Harold Perkin, *The Origins of Modern English Society*, 2nd edn (London: Routledge, 2002; first published 1969), p. 31.

publicising penalties for market malpractice by corn monopolisers; the last proclamation declaring penalties for such activity was in 1766, and legislation against forestalling was repealed in 1772. In times of plenty market malpractice was allowed to thrive without any repercussions, but in times of dearth the consequences of the activity were far more severe, and in such times authorities revived the paternalist model to prevent conflict. Prosecutions against market monopolists were symbolic, and not an obligation as part of their paternalist role.²⁹

Thompson's 'moral economy' was rigorously tested and reviewed in Bohstedt's extensive study of riots in *Riots and Community Politics in England and Wales, 1790–1810* and later in 'The Moral Economy and the Discipline of Historical Context'.³⁰ Bohstedt echoed the complaints of John Stevenson, that moral economy did not explain why action was taken in some instances and not others, nor did it explain the underlying reason for the formation of a riotous crowd which threatened property or people.³¹ The resulting action, Bohstedt argued, was determined by the strength and stability of community networks. The crowd was formed of those within already established 'networks of kinship and camaraderie', whose actions were disciplined by their familiarity with one another (horizontal), and by their relationship with local figures of authority (vertical).³² Stronger horizontal relationships resulted in organised and overall more successful protests, whereas weaker relationships were disorganised, and poor vertical relationships were more susceptible to forceful repression by local authorities.³³ This capacity of local political context to determine the form and outcome of protest is developed in *Politics of Provisions* (2010).³⁴

²⁹ Thompson, 'The Moral Economy', pp. 83-8.

³⁰ John Bohstedt, *Riots and Community Politics in England and Wales, 1790–1810* (Cambridge, MA: Harvard University Press, 1983); John Bohstedt, 'The Moral Economy and the Discipline of Historical Context', *Journal of Social History*, 26:2 (1992), 265-84.

³¹ John Stevenson, 'Food Riots in England, 1792-1818', in *Popular Protest and Public Order: Six Studies in British History 1790-1920*, ed. by Roland Quinault and John Stevenson (London: George Allen & Unwin, 1974), pp. 33-74; Bohstedt, *Riots and Community Politics*, p. 11.

³² Bohstedt, *Riots and Community Politics*, pp. 19-26.

³³ Bohstedt, *Riots and Community Politics*, pp. 202-8.

³⁴ John Bohstedt, *The Politics of Provisions: Food Riots, Moral Economy, and Market Transition in England, c. 1550-1850* (Farnham: Ashgate, 2010).

Bohstedt claims that by rioting, as opposed to other forms of protest, crowds resorted to the 'law of necessity', an act of self-preservation more motivational than an affinity for 'Tudor-Stuart historic marketing customs and regulations.'³⁵

The application of moral economy by historians has expanded beyond eighteenth-century food riots to incorporate different trades and over a longer time period. Adrian Randall has shown how it could be applied to industrial and political protests which aimed to restore customs and norms which had been denied by manufacturers and government's laissez-faire political economy.³⁶ Randall stands alongside other historians of protest who are influenced by Thompson's moral economy such as Steve Poole, Carl Griffin, and Peter Jones, the latter of whom praises it as 'the only sensible tool for understanding many aspects of crowd behaviour [in rural disturbances] – and authoritarian responses to it – during the troubled years between 1795 and 1834'.³⁷ The change in the relationships between protestors and their supposed paternal superiors was further developed in 'Patrician Society, Plebeian Culture', 'Eighteenth-century English society: class struggle without class' and in part of *Customs in Common*, in which Thompson proposed a new model of social relations.³⁸ The relationship was undoubtedly uneven but was marked not by subordination and deference but by negotiation and reciprocity. Paternalist control was eroded with the growth of free

³⁵ Bohstedt, *Politics of Provisions*, pp. 10-11, 262.

³⁶ Adrian Randall, 'The Industrial Moral Economy of the Gloucestershire Weaves in the Eighteenth Century' in *British Trade Unionism, 1750-1850: The Formative Years*, ed. by John Rule (London: Longman, 1988), pp. 29-51; Adrian Randall, *Riotous Assemblies: Popular Protest in Hanoverian England* (Oxford: Oxford University Press, 2006).

³⁷ Peter Jones, 'Swing, Speenhamland and Rural Social Relations: the 'Moral Economy' of the English Crowd in the Nineteenth Century', *Social History*, 32:3 (2007), 271-290 (p. 273); Peter Jones, 'Finding Captain Swing: protest, parish relations, and the state of the public mind in 1830', *International Review of Social History*, 54:3 (2009), 429-458; Adrian Randall, 'Captain Swing: A Retrospect', *International Review of Social History*, 54:3 (2009), 419-427 (p. 422); Carl Griffin, 'Swing, Swing Redivivus, or Something After Swing? On the Death Throes of a Protest Movement, December 1830-December 1833', *International Review of Social History*, 54:3 (2009), 459-497; Steve Poole, "'A lasting and salutary warning": incendiaryism, rural order and England's last scene of crime execution', *Rural History*, 19:2 (2008), 163-77; Carl Griffin, 'The Violent Captain Swing?', *Past and Present*, 209:1 (2010), 149-80; Carl Griffin, 'There was no law to punish that offence": re-assessing "Captain Swing": rural Luddism and rebellion in east Kent, 1830-31', *Southern History*, 22 (2000), 131-63.

³⁸ E.P. Thompson, 'Patrician Society, Plebeian Culture', *Social History*, 7:4 (1974), 382-405; E.P. Thompson, 'Eighteenth-century English society: class struggle without class', *Social History*, 3:2 (1978), 133-165; E.P. Thompson, *Customs in Common* (London: Penguin, 1993; first published 1991), pp. 16-96.

labour and the rejection of the master-servant relationship, but the elite possessed the tools of patronage and the power of the law to maintain a cultural hegemony.³⁹

As the relationship between master and labourer broke down, more sophisticated forms of popular contention emerged. In 'Collective Violence in European Perspective' Charles Tilly, using statistical comparisons with other European nations, argues for the decline of reactionary violence and the rise of increasingly specialised forms of organisation from congregations to associations.⁴⁰ These ideas have been refined in more recent publications which posit the emergence a new 'repertoire of contention' from 'parochial, particular and bifurcated' to 'cosmopolitan, modular and autonomous' forms.⁴¹ The strengthening of the nation-state, and a strong national government with an increasingly national market, encouraged protest directed beyond local confines and toward its central representative, government itself. Tilly's work was pivotal in expanding debate beyond Marxist collective models and toward a better understanding of the changes in the form of popular contention over time.

The history of protest is a history of relationships; a history in which collective action was used to seek immediate remedy for subsistence, to defend livelihoods, or to pursue greater political inclusion. Regional and local studies of protest show how the relationships between populace and magistrates affected the response of the crowd in times of dearth, and in turn its repression. This methodology has yet to be replicated with magistrates and the home secretary. Magistrates did not become a provincial puppet of central government on appointment, nor did they forget their own personal and professional experiences and loyalties.⁴² While central government passed laws and

³⁹ Thompson, 'Patrician Society', pp. 396-7; Peter King, 'Edward Thompson's Contribution to Eighteenth-Century Studies. The Patrician: Plebeian Model Re-Examined', *Social History*, 21:2 (1996), 215-228.

⁴⁰ Charles Tilly, 'Collective Violence in European Perspective', in *The History of Violence in America: Historical and Comparative Perspectives*, ed. by Hugh Davis Graham and Ted Robert Gurr (New York: Bantam, 1969), pp. 4-45.

⁴¹ Charles Tilly, *Popular Contention in Great Britain, 1758-1834* (London: Paradigm, 2005; first published 1995), p. xx.

⁴² David Eastwood, *Government and Community in the English Provinces, 1700-1870* (Basingstoke: Macmillan, 1997), p. 9.

provided advice to justices of the peace, it was down to the justices to enforce them and preserve order. David Eastwood is certainly correct to state that 'in times of crisis their [justices'] priorities were the nation's priorities', but that is not to say that justices and government always agreed on the best solution to a problem.⁴³ Although the nineteenth century saw a marked decline in the discretionary abilities of the magistracy, the British state bestowed upon the locality significant autonomy in which central government's policy of forceful repression could easily be substituted in the locality with sympathetic conciliation. It is issues such as these which require investigation. The above paragraphs have noted the developments in research into social history, within which mentions of the Home Office are select. Indeed, there has been no concentrated effort to analyse the Home Office as an institution with regards to its role within the machinery of order. However, institutional investigation has not been entirely ignored by historians, as is evidenced by the expansion of social history into the study of crime.

Crime and Social Crime

By the 1970s the unavoidable consequence of the rapid expansion of 'histories from below' was that social historians would step on some toes. In 1977 Thompson published in *Albion's Fatal Tree*, now seen as pioneering in its contribution to the study of crime. The preface proclaimed that the study of crime was 'central to unlocking the meanings of eighteenth-century social history'.⁴⁴ The notable shift in approach was that serious scholarly attention was then given to the activity of the authorities. Douglas Hay's contribution furthered arguments of a ruling oligarchy, one which dominated and manipulated the justice system to maintain the legitimacy of class rule in what became a 'ruling-class conspiracy'.⁴⁵ Hitherto English historians of crime had steered clear from

⁴³ Eastwood, *Government and Community*, p. 107.

⁴⁴ Douglas Hay and others, 'Preface', in *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*, ed. by Douglas Hay and others (London: Peregrine, 1977), pp. 13-14 (p. 13); Joanna Innes and John Styles, 'The Crime Wave: Recent Writing on Crime and Criminal Justice in Eighteenth-Century England', *Journal of British Studies*, 25:4 (1986), 380-435 (pp. 380-5).

⁴⁵ Douglas Hay, 'Property, Authority and the Criminal Law', in *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*, ed. by Douglas Hay and others (London: Peregrine, 1977), pp. 17-63 (p. 52).

theorising, and thus the publication of *Albion's Fatal Tree* was unsettling for those who clung to the Whig interpretation. Epitomised by scholars such as the Webbs and Leon Radzinowicz, advocates of the reform perspective judged historic institutions and procedures by their modern equivalent, and typically generated progressive narratives.⁴⁶ In a critical response J.H. Langbein defended the interpretation of Radzinowicz that the extension of capital punishment legislation in the eighteenth century was not a result of class self-interest, but the product of the indecision over the 'merits of maximum severity over proportionality' and the 'weaknesses in detection and corrections.'⁴⁷ The number of offences which could be punishable by death was also inflated by absent definitions and general imprecision, and thus new offences were created to compensate.⁴⁸ Although with some resistance, the study of the legal system was brought into larger discussions surrounding class and power relations, and to a continuous debate on the definition of 'crime' was added the concept of 'social crime'. Certain crimes were reclassified which could be seen to 'express a conscious, almost a political, challenge to the prevailing social and political order and its values.'⁴⁹ As with moral economy, a conflict existed between tradition and statute; there were both official and unofficial interpretations of the law. The actions of the rioters, poachers, authors of protest letters and other law-breakers were legitimised through a belief that their actions were morally justified or condoned through inherent rights.

The use of the legal system as a repressive tool has received interest from historians with a range of scholarly interests. Philip Harling, Michael Lobban, Clive Emsley and Franklyn Prochaska have shown how the repressive capabilities of government and local authorities were restricted by

⁴⁶ J.H. Langbein, 'Albion's Fatal Flaws', *Past and Present*, 98:1 (1983), 96-120; L. Radzinowicz, *A History of English Criminal Law and Its Administration from 1750*, 5 vols (London: Stevenson & Sons, 1948-86).

⁴⁷ Langbein, 'Fatal Flaws', pp. 115-7.

⁴⁸ *Ibid.* 118-9.

⁴⁹ Eric J. Hobsbawm, 'Social Criminality: Distinctions between Socio-Political and Other Forms of Crime', *Society for the Study of Labour History Bulletin*, 25 (1972), 5-6.

statutory law.⁵⁰ Pitt's so-called 'Reign of Terror' in the 1790s saw legislation passed to restrict the operations of political radicals, their meetings and publications, along with the use of spies to infiltrate their ranks. As Emsley notes, it was not the number of criminal prosecutions instigated against political radicals and those involved in distributing radical publications, but rather the unprecedented use of the rule of law to curb freedoms.⁵¹ Prosecutions for seditious libel were used as warnings to potential offenders in the 1790s, but with increasingly limited effect at the turn of the century. The empowerment of the jury by Fox's 1792 Libel Act and the usual problems of successfully prosecuting published material, such as the use of multivalent language by authors, made the outcome of legal cases less predictable. Similarly, for the Regency period, Lobban argues the ensuing trials and passage of the Six Acts produced a new 'doctrine of unlawful assembly'.⁵² This doctrine empowered the courts to deal with meetings which disturbed the peace without being openly violent or seditious. The Home Office was obliged to operate within these legal boundaries during all instances of public disturbance, not just the threat from popular political movements. In the early nineteenth century successive home secretaries introduced new legislation to parliament to react to the new forms of popular contention that emerged, such as frame-breaking, or suspended habeas corpus to arrest charismatic leaders who excited disorder. Thus the 'Reign of Terror' was but the beginning of the process of the state adapting to the new challenges which popular protest presented.

By the 1970s the study of social history and the history of crime had become less separated, but distinctions remained. Social historians predominantly concerned themselves with the question

⁵⁰ Philip Harling, 'The Law of Libel and the Limits of Repression, 1790-1832', *The Historical Journal*, 44:1 (2001) 107-134; Michael Lobban, 'From Seditious Libel to Unlawful Assembly: Peterloo and the Changing Face of Political Crime c1770-1820', *Oxford Journal of Legal Studies*, 10:3 (1990), 307-352; Clive Emsley, 'Repression, 'Terror' and the Rule of Law in England during the Decade of the French Revolution', *English Historical Review*, 100:397 (1985), 801-25; F.K. Prochaska, 'English State Trials in the 1790s: A Case Study', *Journal of British Studies*, 13:1 (1973), 63-82.

⁵¹ Clive Emsley, 'An Aspect of Pitt's 'Terror': Prosecutions for Sedition during the 1790s', *Social History*, 6:2 (1981), 155-184 (p. 174).

⁵² Lobban, 'Seditious Libel to Unlawful Assembly', p. 340.

of class, moral economy, and the crowd. There are exceptions, but they are a distinct minority. Roland Quinault's chapter on the Warwickshire magistracy, for example, exists in a collection dominated by studies of the anatomy of the mob and their motivations.⁵³ On the other hand, the function and operation of the machinery of public order remained within the area of interest for historians of crime. They have, quite rightly, concerned themselves with the institutions and individuals on the ground, and have referred to the Home Office momentarily as part of broader prosecuting processes or within debates concerning criminal deterrents.⁵⁴ New institutional and administrative research in the field did not extend to an investigation of the Office at Whitehall, only to one of the men who occupied it, Sir Robert Peel.⁵⁵ Studies revised conclusions in Whiggish histories of police, which interpreted policing before 1829 as wholly ineffective and that Peel's 1829 Metropolitan Police Act alone paved the way for professionalised police across the country.⁵⁶ Thus, the once celebratory role of the home secretary in histories of crime is, upon revision, less monumental than it was believed to be.

In more recent scholarship, similarly little attention has been paid to the Home Office by institutional historians, social historians, and historians of crime. From the 1980s we see the various 'turns' in social history, in which historians began to move beyond Marxist structural concepts and toward semiotics: the interpretation of and meanings given to language, culture, space and the

⁵³ Roland Quinault, 'The Warwickshire County Magistracy and Public Order, c. 1830-1870', in *Popular Protest and Public Order: Six Studies in British History 1790-1920*, ed. by Roland Quinault and John Stevenson (London: George Allen & Unwin, 1974), pp. 181-214.

⁵⁴ V.A.C. Gatrell, *The Hanging Tree: Execution and the English People, 1770-1868* (Oxford: Oxford University Press, 1994), pp. 543-576.

⁵⁵ New institutional histories were produced such as A. Babington, *A House in Bow Street*, 2nd edn (Chichester: Barry Rose, 1999; first published 1969).

⁵⁶ Innes and Styles, 'The Crime Wave', p. 385; For a Whiggish interpretation see C. Reith, *The Police Idea* (Oxford: Clarendon Press, 1938); C. Reith, *British Police and the Democratic Ideal* (Oxford: Clarendon Press, 1943); T.A. Critchley, *History of Police in England and Wales* (London: Constable, 1967); For more recent histories and critics of the Whig interpretation see J.R. Kent, *The English Village Constable, 1580-1642: A social and administrative study* (Oxford: Clarendon, 1986); Clive Emsley, *The English Police: A Political and Social History*, 2nd edn (London: Longman, 1996); David Cox, *A Certain Share of Low Cunning: A history of the Bow Street Runners, 1792-1839* (London: Routledge, 2012).

material.⁵⁷ Historians have left no stone unturned in exploring representations of culture within protest, from a rushbearing procession at Peterloo, to the staging of Shakespeare's *Cymbeline* in Covent Garden, the symbolic presentations of Chartist orators, to the politicisation of space and place.⁵⁸ However, amongst these histories and in recent publications there are some promising indications that a holistic approach to the study of protest may resurface. Carl Griffin's work on the Swing riots includes a dedicated chapter on the study of the repression of the movement, and historians such as Roger Wells have detailed government's response to the food riots.⁵⁹ Interest in administrative and institutional scholarship has also witnessed a revival, as recent publications have examined institutions contemporaneous with the Home Office, such as the East India Company, and the clerks of the Bank of England. These studies make use of a wide range of sources including accounts, journals, correspondence, parliamentary debates and reports, and contemporary publications. Specific comparisons with the Home Office will be made in later chapters, but these studies reveal the rigorous assessments, monitoring, and disciplinary procedures in place to ensure these institutions were staffed with competent personnel. H.V. Bowen approaches an institutional history of the East India Company with an appreciation of minute enquiry so well refined by Whiggish institutional historians, but at the same time conveys the importance of political context, uses modern quantitative analysis tools, and explores the relationship between the Company and local and national governments.⁶⁰ Such an approach demonstrates the potential of institutional

⁵⁷ Navickas, Katrina, "'Why I am tired of turning': a theoretical interlude", *History Working Papers Project* (2011) http://www.historyworkingpapers.org/?page_id=225 [accessed 21st March 2016].

⁵⁸ Robert Poole, "The March to Peterloo: Politics and Festivity in Late Georgian England", *Past and Present*, 192 (2006), 109-154; Malcolm Chase, *1820* (Manchester: Manchester University Press, 2013), p. 182; Paul A. Pickering, 'Class Without Words: Symbolic Communication in the Chartist Movement', *Past & Present*, 112:1 (1986), 144-162; Katrina Navickas, *Protest and the Politics of Space and Place, 1789-1848* (Manchester: Manchester University Press, 2015).

⁵⁹ Roger Wells, *Insurrection: The British Experience 1795-1803* (Gloucester: Alan Sutton, 1986); Carl Griffin: *The Rural War: Captain Swing and the Politics of Protest* (Manchester: Manchester University Press, 2012).

⁶⁰ Anne Murphy, 'Writes a fair hand and appears to be well qualified': the recruitment of Bank of England clerks, 1800-1815', *Financial History Review*, 22:1 (2015), 19-44; H.V. Bowen, *The Business of Empire: The East India Company and Imperial Britain, 1756-1833* (Cambridge: Cambridge University Press, 2005).

histories in modern scholarship, an approach which can easily be replicated for institutions like the Home Office.

Contribution and Methodology

With the exception of Donajrodzki, institutional histories of the Home Office are extremely limited in their consideration of how the Home Office used its powers and influence to preserve order; how relationships with local authorities were nurtured, and how the individual character of the home secretary (for example Peel's reformatory vision) determined the future of the Office. As power was vested in the home secretary, the decision as to what advice and support to provide lay with him. Changing compositions of party and political positions resulted in a Home Office staffed by home secretaries and parliamentary under-secretaries with different personalities, backgrounds, and political stances, all of which had a direct effect on the approach taken to public disturbance. This is the focus of a study undertaken by Neil Pye. Pye examines differing approaches to central intervention in provincial affairs by successive secretaries of state during the Chartist disturbances. By the late 1830s advances in communication in the form of the telegraph, the establishment of the subordinate metropolitan police, and improvements in rail connections facilitated greater involvement, allowing the Home Office to 'see for itself how the machinery of public order functioned in the localities.'⁶¹ Pye explores the relationships between central and local authorities and notes the boundaries of authority which continued to restrict central influence in areas such as the judicial system, which always had the potential to deliver unfavourable verdicts on important criminal cases.

But how did the Home Office achieve this without such advances? Without them and the metropolitan police force at the Home Office's disposal, central intervention in the far reaches of the

⁶¹ Neil Pye, *The Home Office & The Chartists, 1838-48: Protest and Repression in the West Riding of Yorkshire* (Pontypool: Merlin, 2013), p. 141.

country was logistically near impossible. Central government relied on the parish judicial system in place to deal with typical disturbances and only intervened in the event of unusual or extraordinary disturbances or when the machinery of public order failed to function correctly. To do so the home secretary had a range of powers at his disposal. What exactly these powers were, their limits, and how they were used has not been fully understood. Darvall comments on the Office possessing 'extensive powers', but as more recent historians such as John Stevenson have noted, it possessed 'very limited executive authority.' As Stevenson elaborates, the 'main function' was 'to act as a channel through which local authorities could request troops or inform the government of a situation which worried them.'⁶² However, such a conclusion neglects the subtleties at play. Firstly, there is the relationship between the state and the population, or more specifically the instigators of disturbance. Within the political and economic context, did the state advocate more forceful repression? And secondly, there is the relationship between the state representative and the local authorities. Was the local authority an alarmist, had they provided useful information, were they even known to the Home Office? Furthermore, the relationship between the Home Office and local authorities went beyond requesting military assistance. Officials requested legal advice or for letters to a suspected individual to be intercepted, and correspondence often related to the coordination of information-gathering schemes, be it attendance at a public gathering or covertly through agents and informers. We must also consider the other forms of repression. As historians have considered the capacity of the threat of capital punishment to deter, we must also consider other legal and non-legal deterrents. To assess the value of each of these powers their use must be evaluated. The frequency and timing of their use shows how proactive or reactive the Home Office was, and how central attitudes to provincial disturbance changed over time with different personalities occupying the office of secretary of state.

⁶² Darvall, *Popular Disturbances*, p. 229; John Stevenson, *Popular Disturbances in England, 1700-1870* (London: Longman, 1979), p. 12.

In broader terms, the intent of this thesis is to negotiate a middle ground between the Whiggish histories of the Home Office and society, and the generation of historians who, like their Marxist predecessors, are so wary of reproducing such progressive narratives that they have failed to appreciate the potential of institutional enquiry. As will be shown in chapter 7, a lack of awareness of the Home Office's correspondence process has led to a misinterpretation of the Home Office's response to disaffection. It is hoped that this thesis will correct these mistakes, and prevent similar ones in the future, by showing how a better understanding of the Home Office, and government generally, can complement the study of protest. In order to do so the period of 1800-1832 has been carefully selected. It is one which has hitherto received little attention by historians of the Home Office, situating itself between, with some overlap, the works of Nelson and Donajrodzki, and more importantly is a period which incorporates a broad range of economically and politically triggered events and movements which presented unparalleled challenges. Intimidation of farmers and merchants during the food shortages at the turn of the century, organised industrial disturbance by the Luddites, pressures for parliamentary reform, and the development of trade unions are just some of the public disturbances which required Home Office intervention. Thorough studies of each of these events and movements will be drawn upon, but disturbance correspondence from provincial authorities and Home Office replies remain the principal source.

Viewing every item of correspondence in over 247 boxes of correspondence with on average between 200 to 500 folios each would have been impossible, and thus a more efficient research methodology was adopted. The Home Office entry books contain the Home Office's responses to the requests of justices of the peace for aid and advice. In these c.35 volumes, instances of Home Office intervention can be clearly identified, along with the Office's more formulaic, typical, responses it sent to correspondents. The responses note the date of the letter it was responding to, and thus this information was used to assist in locating the original letter which was sent to the Home Office. This method was used for the entire period the thesis covers, but a sampling of boxes

of incoming correspondence was also used during periods of heavy Home Office intervention. These boxes of correspondence are problematic, for there is only a loose chronological order to them since many letters have been misplaced by historians over the years. In addition, it appears many letters have been lost as there are replies noted in the entry books for which the incoming letter could not be located. To add to these issues, incoming letters are located in a number of different archival series (this is explained in chapter 3). To understand the Home Office's procedures and precedents all other Home Office archival series at The National Archives within the period concerned have been sampled, such as financial records, precedent books, and miscellaneous paper series. To add to this the private papers of home secretaries, located at the University of Nottingham Library, the Devon Heritage Centre, and in edited collections, have also been used.⁶³ Historians of protest have relied on Home Office records, and these papers have been mostly ignored. The papers provide us with additional insight into the mind of the home secretary and reveal the inseparability of personal and public business. In doing the above, this thesis is the first to bring together all of the available Home Office records which relate to the Home Office as an institution and those which relate to public disturbance.

By using these sources, and by looking at the period from the viewpoint of the Home Office, this thesis can reassess the role of the Home Office in the machinery of order. It shows how repressive policy was only realised through the joint efforts of all Home Office personnel, and challenges assumptions that the intellectual burden of office rested solely on the shoulders of the home secretary. It contests claims of extraordinary government activity, and shows how politics, personality and precedent all played a role in deciding repressive policy. It argues that implementing state policy was difficult, for the state's ability to intervene was restricted by its finite resources, and also its unwillingness to set unwanted precedents of state interference which would stretch these resources further, and result in a backlash from semi-independent localities. However, it also shows

⁶³ For the Sidmouth papers see DHC 152M/C; For the Portland papers see UNL, Pw V.

how the Home Office's commitment to precedent was flexible to a degree; the early nineteenth century presented extraordinary challenges which required an equally extraordinary response.

In assessing the role of the Home Office there are limitations in the sources available which must be accounted for. First is that the archives are incomplete. Internal memoranda, personal volumes kept by senior staff, and even official correspondence were taken away from the Office and consequently mislaid, destroyed, and even sold.⁶⁴ These papers might have included documents which outlined the Office's systems and procedures or correspondence which explained the reasoning behind administrative changes. This presents insurmountable obstacles when attempting to accurately reconstruct Home Office's routine mechanical processes or the influence of others in the decision-making process. Second is that not all processes lead to an output in the form of a written record, and not all processes are accounted for in the output. Discussions took place in the Home Office and outside it that we know nothing about. We do not, for example, have access to any minutes of internal or interdepartmental deliberations which took place, as ministers of government met behind closed doors to decide upon the most appropriate measures to restore order. The impromptu visits between Whitehall neighbours, metropolitan and even provincial magistrates, with political allies and personal friends, also tend to leave little trace. Minutes were not even created when visits related to public disturbance or when radicals like Henry Hunt visited the Office of their own volition.⁶⁵ Equally, insight into the naturally close relationship between the Home Office and the Horse Guards, the administrative office of the commander in chief, is obscured by their geographic proximity. The two offices were neighbours-but-one, and quick visits were sometimes preferred to laborious letter writing.⁶⁶ We are, furthermore, not privy to the heated exchanges, the verbal reprimands or the unrestrained opinions the home secretaries and their

⁶⁴ PRO30/45; HO117/2 p. 182, Hobhouse to Miss [Cowcher], 23rd February 1824.

⁶⁵ Philip Ziegler, *Addington: A Life of Henry Addington, First Viscount Sidmouth* (London: Collins, 1965), p. 343.

⁶⁶ Such was the case when Luddism was revived in Nottinghamshire. Under-Secretary John Beckett noted in a letter to Town Clerk George Coldham that he had been to the Duke of York's office to acquire information relative to the stationing of military in the region. HO79/2, Beckett to Coldham, 12th May 1815.

subordinates shared about the civil and military authorities entrusted with keeping the peace in the provinces. What we have access to are the products of the many deliberations which took place within the walls of the Home Office, the uncontentious manuscripts with unparalleled clarity and literacy, framed in the niceties of nineteenth-century parlance.

Due to the relatively large geographical and chronological breadth of the thesis, there are notable omissions which need to be declared from the outset. Ireland requires so great an attention that it would constitute a thesis in itself and will not, therefore, be considered in great detail except where deemed relevant to proceedings in the provinces of England and Wales.⁶⁷ Equally, Scotland will receive little attention, but for the opposite reason. Typically the Home Office was only informed of disturbances in the more densely populated areas, usually from the Lord Provosts of Glasgow and Edinburgh, and even in those cases Home Office intervention and influence appears to have been minimal, as they were typically dealt with by the magistrates on the spot, supervised by the Lord Advocate for Scotland.⁶⁸ Lastly, disturbances in London will receive little attention as there is little to add to existing histories of metropolitan police affairs. The relationships between the Home Office and the London magistracy are, due to geographic proximity and the Home Office's clear hierarchical superiority, much simpler and direct. However, what has received insufficient attention in these histories and what will be discussed is the relationship between the Home Office and the chief magistrate of Bow Street, and the use of metropolitan police in the provinces.

The next chapter will analyse the composition of the Home Office, the roles, responsibilities and daily functions of its staff. Although many of the responsibilities of the Home Office will be highlighted, it is not intended to explore them in depth except where relevant to preserving the public peace, since this would be retracing ground already covered by the institutional historians mentioned above. By the hands of the clerks the instructions of the secretary of state were

⁶⁷ See HO79/6-9, HO100 and HO122.

⁶⁸ Much of the correspondence relates to military appointments. See HO102 and HO103. HO41/1 f. 236, Sidmouth to Lord Advocate of Scotland, 15th November 1816.

transmitted, with due haste and precision they were drafted, approved and copied, ready to be dispatched before the mail coach left town. Although the responsibility for decision making laid with the home secretary, he sought council from his under-secretaries and relied on an efficient administrative staff to undertake the mechanical operation of the Office. The third chapter will consider how the disturbance and domestic correspondence series were created or changed as a direct response to events in the country. The daily influx of correspondence posed fundamental challenges to an institution with limited power and resources and the Office was therefore forced to develop its systems in response. To this end this chapter will also explore the reasoning behind the often inconsistent and confusing archival systems that historians retrieve their data from, and will consider their function, and the historical context in which they were created. The fourth chapter will outline the powers at the home secretary's disposal to interfere in local affairs to assist in the repression of disturbance, from its frequent correspondence with the law officers of the crown on legal queries to authorising the employment of spies to infiltrate secretive societies. The remaining chapters will consider the role of the Home Office during the most tumultuous years of the period in question, from the food riots at the beginning of the century up to and including the year of the Great Reform Act of 1832. Although it is impossible to detail every instance of Home Office intervention in local affairs to preserve order, an overview of intervention will be coupled with close analysis of instances of heavy Home Office intervention, showing how the Home Office typically responded and to what lengths and for what reasons it intervened.

Chapter 2 - Operation of the Home Office

Historians have been quick to mine Home Office records for the rich detail contained within them, but fall silent when it comes to how they were created. By understanding the machinery of the Home Office itself, we can better understand the Office's capabilities and practical limitations. This and the following chapter disassemble the Home Office administrative machine and closely analyse each component. This chapter first considers the Home Office's formative decades after its creation in 1782 and will discuss how its growth was stagnated because of repeated calls to economise government departments. The remainder of this chapter aims to understand the responsibilities and character of Home Office staff, exploring how the Home Office was able to cope with an increasing but fluctuating workload without permanent additions to the clerkship or needing to transfer responsibilities to other departments. To do so this chapter will examine the reports of parliamentary commissions which were appointed to minutely analyse the procedures and expenditure of government departments. The reports of these commissions serve a dual purpose; they both reveal the composition of the Office and detail some of the systems in place. The report of an 1848 enquiry into the operations of the Office is also useful for this purpose. The enquiry was ordered by Home Secretary George Grey and headed by the parliamentary under-secretary and two treasury officials. It was completed through a series of interviews with Home Office staff who detail some of the procedures of the Office, many of which remained unchanged from when they were initially appointed in the 1790s.¹

¹ HO97/27, Minutes of Evidence taken at a Meeting at the Home Office to enquire into the transaction of business at the Home Office.

Birth and Retrenchment

The reorganisation of the departments of government was discussed in a series of Cabinet meetings held in February and March 1782, shortly before the demise of Lord North's administration.² The old and conflicting way of dividing responsibilities between secretaries of state was to be abandoned. Hitherto responsibilities were divided between Northern and Southern Departments; the Southern Department dealt with southern England, Ireland, Wales, Islamic and Roman Catholic states in Europe, whilst the Northern Department dealt with northern England, Scotland, and the Protestant states of northern Europe. This confusing arrangement was replaced by a simpler system, wherein domestic and foreign responsibilities were kept separate. In official records only one document exists which announces the renegotiation of responsibilities between the two secretaries of state.³ In a circular to foreign representatives in London Charles James Fox announced the King's wish to 'make a new arrangement in the Departments by Conferring that for Domestic Affairs and the Colonies on the Earl of Shelburne and entrusting me with the sole direction of Foreign Affairs.'⁴ George III had recommended this arrangement over a decade earlier in 1771, a fact which disproves the suggestion that the move was solely the result of George III's wish 'to have as little as possible to do with Charles James Fox.'⁵ It was only with the economic and political pressures of the 1780s that the creation of the Home and Foreign Offices featured in a much broader movement to reorganise and reform the departments of government.

Change was driven by politics, not just the monarch's relationship with Cabinet, but the relationships between Cabinet members themselves. The new secretaries of state Fox and

² Newsam, *Home Office*, pp. 19-20.

³ Peter D.G. Thomas, 'North, Frederick, second earl of Guilford [Lord North] (1732–1792)', *Oxford Dictionary of National Biography* (2004, online edn. 2015) <https://doi.org/10.1093/ref:odnb/20304>

⁴ Cited in Newsam, *Home Office*, p. 19.

⁵ J.M. Beattie, *The First English Detectives: The Bow Street Runners and the Policing of London, 1750-1840* (Oxford: Oxford University Press, 2006), p. 135; George III to Lord North, January 16th 1771 in *The Correspondence of King George the Third, from 1760 to December 1783*, ed. by Sir John Fortescue, 6 vols (London: Macmillan, 1927-8), II, 205-6.

Shelburne were two contrasting characters, so much so that Fox chose to resign rather than serve in Shelburne's successor administration upon the sudden death of the Marquess of Rockingham in July.⁶ Their conflicting political principles and suspicion of one another precluded any cooperation necessary in the old system, in which duties had considerable overlap and interference by one department in the other's affairs was not uncommon.⁷ The reform promised productivity unhindered by political relationships and ensured against any further complications in future administrations. Yet to suggest the impetus for the permanent reorganisation of the departments of central government stemmed from the differing political stances of two politicians is disputable when the broader economic context is considered.⁸ Arguments for changes to government machinery were as much economical as they were pragmatic.

The wars with America and France burdened the country with enormous national debts as government expenditure swelled with the inevitable but unmoderated expansion of wartime bureaucracy.⁹ The war gave the campaign for economical reform a tremendous boost, and from 1780 legislation was passed and commissions were appointed with the aim to improve bureaucratic efficiency and to minimise departmental expenditure.¹⁰ Most notably Edmund Burke's Civil Establishment Act of 1782 abolished over 130 inefficient offices. It was during this time that the Commission for Examining the Public Accounts published a series of reports (1780-7) which recommended a system of continuous business uninterrupted by staff absence, an established and well-defined hierarchy, a reduction and rationalisation of holidays, and an equal distribution of labour. They also suggested various reforms to payments, openly condemned sinecures,

⁶ L.G. Mitchell, 'Fox, Charles James (1749–1806)', *Oxford Dictionary of National Biography* (2004, online edn. 2007) <https://doi.org/10.1093/ref:odnb/10024>; Frank O'Gorman, 'The Parliamentary Opposition to the Government's American Policy 1760-1782', in *Britain and the American Revolution*, ed. by H.T. Dickinson (London: Longman, 1998), pp. 97-123 (p. 122).

⁷ Nelson, *Home Office, 1782-1801*, pp. 1-7.

⁸ Peter Hennessy, *Whitehall*, 2nd edn (London: Pimlico, 2001), pp. 27-8.

⁹ Philip Harling and Peter Mandler, "'Fiscal-Military" State to Laissez-Faire State, 1760-1850', in *Journal of British Studies*, 32:1 (1993), 44-70 (pp. 47-9).

¹⁰ John Cannon, 'The Loss of America', in *Britain and the American Revolution*, ed. by H.T. Dickinson (London: Longman, 1998), pp. 233-257 (pp. 239, 243).

underemployment, and the mixture of public and private business.¹¹ In 1797 the Committee on Finance and the Committee on Public Expenditure (1807-1815) cut right to the core, targeting fees and gratuities which in the Home Office had increased from just over £8,000 in 1792 to over £28,000 in 1795.¹² Reforms based on the committees' recommendations established a stable salary and removed some of the older and irregular methods of remuneration. Rewards upon retirement were standardised and sinecures were once again denounced, but sinecures remained a traditional way in which senior officials rewarded subordinates for their service and loyalty. Reform evidently had its limits, particularly if it affected the power and influence of senior office holders.¹³

Incentivised once again by a tremendous national debt, calls to root out remaining excesses in public expenditure were renewed upon the conclusion of the Napoleonic Wars.¹⁴ In 1821 George IV was called to order an enquiry not to finally confront the pervasiveness of sinecures, but to further squeeze government departments through staff reductions.¹⁵ Despite efforts to reduce public expenditure, the number of public officers had continually increased from 16,267 in 1797 to 24,598 in 1815.¹⁶ In his final month as home secretary, Henry Addington, then known as Viscount Sidmouth, was determined to preserve the state of the Home Office and advised the Privy Council that 'great caution is necessary in making a Reduction'. For his argument Sidmouth called upon a report made by three former Secretaries of State Henry Dundas, Lord Grenville, and the Duke of Portland in February 1795: 'Although it might sometimes happen that the Business of their

¹¹ Philip Harling, *Waning of Old Corruption: The Politics of Economical Reform in Britain, 1779–1846* (Oxford: Clarendon Press, 1996), pp. 59-61.

¹² *PP*, 1797, CIX, Sixteenth Report From The Select Committee On Finance, &c. Secretaries Of State, Appendix c. 1.

¹³ Harling, *Old Corruption*, p. 62; John Ehrman, *The Younger Pitt, The Consuming Struggle* (London: Constable, 1996), p. 300; Jennifer Mori, *Britain in the Age of the French Revolution: 1785–1820* (London: Routledge, 2000), p. 5; R. Cooper, 'William Pitt, Taxation, and the Needs of War', *Journal of British Studies*, 22:1 (1982), 94-103 (p. 94); John Torrance, 'Social Class and Bureaucratic Innovation: The Commissioners for Examining the Public Accounts 1780-1787', *Past & Present*, 78:1 (1978), 56–81.

¹⁴ David R. Fisher, 'HUME, Joseph (1777-1855)', <http://www.historyofparliamentonline.org/volume/1820-1832/member/hume-joseph-1777-1855> [accessed 2nd February 2016].

¹⁵ *Hansard's Parliamentary Debates* (hereafter *HPD*), 2nd series, vol. 5, House of Commons, 27th June 1821, cols. 1345-442; *HPD*, 2nd series, vol. 5, House of Lords, 2nd July 1821, cols. 1464-74.

¹⁶ Harling and Mandler, "Fiscal-Military", p. 54.

respective offices did not afford constant employment for the clerks upon the Establishment, it had frequently been found that all their services were insufficient, and in many instances it had been found absolutely necessary to obtain additional assistance.’ Sidmouth considered it ‘highly proper that persons in habits of confidence should constantly be at hand, and that recourse to occasional aid should, as far as possible, be avoided in the execution of business of so delicate and confidential a nature as that which must necessarily be intrusted to them.’¹⁷

The situation in 1822 was of course vastly different to 1795; the war had ended, the economy had begun to recover, and the threats to public peace from the movement for parliamentary reform had subsided. Yet the motive was the same, for Sidmouth knew how much he depended on all of the clerks he employed. During his near ten-year term he had overseen the operation of the Office during the campaign of destruction by the Luddites, attempted insurrections, the movement for parliamentary reform, and an attempted assassination of Cabinet.¹⁸ All of these events resulted in influxes of correspondence and reports from throughout the country which had to be read, a draft reply written, confirmed, entered into the entry book, and then sent without delay. In what was to prove a successful effort to protect the Office, Sidmouth proposed an alternative plan to a reduction in permanent staff. Length of service based salary increments were reduced and the number of supernumerary clerks was reduced from four to three.¹⁹

¹⁷ HO45-9823-1782L, Report made to the King in Council, by Viscount Sidmouth, in January 1822; regarding the salaries and classification of the clerks and officers in the Office of the Secretary of State for the Home Department, pp. 1-4; HO38/19 pp. 390-6, Henry Hobhouse to J.R. Lushington, 26th November 1821.

¹⁸ These will be discussed in later chapters.

¹⁹ HO45-9823-1782L pp. 1-4, Report made to the King in Council, by Viscount Sidmouth, in January 1822; regarding the salaries and classification of the clerks and officers in the Office of the Secretary of State for the Home Department.

Table 2.1 - Composition of the Home Office, 1797-1827

Rank	1797 (No.)	1805	1810	1815	1819	1827
Secretary of State	1	1	1	1	1	1
Under-Secretary	2	2	2	2	2	2
Chief Clerk	1	1	1	1	1	1
Senior Clerk	4	4	4	4	4	4
Junior Clerk	7	9 ²⁰	9	9	9	9
Extra Clerks	1	6	4	4	4	3
Law Clerk	1	1	1	1	Abolished 21	-
Précis Writer ²²	1	1	1	1	1	1
Librarian	1	1	1	1	1	1
Private Secretary	1	1	1	1	1	1
Oriental Interpreter	1	Abolished 23	-	-	-	-
Chamber Keepers, Office Porter, Door Porter and House Keeper	5	5	6	6	6	7

Information extracted from HO97/3 p. 71, A Return of the Number of Persons employed...in the...Home Department, 27th February 1828.

As the table shows, the total number of personnel and the overall composition of the Home Office remained relatively unchanged despite successive attempts at retrenchment and the pressures upon it during periods of national disturbance. Indeed, despite these strains and the acquisition of other responsibilities, the Home Office grew the least out of the three departments of the principal secretaries of state from 1797-1829.²⁴ The question is then raised as to how exactly the

²⁰ Frederick Edgecombe and John Reynolds were hired as clerks after Home Secretary Charles Philip Yorke requested an addition of two clerks in October 1803, see HO43/14 p. 241, Charles Philip Yorke to the Lord President, 7th October 1803; HO43/14 p. 252, Yorke to Post Master General, 19th October 1803.

²¹ The duties performed in in this position, which was occupied by Thomas Davis Lamb from March 1806 to 13th May 1818, are presumed to have been allocated to the clerk for criminal business upon his death; *Gentleman's Magazine* (1818), p. 639.

²² Though the position was declared unnecessary in 1831, it remained until its present holder retired in 1849. HO36/22 pp. 194-5, Samuel March Phillipps to J. Stewart, 8th March 1831; 'Alphabetical list of officials', in *Office-Holders in Modern Britain: Volume 5, Home Office Officials 1782-1870*, ed. by J.C. Sainty (London: Athlone Press, 1975) <http://www.british-history.ac.uk/office-holders/vol5/pp47-61> [accessed 14th February 2018].

²³ The Home Office was relinquished of its Barbary States duties in 1804, thus this role was no longer required.

²⁴ Peter Jupp, *The Governing of Britain 1688-1848* (London: Routledge, 2006), pp. 136-7, Table 5.1; For earlier years see John Brewer, *Sinews of Power: War, Money and the English State 1688-1783* (London: Routledge, 2002), p. 66, Table 3.1; Peter Jupp, *British Politics on the Eve of Reform: The Duke of Wellington's Administration, 1828-30* (London: Macmillan, 1998), pp. 108-14.

Office was able to cope on a regular basis with such a small increase in personnel. As Sidmouth noted the Office was forced to find additional assistance during busy periods, but how exactly did the Office deal with sudden influxes of correspondence? How did the machinery of the Office adapt to the increasing strains placed upon it? And who were these individuals entrusted with secret and confidential information relating to public order and national security? The present enquiry has considered external pressures from parliamentary commissions, ones which affected all government departments. To appreciate the demands particular to the Home Department, we must enter the Office itself and observe how it operated.

Home Office Responsibilities and Hierarchy

Although this thesis is primarily concerned with the Home Office's responsibilities in preserving order, it must be noted that it performed a wide range of additional duties. Domestic affairs which did not come under another department's purview were entrusted to the Home Office, earning the Office a reputation among historians as a 'waste-paper basket', a 'residuary legatee', and even 'Whitehall's charlady' who mopped 'up the pools of activity which did not fit tidily in any other institutional container.'²⁵ A summary of duties written by the Office indicates the wide range of 'principal' subjects the Home Office was tasked with in addition to its activities to preserve order: 'Dispensations, Creations, Warrants for Inventions for England Scotland & Ireland, Changes of Name and Arms, Claims of Peerages, Church Preferments, Ecclesiastical Dignities, Military Commissions, Royal Foundations & Charities, Degrees of University, Warrants for issuing arms, appointments of Town Clerks &c, Licences to enter into Foreign Service, Miscellaneous Warrants, Appointments to the Royal Household, Charters, Free Denizens, Licences to Plead.'²⁶ The list is by no means complete; by 1832 important but time-consuming responsibilities such as the census and overseeing the newly

²⁵ Ziegler, *Addington*, p. 318; Pellew, *Home Office, 1848-1914*, p. 2; Hennessy, *Whitehall*, pp. 27-8.

²⁶ HO97/10B, Summary of the Duties of the Office of His Majesty's Secretary of State for the Home Department.

established metropolitan police had been added to the Office's portfolio, which in its entirety Peter Jupp estimates brought around 1,000 public servants and officials under the home secretary's influence.²⁷ As A.P. Donajgradzki has noted, creating a complete list of responsibilities and interests is further complicated by the personal preferences of home secretaries. For example, Robert Peel's enquiries into the law and policing in the 1820s were a prerequisite to his subsequent parliamentary bills, and undoubtedly placed additional strain upon the Home Office workforce.²⁸

Commissioners appointed in 1782 'to enquire into the Fees, Gratuities, Perquisites and Emoluments' outlined the role of the Home Office more succinctly: the 'Business of the Secretary of State's Office appears to consist in receiving Intelligence, conducting Correspondence, preparing and issuing Warrants, and managing Transactions relative to the Executive Government of the British Empire.'²⁹ As is implied the commission's main focus was finances, which have already been analysed by Nelson and will not be detailed here.³⁰ However, the report is useful for another reason, for it provides us with our first insight into the internal operation of the Home Office after its establishment in 1782. It scrutinised the efficiency of its staff and analysed the tasks each person was charged with.

The Decision-Making Trio

Atop the institutional hierarchy and notably overlooked by the inquisitive eye of the commission was the secretary of state himself. From a constitutional point of view the secretary of state served three functions: as a channel through which subjects and parliament might address the King, as an adviser to the King in the use of his prerogative powers, and as a relay to transmit his instructions to

²⁷ Jupp, *Governing of Britain*, p. 138.

²⁸ Donajgradzki, 'Home Office, 1822-48', p. 8.

²⁹ PP 1792-3, LXXXVIII, First Report of The Commissioners appointed by an Act of Parliament, to enquire into the Fees, Gratuities, Perquisites, and Emoluments, 11th April 1786 (hereafter Report to enquire into Fees), p. 4.

³⁰ Details of this arrangement are explored in Nelson, *Home Office, 1782-1801*; Sainty, *Office-Holders in Modern Britain: Volume 5, Home Office Officials 1782-1870*. For contextual reading see Harling, *Old Corruption*.

'officers of the Crown, Lords Lieutenants, Magistrates, Governors of Colonies, and others, and sometimes to local authorities.'³¹ Of course on a functional level he rarely acted as a mere channel for the King's instructions, but acted on his own initiative and followed established precedent dating back to before the creation of the Home Office. The desired attributes of a secretary of state are difficult to ascertain; public and private politics make it doubtful anyone was appointed solely because of their suitability for the demands of the position. Nevertheless, he tended to be a senior member of Cabinet with some experience in preserving the peace, sometimes as lord lieutenant of Ireland. Both the Duke of Portland, and Robert Peel, two of the Office's longest post-holders, had served in that position. Others such as former Prime Minister Viscount Sidmouth, who went on to serve as home secretary for nearly ten years, had shown an early interest in the position.³²

At the Home Office, the home secretary's signature carried with it an authority incomparable to that of his subordinate under-secretaries, one which authorised amongst other things the detention of letters from the post office for his inspection, and the arrest of persons charged with treason. Though at the core of the decision-making process he could not realistically read every letter received at the Office and undertake his duties in parliament and the Cabinet. Therefore letters of a basic administrative nature which only required an acknowledgement of receipt or a simple response were dealt with by the under-secretaries, and those requiring the personal attention of the secretary of state, for example disturbance correspondence of a more delicate nature were set aside for his attention. This is not to suggest that the under-secretaries were mere form-filling bureaucrats, but were in fact integral to the decision-making process. With more time to peruse the daily influx of correspondence, they were likely more familiar with the minutiae contained within them, and thus served as valuable advisors, if not collaborators or even friends.

³¹ Newsam, *Home Office*, p. 24.

³² R.G. Thorne, 'ADDINGTON, Henry (1757-1844)', <http://www.historyofparliamentonline.org/volume/1790-1820/member/addington-henry-1757-1844> [accessed 12th February 2016].

The Office had two under-secretaries; the parliamentary under-secretary who changed with the secretary of state when his tenure was over, and the permanent under-secretary, who was not a member of parliament, who was not affected by changes of government.³³ The under-secretaries saw most if not all the correspondence received at the Office, and divided responsibilities between themselves on an informal basis. Letters regarding disturbance in England, for example, were the responsibility of the permanent under-secretary, and letters concerning Ireland were the parliamentary under-secretary's responsibility. The under-secretaries were further charged with attending to orders given by the home secretary, 'to prepare Draughts of such Special Letters and Instructions, as Occasion may require; to transact themselves whatever is of the most confidential Nature; and generally to superintend the Business of the Office in all its Branches.'³⁴ 'Special' letters will be revisited in the next chapter, suffice to say they were of a confidential nature which contained secret information or instructions to follow and had to be worded exceptionally carefully in order to avoid confusion.

The permanent under-secretary was the most senior and experienced constant amongst Home Office personnel, and his expertise were drawn upon when a new secretary and parliamentary under-secretary were appointed. For the newly appointed there was no instruction manual and they were therefore forced to quickly adapt to their unfamiliar surroundings. Fortunately, the under-secretary and those with close links with the Home Office, such as the chief magistrate of Bow Street, were quick to bring new home secretaries up to speed and informed him of his responsibilities and the tools at his disposal.³⁵ By acquainting the newly appointed with the praiseworthy deeds of civil and military authorities and their informers, the under-secretary ensured that established relationships between provincial authorities and the Home Office were preserved.³⁶

³³ For wider reading on the emergence of parliamentary under-secretaries, see D.J. Heasman, 'The Emergence and Evolution of the Office of Parliamentary Secretary', *Parliamentary Affairs*, 23:4 (1970), 345-65.

³⁴ Report to enquire into Fees, p. 4.

³⁵ Beattie, *English Detectives*, p. 187.

³⁶ This is most evident with the Bolton magistrate Ralph Fletcher upon Sidmouth becoming home secretary, see HO79/2, John Beckett to Fletcher, 15th June 1812.

The permanent under-secretary's years of experience and loyalty promoted a strong bond between him and the secretary of state, evident in the trust placed in them to act independently when the secretary of state was otherwise occupied. As years passed and disturbances arose and dissipated, the under-secretaries became familiar with their superior's views and principles, enabling them to act independently with confidence. 'I know I speak Lord Sidmouth's sentiments' Under-Secretary Henry Hobhouse wrote in a letter to Manchester magistrate James Norris.³⁷ The bond was not, furthermore, confined to their time in office; even after Hobhouse left the Office in 1827, Home Secretary Sir Robert Peel still corresponded with him over a year later on metropolitan police reform.³⁸

The formation of the bond between Peel and Hobhouse (and between other secretaries and under-secretaries of state) was not instantaneous; Peel's appointment as secretary of state was initially met with anxiety. During his years in office Peel's predecessor, Viscount Sidmouth, had readily supplied Ralph Fletcher, a spymaster magistrate in Bolton, with necessary funds to gather intelligence. However, Permanent Under-Secretary Henry Hobhouse was 'concerned', as he was 'unable to foretell what opinion Mr Peel may hold on the subject' of his claims to secret service expenses.³⁹ Whilst Hobhouse appears to have been warning against excessive expenditure without the authorisation of the new home secretary, his letter nonetheless reveals the anxiety caused by this new political appointment. After spending many years establishing and maintaining relations with magistrates and nurturing a spy network to infiltrate groups of the disaffected, it could all crumble with a sudden change in government.

³⁷ HO79/3 pp. 504-7, Henry Hobhouse to James Norris, 14th August 1819.

³⁸ Beattie, *English Detectives*, p. 249; Robert Peel to Hobhouse, 12th December 1828 cited in *Sir Robert Peel from his Private Papers*, ed. by Charles Stuart Parker, 3 vols (London: John Murray, 1899), II, pp. 39-41.

³⁹ HO79/4 ff. 89-90, Hobhouse to Fletcher, 27th December 1821.

The Clerkship

As Roger Knight has aptly put it: 'administration needs hard workers, as well as brilliant men.'⁴⁰ The intellectual decision-making trio was accompanied by a subordinate clerical bureaucracy, tasked with the manual labour of writing out the desired responses to letters the Office received. The chief clerk, who was at the top of this clerical hierarchy, coordinated daily business at the Office. He distributed work among clerks and ensured that all warrants and 'other instruments' were duly prepared, transmitted to proper persons for signature, and delivered to respective parties when applications were made. As the most senior and thus most experienced and au fait with the Office's formulaic responses, he was probably responsible for reading and correcting the drafts of his subordinates. He also ensured that the Office's books were properly kept and that public dispatches punctually transmitted. Finally, he acted as the accountant and was responsible for keeping an accurate account of both salaries and expenses.⁴¹

⁴⁰ Roger Knight, *Britain Against Napoleon: The Organization of Victory 1793-1815* (London: Penguin, 2014), p. 107.

⁴¹ Report to enquire into Fees, p. 4.

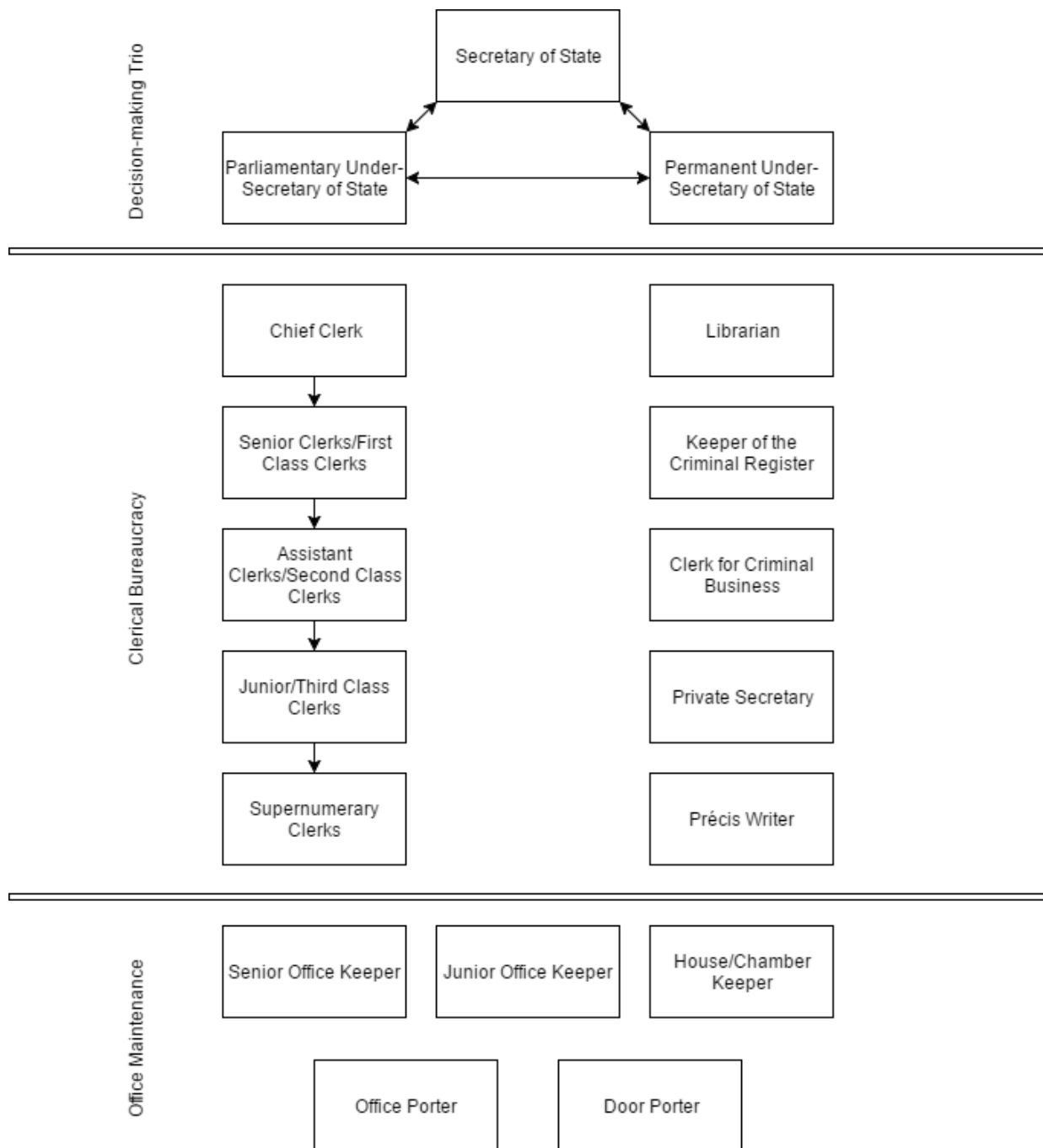


Figure 2.1 - The Home Office Hierarchy c.1822

The remaining clerks were distinguished by the ranks of senior and junior and were to obey orders given by superiors but had 'no particular Branches of Business assigned to them.'⁴² This was to ensure clerks were flexible and thus able to complete all the necessary tasks of the Office, particularly at busy times. However, other government departments were undergoing a process of administrative specialisation. Radical changes at the Treasury, for example, saw its four chief clerks lead six separate sections defined by function, for example war finance, America, West Indian, and Mediterranean business.⁴³ At the Home Office the changes were less radical; two supplementary clerks received additional allowances for performing specific duties before the positions were formalised. The clerk for criminal business was responsible for matters relating to criminals which came under the Home Office's purview, such as prison discipline and general prison regulations, along with superintending the Convict Hulk Establishment, which received convicts sentenced to transportation. The keeper of the criminal register was tasked with recording the 'returns of all Persons committed for trial upon any charge of a Criminal nature...received...after every Assize or Sessions held for any County, City, Town, or Liberty in England & Wales containing their Names, Crimes, Sentences or Acquittals, and Executions or otherwise of all Capital Convicts' and annually prepared condensed printed summaries and numerical statements of the same. He was also responsible for superintending the Horse Patrole in the metropolis, the counterpart to the Foot Patrole which was superintended by the chief clerk of Bow Street, both of which were distinct from regular police officers and constables.⁴⁴ Whether other clerks had more informal specialisations is unknown; our main source is a report designed to reduce expenditure, and thus Home Office personnel were keen to promote the indispensability of its entire clerkship.

⁴² As depicted in figure 1, clerks were divided into three separate classes from 1822 creating the role of 'assistant clerk' which was situated between senior and junior. Report to enquire into Fees, p. 4.

⁴³ Knight, *Britain Against Napoleon*, pp. 326-7.

⁴⁴ Sainty, 'Alphabetical list of officials'; Donajgrodzki, 'New Roles for Old', p. 86; HO97/10B 'Summary of the Duties of the Office of His Majesty's Secretary of State for the Home Department'; DHC 152M/C/1819/OA, Sidmouth to Duke of Marlborough, 25th June 1819.

Employment, Trust, and Reward

The secretary of state had the responsibility of employing clerks in the Office, but this was a task rarely undertaken on his own initiative and investigation. In the eighteenth and early nineteenth centuries the patronage system ensured that vacancies in government departments, and in influential corporations like the East India Company, were quickly filled.⁴⁵ Recurrences in family names were common in both the Home and Foreign Offices with existing staff recommending their sons, nephews, and other relations to fill vacancies.⁴⁶ As with sinecures and incremental pay rises, providing employment for family members was another way in which loyalty was rewarded, extending the security of employment within government to the next generation. Clerk Charles Brietzcke had previously written to the Office in 1792 soliciting employment for his third son, George Purchas Brietzcke, before his request was granted when he retired in October 1794. It appears George Brietzcke might have been working at the Office before this time, perhaps voluntarily to learn the ways of the Office. Charles wished for George to be placed upon the establishment 'to succeed thereto next after Mr. [William Dacres] Adams', who was then employed as a supernumerary clerk.⁴⁷ Charles Brietzcke's decision to retire was undoubtedly brought on by a review of the Office's clerkship by Secretary of State Henry Dundas. During that year the Home Office had finally been relieved of its war duties upon the creation of the secretary for war, but the pressing months of the war pinpointed inefficient clerks (brought on by age or infirmity), and four other clerks were induced to retire the same year.⁴⁸ Two of these clerks, George William Carrington

⁴⁵ Bowen, *Business of Empire*, p. 121.

⁴⁶ Other government departments likely followed the same principle. Knight, *Britain Against Napoleon*, p. 114; 'Alphabetical list of officials', in *Office-Holders in Modern Britain: Volume 8, Foreign Office Officials 1782-1870*, ed. by J.M. Collinge (London: University of London, 1979) <http://www.british-history.ac.uk/office-holders/vol8/pp58-82> [accessed 16th June 2017].

⁴⁷ Sainty, 'Alphabetical list of officials'; HO44/41/51 ff. 131-2, Charles Brietzcke to Henry Dundas, 20th August 1792.

⁴⁸ HO43/5 p. 176, Henry Dundas to George William Carrington, 2nd June 1794; p. 177, Dundas to Charles Brietzcke, 2nd June 1794; pp. 177-8, Dundas to Colleton, 2nd June 1794. Carrington made an unsuccessful plea to keep his job. HO42/31 ff. 89-90, Carrington to Dundas, 4th June 1794; Nelson, *Home Office, 1782-1801*, p. 47.

and James Nassau Colleton, were offered a pension equal to their salary as a reward for their services. There is no evidence to suggest that a similar arrangement was made with the other two clerks, Charles Goddard and George Lewis Palman. In another case William Peace was brought in as a supplementary clerk to assist the duties of the ailing librarian Charles Peace, and succeeded him as librarian after a 'paralytic attack' forced him to retire in 1806.⁴⁹ Under-Secretary of State John King's nephew was also promised a position.⁵⁰ Even more distant relations were able to obtain positions at other departments which came under the Home Office's purview. Clerk John Capper's brother Benjamin Capper was successfully appointed to a clerkship at the Alien Office, a branch of the Home Office for which the home secretary controlled appointments.⁵¹ Similarly Under-Secretary William Wickham was able to secure employment for several of his wife's relations at the Alien Office.⁵²

These are just some of the most obvious cases, and indeed many vacancies were filled by friends, more distant relations, or as favours for social and political advantage. Gaining employment in the departments of central government was near impossible without recommendations from someone within the Office itself, or a close friend thereof. Letters requesting employment from unrelated but certainly qualified clerks rarely received a favourable response since the Office always had an accruing waiting list. The patronage system did have its limits, however; positions which demanded experience, reputation or qualifications were more exclusive. Union Hall magistrate Richard Carpenter Smith's request to be replaced by his son, Ralph Smith, was rejected on the grounds that it would establish an 'improper and inconvenient principle.'⁵³ Equally a recommendation from Lord Kenyon was rejected as the person in question possessed no legal qualifications, a requirement for the position.⁵⁴ Although exclusive, this system of patronage does

⁴⁹ HO43/15 p. 443, Earl Spencer to Lord President of the Council, 24th April 1806; Sainty, 'Alphabetical list of officials'.

⁵⁰ HO43/13 p. 82, Home Office Memorandum, 4th June 1801.

⁵¹ Donajgrodzki, 'New Roles for Old', pp. 99-101.

⁵² Elizabeth Sparrow, 'The Alien Office, 1792-1806', *Historical Journal*, 33:2 (1990), 360-81 (p. 366).

⁵³ HO43/14 p. 366, Yorke to Richard Carpenter Smith, 12th January 1804.

⁵⁴ DHC 152M/C/1814/OZ, Sidmouth to Lord Kenyon, 16th February 1814.

not appear to have hindered operations. Discipline was ensured by the appointee's obligation to their sponsor within the Office, for fear of reprimand outside the Office as well as within if they failed to meet expected standards.⁵⁵

However, one individual stands out as clearly defying this efficient system. John Hiley Addington, Parliamentary Under-Secretary of State (1812-1818), was the brother of Secretary of State Viscount Sidmouth.⁵⁶ Hiley was offered the position when the current parliamentary under-secretary, Henry Goulburn, took up the position of under-secretary for war, the latter position having been vacated by Robert Peel who became chief secretary of Ireland. Hiley Addington was frequently absent from the Office on claims of ill-health, leaving many of his duties to his brother and the permanent under-secretary. In 1817 an upsurge in the quantity of business obliged Sidmouth to write to his brother and request his immediate return to work. 'I am compelled, for the first time, to acknowledge that I want assistance...I am grieved to tell you that I anxiously wait for your return...I work morning & evening & can hardly prevent very inconvenient & unpleasant arrears.'⁵⁷ From his appointment to the position when Sidmouth took office in 1812, Hiley Addington served in the Office for nearly six years before he finally retired after a collapse.⁵⁸ Sidmouth had worked hard to secure Hiley a parliamentary career and a position within the comfortable confines of a government department.⁵⁹ In 1812, after five years out of government office, Henry attempted to secure Hiley a position within the Treasury but was unsuccessful. Hiley's unreliability is well attested; of the six government positions he held during his lifetime, his position as under-secretary at the Home Department was the only one he held for longer than eighteen

⁵⁵ Alan MacKinlay, 'Dead Selves': the birth of the modern career', *Organization*, 9:4 (2002), 595-614 (p. 600).

⁵⁶ DHC 152M/C/1812/OZ, Sidmouth to John Hiley Addington, 8th August 1812.

⁵⁷ DHC 152M/C/1817/OZ, Sidmouth to John Hiley Addington, 7th January 1817.

⁵⁸ Sainty, 'Alphabetical list of officials'; R.G. Thorne, *The House of Commons, 1790-1820*, 5 vols (London: Secker & Warburg, 1986), I, p. 48; David R. Fisher, 'ADDINGTON, John Hiley (1759-1818)', <http://www.historyofparliamentonline.org/volume/1790-1820/member/addington-john-hiley-1759-1818> [accessed 20th May 2016].

⁵⁹ DHC 152M/C/1812/OZ, John Perceval to Sidmouth, 15th March 1812.

months.⁶⁰ Sidmouth had considered replacing Hiley on a previous occasion in 1815 after he was absent for over three weeks, and was without his permanent under-secretary John King who was in France.⁶¹ However, kinship superseded efficiency, it was impossible for Sidmouth to prematurely end his brother's political career by replacing him. From what we can learn from Home Office and private records this is an isolated example. For the most part the conclusion of Donajgrodzki is accurate; the patronage system in the Home Office was not 'the dubious ministerial perquisite which popular opinion came to believe, nor was it an agent of inefficiency.'⁶² If anything the patronage system was an agent of efficiency, as it ensured the Office was staffed with a diligent, efficient, and trustworthy personnel who were motivated by their own (and potentially a relative's) material self-interest, and were disciplined in their early years by their obligation to their sponsor.

The trust in clerks was such that confidential letters, which were intended to be read and replied to only by the named recipient, were sometimes entrusted to junior clerks in order to save time. During the war with France, Richard Hatt Noble, then at the bottom of the clerical hierarchy as a junior clerk, was entrusted with copying the sovereign's speech. As the contents often related to taxes, any breach of the contents could have had serious financial repercussions.⁶³ Equally, the secretaries of state for the Home Department, Foreign Department, and War, evidently confident that state secrets would not be leaked, conclusively rejected a suggestion that clerks should swear an oath of secrecy. They believed the existing system was a sufficient check, in which 'any breach of Fidelity or secrecy' was 'immediately...punished by dismissal.' Their trust was well placed; no Home Office clerks were dismissed on these grounds. An oath was also rejected for practical reasons since it might 'daily be broken by them in the most innocent conversations.'⁶⁴ Though established custom made the Home Office resistant to bind its staff to solemn oaths, conciliations

⁶⁰ Fisher, 'ADDINGTON, John Hiley'.

⁶¹ Davies Giddy was suggested as a possible replacement. DHC 152M/C/1815/OZ, Sidmouth to Lord De Dunstanville, 25th October 1815.

⁶² Donajgrodzki, 'New Roles for Old', p. 93.

⁶³ HO97/27 Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, pp. 62-3.

⁶⁴ HO45/9823/1782L/1, Duke of Portland, Earl Grenville, and Henry Dundas to Lord President, 23rd February 1795.

had to be made in response to newly enacted legislation. After 1828 Home Office personnel, along with all other government officials, were required to make a declaration stating they would not use their position to injure the Protestant Church, in accordance with the Sacramental Test Act passed that year.⁶⁵ Nonetheless, the resistance to such oaths suggests a level of trust was bestowed upon the newly appointed before they had time to earn it.

Trust was built up over years of service with some recommended clerks starting their career as early as thirteen or fourteen years old as supernumerary clerks. Desirable candidates belonged to a 'respectable' family and had the benefit of what Sidmouth termed a 'liberal education.'⁶⁶ What exactly Sidmouth meant by this is unclear. Some clerks had been educated at Eton, Harrow, or Westminster, but there is no indication that such elite education was a requirement.⁶⁷ The tasks of the Office were not complex, initiative was not required as clerks followed the instructions their superiors gave them, and draft production and inspection by senior clerks prevented most errors. Unlike other government departments, specific skills were not required. The removal of war responsibilities in 1794 and colonial responsibilities by 1804 made aptitude in foreign languages less important, and in the early years of the Napoleonic Wars it appears the Home Office relied on William Huskisson of the Alien Office for any translations of French documents. Competency in mathematics was also unnecessary, other than for the account keeping duties of the chief clerk.⁶⁸ Even the most senior of the Home Office clerks were not university graduates. Interviewed in 1848, Frederick Russell Mills confessed that when he was 'not very au fait at any thing but writing' when he was employed as a clerk at the age of eighteen.⁶⁹ *The Times*, a critic of the Home Office, was perhaps not too far from the truth when it suggested there was 'less of talent and energy in that

⁶⁵ The Act made it no longer necessary for officeholders to take communion in the Church of England. HO117/2 pp. 530-1, Memorandum, 2nd June 1830.

⁶⁶ Donajgrodzki, 'New Roles for Old', p. 98; HO45/9823/1782L, Report made to the King in Council, by Viscount Sidmouth, in January 1822; regarding the salaries and classification of the clerks and officers in the Office of the Secretary of State for the Home Department.

⁶⁷ Nelson, *Home Office*, pp. 47-50.

⁶⁸ Knight, *Britain Against Napoleon*, p. xxxv.

⁶⁹ HO97/27, Minutes of Evidence, Examination of Frederick Russell Mills, 5th August 1848, p. 140.

office...than in all the rest put together.⁷⁰ Diligence, loyalty, satisfactory penmanship and precision were expected characteristics and skills of newly appointed clerks, but no record of attendance was kept, new clerks did not have to survive a probationary period (unlike the War Office), and as with most other government departments they were not subjected to a formal test of their abilities which were common practice in institutions such as the Bank of England.⁷¹

Clerkships were a mundane and repetitive occupation but were well rewarded and comfortable. From 1809 loyalty was rewarded through increments to salaries for every five years of service up to a maximum of £400. This was abolished in 1822 in an effort to reduce costs and a less generous fixed salary of £100 was introduced which rose by annual increments of £10 up to £150.⁷² This change saw government clerks' salaries fall far below that of clerks employed in the East India Company who were earning up to £600 a year by the 1820s.⁷³ By 1810 a pensions system had been introduced which rewarded government servants for their services; those who had served for ten years were awarded half their salary, and those who had served more than twenty years were awarded equivalent to two thirds.⁷⁴ Regular attendance was typically from 11 am to 4 pm six days a week if there was not much correspondence, with Sundays typically reserved for worship. However, two clerks alternated the duty of arriving early to sort the morning post and attendance to a late hour or on holy days in tumultuous periods was not unknown.⁷⁵ As Richard Hatt Noble recalled: 'During the time from 1815 to 1822 there was not an hour in the day or night that I could call my own. The North of England was in a state little short of rebellion, the Houses of Parliament had Secret Committees...the Habeas Corpus Act was suspended and Warrants were issued for

⁷⁰ *The Times*, 1st July 1812.

⁷¹ Knight, *Britain Against Napoleon*, p. 346; HO97/27 pp. 129-30, Minutes of Evidence, Examination of Thomas Henry Plasket, 29th July 1848; Murphy, 'the recruitment of Bank of England clerks'; Jupp, *Governing of Britain*, p. 142.

⁷² HO43/17 p. 256, Liverpool to Lord President of the Council, 29th April 1809; Francis Sheppard Thomas, *Notes of Materials for the History of Public Departments* (London: Clowes & Sons, 1846), p. 34

⁷³ Bowen, *Business of Empire*, p. 140.

⁷⁴ Knight, *Britain Against Napoleon*, p. 342, Harling, *Old Corruption*, p. 118.

⁷⁵ HO97/27, Minutes of Evidence, Examination of Thomas Henry Plasket, 29th July 1848, pp. 127-8, 143.

apprehending the leaders in the disturbances.⁷⁶ The urgency of the work could not be delayed by working hours, and thus clerks were obligated to attend until the work was finished, or at the very least remained until the home secretary had left for the day. Prior to the addition of apartments to the Home Office building in the 1840s, the Office might have utilised some apartments it possessed off-premises during such busy times. Having apartments close to the Office meant clerks like Hatt Noble would then not have to traverse what could be dozens of miles early in the morning to get home after a long shift, only to return to the Office within a few hours. It also ensured clerks were accessible if there was a crisis late at night, either in London or in the provinces, which required their assistance. Such an arrangement would not have been too different from the Navy Office, which possessed living quarters for senior officials since they could be called upon at any time of day or night.⁷⁷

During quiet periods clerks made the most of their eight weeks annual leave, but otherwise attended diligently. As the commissioners' report stated, whilst the under-secretary and chief clerk were always employed 'the other Clerks, though not always employed, are in Daily Attendance, and are expected to be ready for the Execution of any Business in which their Superiors may think necessary to employ them.'⁷⁸ Clerks were not paid to be idle, however. In December 1810 Under-Secretary Henry Goulbourn ended what appears to have become a nuisance, the mixture of private and public business during office hours. From then on newspapers, court calendars, pocket books and pocket almanacks were all prohibited from the Home and Alien Offices.⁷⁹ To prevent inconvenience the Office had to remain well staffed in case of any sudden outbreak of disorder. Indeed, on such occasions the Office sometimes required the assistance of clerks from the Alien Branch of the Home Office to make copies of letters if Home Office clerks became overwhelmed.

⁷⁶ HO97/27, Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, pp. 28-9.

⁷⁷ Knight, *Britain Against Napoleon*, p. xxx; HO43/31, pp. 87-8, Peel to Earl of Liverpool, 27th February 1822.

⁷⁸ Report to enquire into Fees, p. 4.

⁷⁹ HO43/17 pp. 415-6, Henry Goulbourn to John Reeves, 26th December 1810.

They did this ‘as a matter of favour, not as a matter of duty’ and worked alongside the clerks of the Domestic Branch into the earlier hours of the morning if required.⁸⁰ Furthermore, when the Office generated a backlog of work supernumerary or extra clerks were hired at between seven and ten shillings a day to clear it, often for a month at a time. The names of recommended extra clerks were recorded with their address, who they were recommended by, and specific talents such as the ability to write in French.⁸¹ Such a practice appears to have been common in government departments and large institutions like the East India Company, who also had to hurriedly prepare documents which were requested by parliament.⁸²

Clerks often stayed on and rose through the ranks as more senior positions opened up through illness or retirement. Who was promoted to fill positions was decided by the principle of seniority, a principle which was followed throughout all government departments including the military; skill or diligence does not appear to have been an influential factor.⁸³ Over time clerks grew accustomed to the established precedents of the Office, an expertise which improved their efficiency and their sense of belonging and self-worth. In-house recruitment of senior clerks provided the Office with an experienced staff crucial to its proper functioning at challenging times. Thomas Henry Plasket was originally appointed as a junior clerk in 1794 upon the request of his father Mayor of Bristol John Noble, who found himself in financial difficulties. Thomas assumed the position of chief clerk in 1816 until he retired in 1849.⁸⁴ Similarly Richard Hatt Noble, who was appointed in 1797 was promoted in 1822 to senior clerk and finally retired in January 1849.⁸⁵ Of course senior positions were finite, and some clerks used their position in the Home Office as a

⁸⁰ HO97/27, Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, pp. 32-3.

⁸¹ HO82/3, Contingent Accounts.

⁸² Bowen, *Business of Empire*, p. 164.

⁸³ HO97/27, Minutes of Evidence, Examination of Thomas Henry Plasket, 29th July 1848, p. 130; Knight, *Britain Against Napoleon*, p. 73.

⁸⁴ UNL, Pw F 7201, ff. 1-2, John Noble to Portland, 11th August 1795; Sainty, ‘Alphabetical list of officials’; HO97/27, Minutes of Evidence, Examination of Thomas Henry Plasket, 29th July 1848, p. 133

⁸⁵ Sainty, ‘Alphabetical list of officials’; HO97/27, Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, p. 1.

stepping stone to a better position elsewhere within government or in the colonies.⁸⁶ Clerk William Dacres Adams, for example, resigned in 1810 to take up the more prestigious position of Commissioner of Woods and Forests.⁸⁷ As H.V. Bowen has shown with the East India Company, the finite number of senior positions and long periods of service meant that many clerks made little progress in their respective hierarchies during their life.⁸⁸

Long-term employment was conducive to the formation of strong professional relationships, but incompetency was dealt with swiftly. The Keeper of the Criminal Register Edward Raven was dismissed in August 1800 after embarrassing the Office on two separate occasions. In 1795 he had protested against granting pardons to criminals who had agreed to enter military service, and in 1800 was held accountable for deliberately failing to prepare pardons to some of the mutineers of 1797, which meant they had been imprisoned for longer than intended.⁸⁹ Clerk Robert Douglas was dismissed in November 1802 after being absent from work for four months without sufficient reason and for purchasing a house at Bury St Edmonds, seventy-five miles from London. Douglas had previously been reprimanded for inattention to his duties, in consequence of which an expected promotion was withheld.⁹⁰ Clerks were usually granted leave of absence with full pay if a good cause was given, but blatant disregard for duty was not tolerated. In 1823 Senior Clerk Richard Medley, seems to have been dismissed due to embarrassing the Office with long-standing personal debts.⁹¹ Scandals such as these are rare; the next recorded dismissal was not until 1869, but there

⁸⁶ Nelson, *Home Office*, pp. 47-50.

⁸⁷ Nelson, *Home Office*, p. 161, Appendix I.

⁸⁸ Bowen, *Business of Empire*, p. 142.

⁸⁹ HO42/51 ff. 430-434C, Edward Raven to Portland, 23rd September 1800; Knight, *Britain Against Napoleon*, p. 115.

⁹⁰ HO42/31 ff. 85A-85B, Copy of letter Henry Dundas to Robert Douglas, 2nd June 1794; HO43/13 p. 427, George Shee to Robert Douglas, 11th November 1802.

⁹¹ HO117/2 p. 85, Hobhouse to R. Medley, 24th March 1823; p. 87, Hobhouse to Medley 27th March 1823; p. 88, George Dawson to Thomas Atkinson, 2nd April 1823; p. 132, Plasket to L. Sullivan, 26th June 1823; pp. 132-3 Plasket to Sullivan, 3rd July 1823.

are probably more undocumented cases in which clerks were encouraged to retire or resign, rather than tarnish both their and the Home Office's reputation with a public dismissal.⁹²

King's Messengers and Office Maintenance

Also integral to the operation of the Home Office but not employed by it were the Messengers in Ordinary to His Majesty, or King's Messengers. Sixteen of a corps of thirty-four were separated in 1772 to serve the secretaries of state for the Northern and Southern Departments, but still belonged to the lord chamberlain's office. Messengers were granted an annual salary, which was supplemented by board wages and an additional sum for any journeys they were tasked with.⁹³ The number of messengers serving the secretaries of state was increased to thirty, and then to thirty-eight after a recommendation by the secretaries of state for home, foreign, and colonial affairs in June 1824.⁹⁴ This change also saw the superintendence of messengers transferred to the Foreign Office librarian, which gave the secretaries closer control.⁹⁵ As their title implies, the messengers were tasked with the delivery of letters and summons (both written and verbal) to other government departments and addresses in the vicinity of the Office, but also further afield.⁹⁶ On occasion messengers were required to go abroad, frequently Ireland, and in times of disturbance were sent with the secretary of state's warrant into the country to apprehend specific individuals and deliver them to London.⁹⁷ They were also used to accelerate the pace of communication, bypassing the inconvenience of relying on the relatively slow postal system. A messenger could be sent at any time of day and upon arrival at their intended destination await the recipient's reply, and then return to the Home Office.⁹⁸ In one instance a messenger was instructed to deliver a letter to

⁹² Sainty, 'Alphabetical list of officials'.

⁹³ Report to enquire into Fees, p. 7; HO42/66 pp. 324-5, Allowances placed on Contingent Account, September 1802.

⁹⁴ HO82/8, Messengers' Entry Books, New Establishment of the Corps of King's Messengers, attending the Offices of the Secretaries of State.

⁹⁵ HO97/27, Minutes of Evidence, Examination of Thomas Henry Plasket, 29th July 1848, p. 111.

⁹⁶ *The Diary of Henry Hobhouse, 1820-1827*, ed. by Arthur Aspinall (London: Home & Van Thal, 1947), p. 2.

⁹⁷ This was very common in the year of 1817 after the attempted insurrection at Pentrich. See HO41/3.

⁹⁸ HO97/27, Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, pp. 59-60.

Lord Fortescue in Devon, await a reply and then deliver it back to the Home Office, an exchange which took three days at the latest. By comparison, previous letters received from Fortescue had taken up to five days to make the journey from Devon to London and for a response to be written, not including the time it took for the Home Office reply to be received.⁹⁹

If all of the messengers were occupied the task fell to the lower ranks charged with the general maintenance of the Office. The office porter, who attended to the front door of the Office and received urgent letters and visitors to the Office, was usually given this duty.¹⁰⁰ The senior office keeper, whose title was later changed to senior office keeper & letter carrier, was also given this responsibility. As with roles within the Home Office itself, vacancies in the King's messengers were filled by dependable individuals who had earned the trust of the inner-circle through years of service. Experienced Home Office Door Porter John Youris and Chamber Keeper Thomas Brown were both promoted to fill vacancies.¹⁰¹ Whilst those in the lower ranks of the office were not typically able to ascend to a clerkship, nor were they entitled to some of the benefits clerks possessed such as length of service based salary increments, they still received a superannuation upon retirement and opportunities for promotion existed.

Conclusion

By analysing the Home Office hierarchy more closely than has been done before, this chapter has shown that the machinery of the Home Office was a well-oiled if not clearly structured machine. With historians of protest often approaching the subject from a bottom-up perspective, it is not surprising that the influence and efforts of personnel other than the home secretary have been overlooked. This seems to have been replicated in the biographies of contemporary statesmen, wherein department heads like Viscount Sidmouth are seen as carrying the intellectual

⁹⁹ HO43/12 pp. 491-4, Portland to Earl Poulett, 3rd April 1801; HO43/12 pp. 499-502, Portland to Earl Fortescue, 6th April 1801.

¹⁰⁰ HO97/27, Minutes of Evidence, Examination of Thomas Henry Plasket, 29th July 1848, pp. 113-4.

¹⁰¹ HO82/16, Salary Books, 8th January 1810, 4th December 1812.

burdens of office 'painfully alone.'¹⁰² The findings in this chapter challenge this assumption and show that this burden was shared at the very least by the under-secretaries of state, who often possessed years of experience either in dealing with public disturbance or with the political squabbles in parliament which could coincide with it.

This chapter has also shown how the Office was able to resist calls for more rigid hierarchical structures as part of broader efforts to economise government departments. The variety of the tasks Home Office personnel were required to perform and a fluctuating workload required the Office to retain a flexible clerkship. Even as these attempts to economise prohibited an increase to the number of clerks to cope with peaks in business, the Office was never quite brought to its knees. Patronage, rewards, and discipline ensured the Office was always staffed with an efficient force, ready at any time to work into the early hours of the morning in the aid of public service. Whilst available records do not provide us with all the details of how the Office functioned, what is clear is that the history of the Home Office is not a history of the great statesman, the secretary of state, but of all those behind him, without whom the Office simply could not have functioned.

¹⁰² Ziegler, *Addington*, p. 320

Chapter 3 – Home Office Correspondence

The Home Office changed its operations in response to public disturbance. This chapter reveals how new document series were created solely for disturbance and secret correspondence with local authorities and military officials in the country. First, the chapter will outline some of the methodological problems in attempting to reconstruct the Home Office's processes. Second, by using the few surviving sources which exist, the Home Office's correspondence process will be reconstructed, from the arrival of letters at the Home Office to the archive of them and the despatch of a reply. Third, the structure of the Home Office's archive will be explored, showing how successive parliamentary committees during periods of national tumult forced the Home Office to adapt its primitive systems. Finally, this chapter will show how the Home Office not only had to deal with influxes of correspondence in tumultuous times but also how its daily business increased gradually over time.

System

Letters received at the Office were stored in bundles in the library, and Home Office responses to them were written into a set of entry books within the clerks' rooms. Unusually, they are not navigable through a registry system in which individual letters are assigned a unique identification number, and can be traced through an index volume containing subject or geographic categories, for example 'disturbance', or 'Isle of Man'. A registry system was a relatively common feature of contemporary government bureaucracies, it significantly improved document retrieval rates but was laborious to establish and maintain. If such a system had been introduced we could accurately account for the number of missing letters, and perhaps ascertain as to why they are missing. Instead of a registry system, clerks and the Office librarian relied on the old but tested method of searching for papers manually, assisted by indexes in entry books and dockets on received letters. As a result,

the historian is left with the unenviable task of sifting through innumerable boxes searching for a letter from an individual or location of interest which may not even exist. Ongoing cataloguing and digitisation projects promise to alleviate some of this burden, but one is left to wonder how this task was completed so swiftly by Home Office personnel.

Clerks were incredibly determined to resist the implementation of a registry system and continued to protest against it upon its eventual introduction in June 1848.¹ Some historians have suggested the system was introduced earlier in 1841, however, internal records such as interviews indicate the system was introduced in 1848, and the clerks registered correspondence from 1841 to enable to completely switch over to the new system. As such, the Home Office was the last major department of government to implement a registry system. Ultimately when it was introduced, it was not at the will of the clerks but of their superiors in the interests of departmental uniformity. But why then had it taken so long, why had no other secretary of state implemented it? Lisa Keller notes that new policies emanated from both the permanent civil service and political appointments, but there is also the potential for one group to defer to the experience of the other.² On appointment home secretaries had to learn the ways of the Office in a short time, likely guided by the permanent under-secretary and the most senior clerks of the Office, two of whom had been in attendance at the Office for over half a century by 1848. Despite the home secretary's unquestionable authority, he was reluctant to alter established procedure, particularly if its advocates were the Home Office's most experienced clerks. The Home Office was only able to navigate its primitive correspondence structure effectively because it had an experienced senior clerkship; the same individuals who acted as a barrier to innovation. Their memories and experience were relied upon to recall letters they had written, along with the labour of the Office librarian to trawl through bundles of correspondence stored in the Office library. This was perhaps primitive

¹ HO97/27, Minutes of Evidence taken at a Meeting at the Home Office to enquire into the transaction of business at the Home Office; Jupp, *Governing of Britain*, p. 139; Donajgrodzki, 'Home Office, 1822-48', p. 25.

² Lisa Keller, *Triumph of Order: Democracy & Public Space in New York and London* (Chichester: Columbia University Press, 2010), p. 66.

compared to the intricate registers and indexes of the Treasury, and one that very much depended on the diligence of key personnel. However, it was one that worked effectively and never drew scrutiny; it was never brought up in the several parliamentary appointed commissions which drew comparisons between government departments.

The Home Office's archival series are by no means intuitive, the opaque nature of catch-all terminology such as 'domestic correspondence', or 'miscellaneous correspondence', is incredibly unhelpful for historians searching for letters relating to a specific subject or from a certain place. The Home Office inherited its *modus operandi* from its predecessor, the Southern Department, for it was there that most of the Home Office's clerks had worked before the Home Office was born. New correspondence and entry book series were created to mark the establishment of the Home Office's own archives, but the processes and precedents were identical to that which came before. Upon the creation of the Home Office in 1782 the opportunity was missed to modernise; to establish a registry system and create specialised volumes to avoid overusing the domestic entry books and correspondence series.³ Evidently, however, there was no impetus to initiate such changes. The clerks were comfortable with the system they were familiar with, and thus the primitive system was continued.

There is no surviving guide to the Home Office systems and precedents that staff were presented with upon appointment; its small bureaucracy did not warrant the time and effort to create one. However, there is on close inspection a logic to this system which can only be gleaned through a close inspection of the archival structure, and by analysing the contents of the letters contained within its correspondence series and entry books. The below observations are confined to those archival series which concern disturbance correspondence, and indeed there is much to be said on the changes relating to the Office's other principal subjects, particularly its criminal

³ HO42.

responsibilities. Nonetheless, these series underwent significant changes in the period concerned as the strains of disturbance tested the resilience of the Home Office's antiquated systems.

Procedure

The quantity of the day's work was determined by the amount of correspondence received that day in a sealed bag received from the Post Office. Two Home Office clerks took it in turns to open the bag and prepared them for the perusal of the permanent under-secretary of state.⁴ The secretary of state and his under-secretaries attended daily morning meetings in the Office to discuss the replies and any additional actions the Home Office needed to take, for example consulting the law officers of the crown on a legal issue. Letters were often acted upon by one of the under-secretaries without the need for the secretary of state to be involved. Of course more important, alarming, and privately addressed letters were reserved for the home secretary to peruse, and responses were delayed until he was consulted.

Once a response was agreed upon, a corner of the original letter was turned down and instructions outlining the response was written on it for the clerks to complete. If the desired response was of a more unusual nature, letters were drafted, presented to the under-secretary or secretary of state, and necessary amendments made. Responses from the Home Office were often similar to letters which had previously been written and were thus copied from the entry book or recalled almost word for word. Once written and any necessary enclosures copied, letters awaited the approval and signature of the under-secretary or secretary of state and were finally copied into the appropriate entry book and sealed ready for despatch. The original letter which was received by the Office was docketed, which involved noting the author's name, the date it was sent, the date of reply, and a note of its contents on the reverse of the letter. This final process made searching for correspondence much easier since a clerk or the librarian was not required to open every folded

⁴ HO97/27, Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, pp. 4-7.

letter to know its contents. Docketed letters were placed in monthly bundles and kept in one of the writing rooms of the Office until enough time had elapsed for them to be transferred to the Office library.⁵ They remained there for reference until the late nineteenth and early twentieth century, when they were finally transferred to the Public Record Office, now The National Archives.⁶

⁵ Ibid; HO79/4 f. 92, Hobhouse to Major General John Byng, 30th March 1822.

⁶ PRO40/7, Acquisition Registers, pp. 142-3, 152-3; PRO40/8, Acquisition Registers, pp. 29, 40, 69.

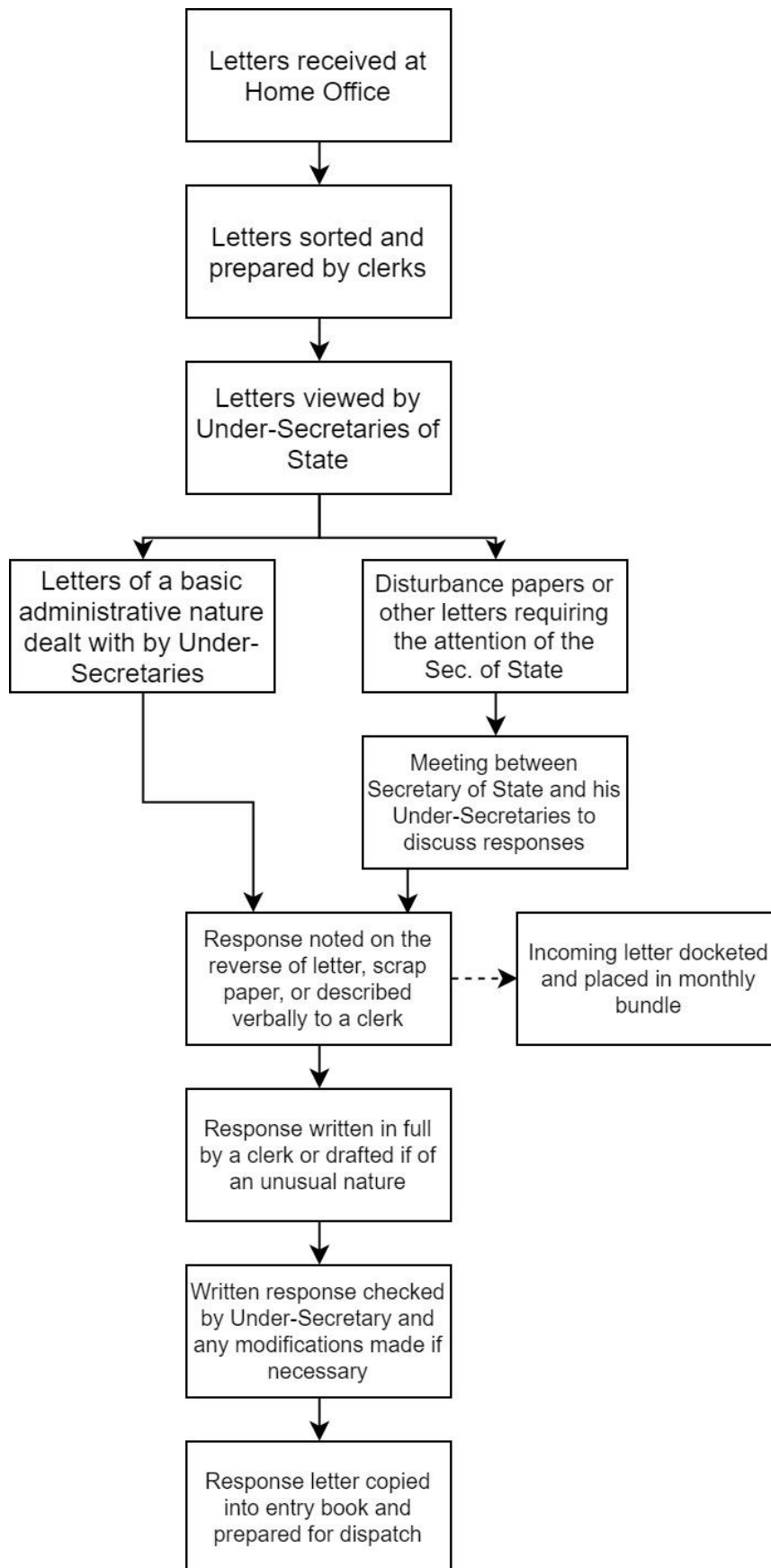


Figure 3.1 – Home Office Correspondence Procedure

This was at least the normal procedure to be adopted, but the proceedings of the Office were occasionally interrupted by human error, or when letters were kept for reference by the secretary or under-secretary of state. Busy periods sometimes required clerks to work through into the early hours of the morning, which were prime conditions for a letter to be misplaced or entered into the incorrect entry book.⁷ For example, in February 1817 a third meeting of disaffected individuals was to take place at Spa Fields, London, after two similar meetings held in November and December 1816. The details of this meeting will be discussed in a later chapter, but what is important here is that as a result of precautionary measures, particularly a redistribution of military detachments, correspondence was frequent between the home secretary and the mayor of London. The sequence of responses recorded in the Home Office entry books are chronologically imperfect; some replies were not recorded until more than five days after they had been sent.⁸ Thus it appears in some instances hastily written copies or corrected drafts were retained and recorded later when the copy or draft was no longer required for reference, and when the clerks had time available to dedicate to transcribing. Circumstances such as this led to letters being temporarily and even permanently lost.⁹

Letters for despatch were collected by a Post Office courier who arrived at 5:45 pm to collect the bulk and again at 6:55 pm to collect any remaining letters. Letters prepared after that time had to be delivered by a departmental messenger in time for the departure of many of the mail coaches at 8 pm.¹⁰ The departments of government were requested to prepare their dispatches promptly to avoid delaying the mail coach, as such a delay would cause 'great injury and embarrassment to the Service and Proceedings' of the Post Office.¹¹ This could also have more serious consequences than institutional embarrassment. In December 1830 when the Swing Riots had spread throughout

⁷ *Ibid.*, p. 35.

⁸ HO41/25 ff. 103-4, Sidmouth to Lord Mayor, 7th February 1817. This letter is recorded after HO41/25 f. 103, Addington to High Bailiff for Westminster, 12th February 1817.

⁹ UNL, Pw V 111/208, ff. 151-152, Copy of letter from Portland to Dr M. Marlow, 12th September 1800.

¹⁰ J.C. Hemmeon, *The History of the British Post Office* (Cambridge: Harvard University, 1912), p. 54.

¹¹ HO33/3/41 ff. 96-96a, Francis Freeling to Phillipps, 16th March 1830.

southern England and East Anglia, the Home Office was hastily corresponding with provincial authorities and had detained the coach at the Office until 7:30 pm, forcing Post Office staff to exert themselves greatly in order to ensure a prompt departure of the mail coaches. The non-arrival of the mail coach was a well-established signal amongst the disaffected for riot and even insurrection, and thus the Home Office's innocent oversight on this occasion could have had severe consequences.¹² In 1819, for example, radical Arthur Thistlewood was believed to have had a plan to disrupt the Northern mails, with the objective of convincing northern reformers that London was under the control of fellow radicals.¹³ However, this is the only recorded error in the more than thirty years this thesis covers. The absence of any previous complaints suggests the Office was punctual in preparing letters for despatch.

Structure

Though resistant to the introduction of the registry system, the existing system was not without innovation, but changes were spasmodic and reactive. Since the structure of the archival series today is precisely the same as it was then, this gives us some insight into how the Office developed its series in order to cope with correspondence resulting from popular disturbance. In 1800 correspondence relating to disturbance and local conditions is found in one unmanageably large series but by 1820 it can be found in three smaller and more specialised ones. The manual labour involved in dealing with incoming and outgoing letters forced the Home Office to develop in order to cope. The disturbance correspondence series, now known as HO40, has frequently been used for the rich detail contained within its letters.¹⁴ The series contains reports and queries from local magistrates, mayors, local elites, and military officers which directly relate to an anticipated or ongoing disturbance in the country. However, this series did not always exist nor did it just suddenly

¹² HO33/3/63 ff. 133-4, Freeling to Phillipps, 18th December 1830.

¹³ HO79/4 f. 24, Hobhouse to Norris, 1st December 1819.

¹⁴ See for example Eric J. Hobsbawm and George Rudé, *Captain Swing* (London: Lawrence and Wishart, 1969); Chase, 1820; Malcolm Thomis, *The Luddites: Machine-Breaking in Regency England* (New York: Schocken, 1972), Robert Reid, *The Land of Lost Content: The Luddite Revolt 1812* (London: Cardinal, 1986); Brian Bailey, *The Luddite Rebellion* (Stroud: Sutton, 1998).

appear. Prior to the creation of HO40, disturbance correspondence was found amongst the general domestic correspondence series HO42, which contains all incoming correspondence relating to domestic matters which did not have its own dedicated archival series. The collection of disturbance correspondence in its own series enabled swifter reference, reducing the time dedicated to sifting through countless unsorted letters. It seems the original intention for HO40 was simply to gather correspondence relating to Luddism, not disturbance generally, and was therefore intended to be temporary. This separation was a by-product of filtering and sorting relevant correspondence from the general domestic correspondence series (HO42) in order for copies to be made for the benefit of both Houses of Parliament and an appointed committee of secrecy at the beginning of July 1812. This was done by the instruction of the Prince Regent, who gave orders that 'there be laid before the House of Commons, Copies of Information which has been received relative to certain violent and dangerous proceedings...in several counties in England.'¹⁵ Copies of county disturbance correspondence were only made up to June of that year, coinciding with the appointment of the committee. This sorting process, which saw the division of correspondence from civil and military officials, was deemed particularly beneficial. Military reports continued to be separated up to June 1813, long after the committee of secrecy had published its report, perhaps in case another call for Home Office papers was made.

A similar exercise was employed after what was termed the 'Revival of Luddism' from 1816.¹⁶ A collection of disturbance correspondence begins from July 1816 and ceases again immediately before another committee of secrecy in June 1817, and other bundles continue from June to February 1818, when yet another committee of secrecy was appointed. The papers were again separated, but this time into more distinct groups rather than simply by county of origin. For example, there are archival subsections dedicated to inflammatory publications, the information of a

¹⁵ *HPD*, 1st series, vol. 23, House of Commons, 27th June 1812, cols. 794-5; *HPD*, 1st series, vol. 23, House of Commons, 29th June 1812, cols. 802-6.

¹⁶ Home Office disturbance correspondence is labelled as such. See for example HO40/3-4.

government agent, and papers found on prisoners.¹⁷ The strain of copying out all of the necessary letters for these two later committees, alongside dealing with the influx of correspondence from ongoing disturbances, was too much for the Office to bear. Not all letters were copied, and even with reducing letters down to their core contents the Office was still overwhelmed.¹⁸ Home Office Clerk Richard Hatt Noble later recalled that the Office was unable 'even by employing the whole office' to copy the letters, and was forced to send the originals.¹⁹ A schedule of papers within the series itself reveals that only a selection of papers was shown to the committee, but the separation and writing of *précis* proved vital in assisting Home Secretary Viscount Sidmouth and his under-secretaries to select correspondence to be presented.²⁰ The preparation of a selection of correspondence for the benefit of the committees of secrecy accounts for the omission of disturbance correspondence from the dedicated disturbance series after they sat. Between July 1813 and June 1816, and from March 1818 to 1st February 1820, disturbance correspondence is yet again found in the general domestic correspondence series. During the latter period, a selection of eighty-one letters or extracts were produced for the inspection of parliament in November 1819 in the aftermath of the Peterloo Massacre. After successive committees of enquiry into the state of the country and the Home Office's actions, Sidmouth had, on the eve of Peterloo, actively ensured the Office was in possession of key documentation for submission to the Houses.²¹ Sidmouth had adapted to what was becoming the parliamentarisation of protest, in which the Home Office was obliged to answer to parliament and its secret committees. Secret committees were by no means a new creation, but their increasing frequency demanded a level of preparedness hitherto unknown. However, probably due to the problems encountered in providing copies for the previous two committees, no copies were created. Instead, authors of letters which were desired to be laid before parliament were contacted by the Home Office to ask for their permission to publish their

¹⁷ HO40/9/1-3.

¹⁸ *Précis* are common amongst the letters presented for the 1818 Committee. See HO40/7.

¹⁹ HO97/27, Minutes of Evidence, Examination of Richard Hatt Noble, 5th August 1848, pp. 31-2.

²⁰ HO40/3/7 ff. 3-13.

²¹ HO79/3, Hobhouse to Norris, 14th August 1819.

letters in parliamentary journals. This had not been possible in previous disturbances as the secretive nature of Home Office operations, notably the employment of spies and informers, had meant that most of its correspondence contained information which could compromise the source's identity. In 1819 fewer spies and informers were necessary because of the advance of the mass platform, and checks were only necessary prior to publication of Home Office correspondence in case their private contents would cause embarrassment. Upon their approval, the original letters were prepared and ordered to be printed in the parliamentary journals to ensure a permanent copy was available for reference.²²

The process of separating disturbance correspondence from domestic correspondence was less cumbersome from 1816 as an entry book which contained Home Office replies to disturbance correspondence (HO41) was then in place. A dedicated disturbance correspondence entry book avoided adding to the heavily used general domestic entry book (HO43), which contained replies to miscellaneous domestic concerns. With over a dozen clerks who needed to copy outgoing letters into the entry book and the decision-making trio who needed to refer to previous replies, a specialised volume reduced but did not eliminate some of the impracticalities. Since responses tended to acknowledge the receipt of an incoming letter and noted the date the original letter was sent, and commonly contain indexes, the rate at which previous disturbance correspondence could be retrieved was improved. Anticipated tumult surrounding the parliamentary debates on the Corn Bill in March 1815 produced the first disturbance entry book, which was dedicated to disturbances in London.²³ This procedure evidently proved beneficial and a disturbance entry book was created for correspondence dating from 24th April 1816 for provincial disturbance correspondence when industrial tensions re-emerged. Unlike their in-letter counterpart, neither the London nor general disturbance entry books were discontinued.

²² See for example HO79/4 ff. 14-5, Hobhouse to William Chippendale, 26th October 1819; HO79/4 f. 18, Hobhouse to J. Todd Naylor, 18th November 1819.

²³ Hitherto replies to disturbance correspondence are found in the general domestic correspondence entry books (HO43).

The amount of effort necessary to filter, sort, and copy or *précis* disturbance correspondence from the general domestic series was immense and incredibly inconvenient, and tasks had to be set aside as the preparation of letters for the Houses of Parliament 'occupied all the clerks in the office.'²⁴ To avoid a repeat of this strain, significant alterations were made to the Home Office correspondence system upon the death of George III on 29th January 1820. Ending correspondence series upon the death of the monarch was typical, as series organised by reign was a logical system which appealed to individual memory, and is expected to have improved document retrieval rates in pre-registry archival systems. The old series were typically replaced by identical ones and cover annotations denoting the monarch were written on entry book covers, or on the docketts of correspondence. However, on this occasion the Home Office seized this opportunity for an archival restructuring of its disturbance and general domestic correspondence.²⁵ From this point, domestic correspondence was divided into three tiers in an effort to separate correspondence of a mundane administrative nature from letters pertaining to riot and local conditions.

From 1st February 1820, the domestic correspondence series (HO42) was brought to an end, the disturbance correspondence series was made permanent, and two new series were created: a new domestic correspondence series (HO44) and a counties correspondence series (HO52). HO44 contains the more basic, administrative correspondence relating to subjects such as appointments to the Office, outstanding bills, draft warrants, and the Poor Knights of Windsor, to mention but a few. Collections of correspondence appear to have been added to this series, dating back to as far as 1773. Some are collected as a bundle of exchanges regarding specific subject matter, suggesting these letters were kept separate for reference by the secretary or under-secretaries but were never returned to their original location. These administrative letters were distinguished from papers of a more revealing nature found in HO52 which informed the Home Office of county conditions, for

²⁴ HO79/3 pp. 139-40, Hobhouse to Enfield, 5th February 1818.

²⁵ Other specialised were also created, relevant series include HO59, Police Courts and Magistrates Correspondence; HO61, Metropolitan Police Correspondence; HO64, Criminal Rewards and Pardons; HO78, Pardons.

example projected meetings of labourers, the result of criminal trials, and appointments to the commission of the peace. Correspondence in this series is unsorted and was not separated into respective counties until 1829. The series was reserved for correspondence requiring immediate Home Office intervention and reports of ongoing disturbance, which is fittingly the principal series for letters from military officials.

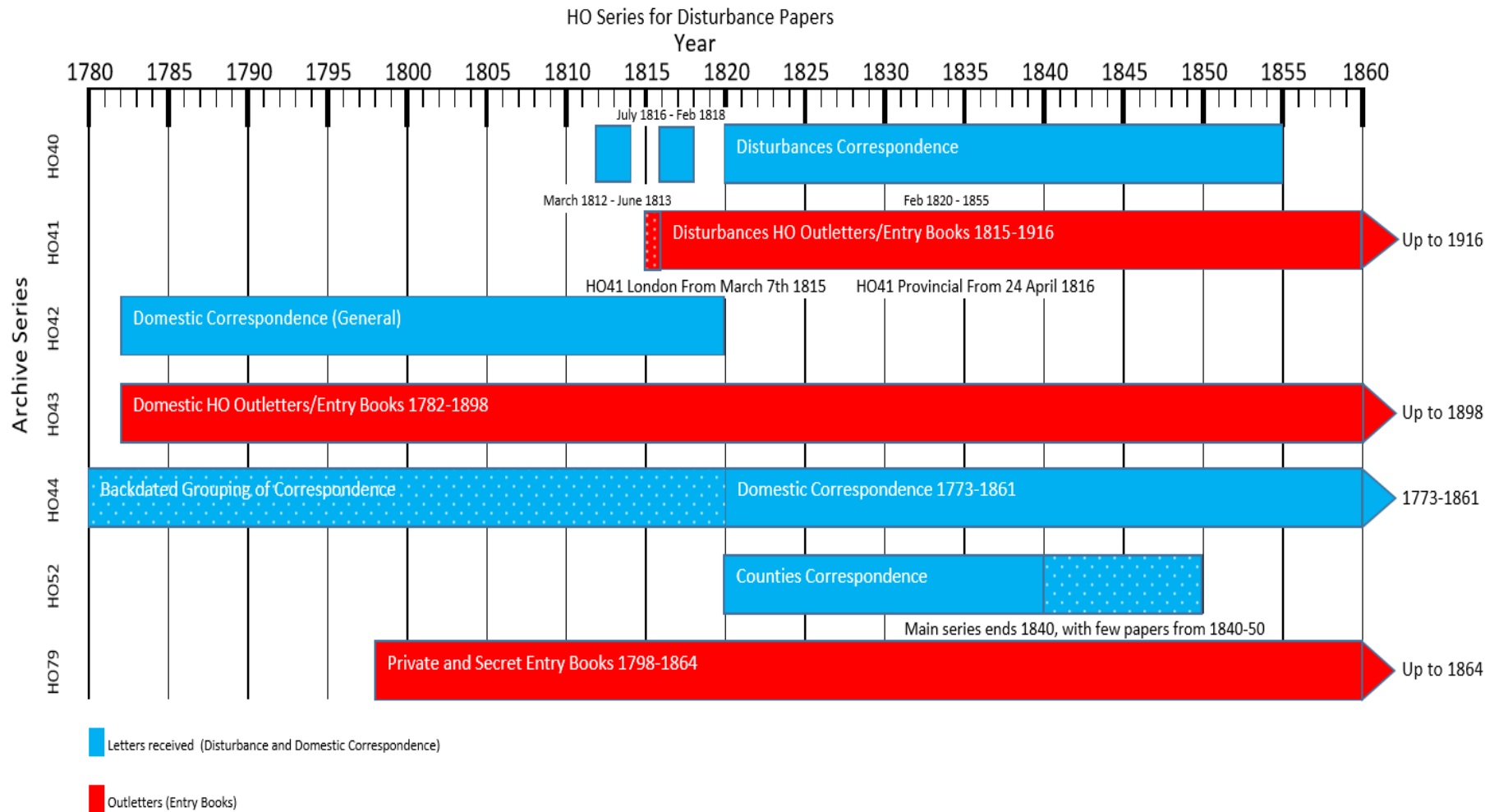


Figure 3.2 – Overview of the Home Office Archive Structure

To add to this confusing setup of paper series relating to popular disturbance is a series of 'Private and Secret' entry books (HO79) which were started shortly before the suspension of Habeas Corpus in April 1798.¹ The home secretary at the time, the Duke of Portland, was preparing to keep an accurate and accessible record of the many members of the radical group, the London Corresponding Society, and other debating societies to be rearrested that month, whose initial arrests were prompted by fears of communication with the United Irishmen who rebelled in May.² A single volume contains copies of the secretary of state's warrant for the detection, apprehension or reception of criminals charged with high treason from 1798-1841. These were issued either to the King's Messengers, whose duty it was to deliver such individuals to the home secretary for examination, or to the governor or keepers of houses of correction or gaols, instructing them to provide accommodation for the prisoners until they could be dealt with according to law. From 1806 the series was expanded to include letters to the post master general to intercept letters of persons suspected to be Irish rebels, to be colluding with the French, or other felonious, seditious and treasonous practices in the country.³

Other correspondence in this series is part of an exchange of correspondence between the Home Office and civil and military officials detailing investigations into named suspects, the information of employed agents and informers, or other information the Home Office or the author would rather not be shared. These letters were for their intended recipients only and were marked private or secret to avoid problems arising from the letter being read by someone else, be it a clerk, a magistrate or family member. Additional markings such as 'urgent', 'immediate' or 'pressing' ensured due haste was given to delivering the letters; letters received by the General Post Office in London, and marked as such, were sometimes ordered to be fast-tracked to the Office rather than

¹ HO79/10.

² Ehrman, *Younger Pitt*, pp. 116-8; Emsley, 'Repression, 'Terror' and the Rule of Law', pp. 815-6.

³ *PP 1844 (601)*, XIV, Report of the Secret Committee of House of Lords relative to Law in respect to opening and detaining Letters at Post Office (hereafter Rep. Comm. Post Office), p. 9.

waiting for the usual delivery schedule.⁴ The decision to create a volume for such delicate correspondence was also to ensure a copy was always readily available in the Office for the home secretary and his successors. Hitherto, private letters written by the secretary of state were not always recorded in the domestic entry book, and copies of private but official correspondence were mixed with his personal private letters which left the Office with him at the end of his tenure. When home secretaries took Home Office correspondence home to refer to or to draft a response, it was placed in a green box to help distinguish between public and private letters, though the inseparability of public and private business in the realm of politics has meant that letters containing official business now reside in home secretaries' private papers at local archives.⁵ Elsewhere, such as at the Treasury, such letters were distinguished as 'semi-official' letters.⁶ Although made use of for much of the early nineteenth century, it appears the practice of entering into this book appears to have lost favour in the 1830s, possibly due to the awkwardness of distinguishing disturbance from private letters; both volumes could contain relevant letters relating to an ongoing exchange of correspondence, making it awkward for reviewing purposes.⁷ Another and perhaps more likely reason is that when papers were called for by parliamentary committees, as noted above, these might include the home secretary's official letters, and thus he was able to avoid any potential embarrassment by keeping some letters as 'semi-official' and away from Home Office records. For example, in the published collection of private papers of Home Secretary Viscount Melbourne, we find private and confidential letters concerning the maintenance of law and order that were written from the Home Office but do not appear in the private and secret entry books.⁸ This is not to suggest that other home secretaries did not exclude their sensitive private correspondence from

⁴ HO79/3 pp. 488-90, Hobhouse to Norris, 6th August 1819.

⁵ DHC 152M/C/1814/OZ, Sidmouth to Hiley Addington, 9th September 1814. For examples of correspondence relating to food riots can be found in the Duke of Portland's personal papers see UNL, Pw V 111.

⁶ Jenifer Hart, 'Sir Charles Trevelyan at the Treasury', *English Historical Review*, 75:294 (1960), 92-110 (p. 92).

⁷ A singular volume of c.550 pages covers the January 1817- September 1819, the next volume covers 1819-1844. HO79/3; HO79/4.

⁸ For example Melbourne, Private and Confidential, Home Office, to Derby, 11th January 1831 in *Lord Melbourne's Papers* (hereafter *LMP*), ed. by Lloyd C. Sanders (London: Longmans, 1889), pp. 121-4.

official volumes, but the evidence indicates the practice became more commonplace in the Melbourne era.

Engaging in private correspondence was as much at the discretion of the local official as it was the Home Office, and naturally the Office was obliged to follow the precedent set forth by an author. In an exchange of letters between the Office and Bolton magistrate Ralph Fletcher in August 1816, Under-Secretary John Beckett mentioned to Fletcher that Mr Watkins, a fellow magistrate, had called at the Office and pressed for troops to be sent from Manchester to Bolton for the security of the town. With a view to the preservation of peace in the neighbourhood of Bolton, it would have been beneficial for Watkins to be informed of Fletcher's letters to the Home Office (22nd and 28th August) but Beckett notes in his letter to Fletcher that he abstained from mentioning them because they were marked 'Secret.'⁹ The reasons behind this were not only to respect the wishes of the author, but to prevent action upon uncorroborated information and to protect the identities of witnesses, agents, and informers which had been mentioned. The addition of 'secret' or 'confidential' enabled Home Office officials to voice an opinion at delicate times which, if disclosed to the public, might have served to provoke an already agitated crowd. In the aftermath of the Peterloo Massacre in August 1819, Under-Secretary Henry Hobhouse penned a letter to Manchester magistrate Reverend Hay, stating 'what could not be so well said in his official letter' was that the offence of those apprehended at the meeting 'were so strongly of an overt act of High Treason in levying War' and that he wished they 'should not be dealt with otherwise than as Traitors.'¹⁰ Given that innocent observers were killed and injured, the leak of Hobhouse's letter to the radical or sympathetic media would have resulted in popular outrage. The restrictions placed upon readership also applied to Home Office personnel including the decision-making trio, as newly arrived letters

⁹ HO79/2, Beckett to Fletcher, 30th August 1816.

¹⁰ HO79/3 pp. 512-4, Hobhouse to Reverend William Robert Hay, 18th August 1819.

were usually reserved for the eyes of the named recipient only.¹¹ To prevent the home secretary being swamped by letters from impatient provincial authorities, who often deemed their respective concerns as the most important and worthy of the home secretary's private attention, correspondents were requested to avoid unnecessary markings.¹² Any letters addressed to the home secretary not distinguished by the marking of private were freely opened and read by the under-secretaries of state.¹³ On occasion Home Secretary Viscount Sidmouth requested correspondents mark their letters as private, not as he wished to keep them from the eyes of his under-secretaries, but so they were prioritised for his attention with the bundles of incoming mail.¹⁴

Filtering correspondence into distinct series was accompanied by the grouping of related papers in an effort to improve the rate at which they could be retrieved and reviewed. The rejection of a registry system made this administrative strategy necessary. Additionally, précis writing, which consisted of summarising a selection of correspondence from specific people, subjects, or key points of legislation, also assisted in this task, but there is little evidence to indicate how much it was used. The Home Office employed a précis writer, though daily labour in this role was minimal; Frederick Russell Mills occupied both the position of librarian and précis writer in the 1820s.¹⁵ Only a few précis books survive and we do not know whether more existed or how many précis were written on loose papers for reference and destroyed when no longer needed. Of those which survive many originate from or relate to tumultuous periods. As we saw with the committees of secrecy, the process made sudden and considerable demands upon the Office more manageable. Précis volumes condensed masses of incoming and outgoing correspondence, situated in various independent volumes and collections of loose papers, into a single concise book. In the 1790s, when government responsibilities were still shifting between various old, new, and reinstated government

¹¹ HO79/3 pp. 247-8, Hobhouse to Thomas Withington, 17th August 1818; HO79/2, Beckett to General Thomas Maitland, 31st August 1812.

¹² See for example HO43/12 p. 274, Home Office to Bishop of Rochester, 7th November 1800.

¹³ DHC 152M/C/1813/OZ, Robert Harry Inglis to [William Leonard Addington], 7th May 1813.

¹⁴ DHC 152M/C/1817/OH51, Sidmouth to H. Parker, 31st May 1817.

¹⁵ HO97/27, Minutes of Evidence, Examination of Frederick Russell Mills, 5th August 1848, pp. 140-2.

departments, précis writing was also used to replace correspondence transferred to another department.

The use of précis when Henry Dundas left the position of home secretary (June 1791 - July 1794) to assume the newly created position of secretary for war provides an apt example. Dundas was accompanied in his new post by Evan Nepean, former permanent under-secretary for the Home Department, who became parliamentary under-secretary for war. From that point on war responsibilities were transferred from the Home Department, but Dundas and Nepean needed to refer to letters received at the Home Office during their time in office to perform their roles to the best of their ability. Rather than ordering copies of all the letters received, a précis of them was made to be kept in the volume at the Home Office, and the originals transferred to Dundas and Nepean for their reference until no longer needed.¹⁶ Précis books from these years refer to Ireland, Scotland, the Channel Islands, Isle of Man, Isles of Scilly, and correspondence with the commander-in-chief of the Mediterranean fleet.¹⁷ The reasons for the production of other précis books is less apparent, which typically contain précis of letters from (and occasionally to) local authorities. Some volumes relate to disturbances in Ireland during and after the rebellion of United Irishmen, and the return of famine to Ireland in 1822.¹⁸ This might have been for the benefit of the home secretary or under-secretaries, to condense masses of incoming correspondence for easier reference. Alternatively, this might have been to bring the newly appointed up to speed, a possibility which is likely considering the informal allocation of Irish responsibilities to the parliamentary under-secretary and his unavoidably short tenure. Further, early uses of précis books suggests this might have been a method of sharing correspondence between government departments upon an agreement between department secretaries of state.

¹⁶ *PP*, 1797, CIX, Sixteenth Report From The Select Committee On Finance, &c. Secretaries Of State, Appendices L, M.

¹⁷ HO42/216; HO99/13; HO102/61; HO50/454.

¹⁸ HO123/6-8; HO 123/9.

Quantifying Business

Robert Reid posits that during the Luddite disturbances that Home Secretary Richard Ryder and his Under-Secretary of State John Beckett were ‘bowed down by their too numerous, too trivial other activities.’¹⁹ He cites the general domestic books and suggests that their wide-ranging content is evidence of disarray. As noted above, although the entry books were undoubtedly inefficient at this time we cannot use their structure as evidence of disarray. Where we can identify delays in response times it can be attributed as much to prioritisation as it can be to the Office being overwhelmed. Even with the introduction of disturbance entry books, delayed responses can still be found. In the month of the Pentrich Rising in 1817, an unrelated enquiry from the sheriff of Nottinghamshire went unanswered for nearly two weeks as other important letters were prioritised.²⁰ However, this is not to suggest that Home Office personnel were flawless. In October 1819 Home Secretary Viscount Sidmouth forgot to fulfil a promise to Lord Howden because ‘for the last three months’ his thoughts as well as’ his time had ‘been almost entirely engrossed by Sedition and Treason.’²¹ Around the same time Sidmouth also confessed ‘I have had no respite’ after being at the Office ‘every day and nearly all day.’²² The stress of business also had an effect on the clerkship who were pressed daily to complete letters in time for the despatch of the post. In December 1819 Under-Secretary of State Henry Hobhouse was obliged to write another letter to Bolton magistrate Ralph Fletcher on the 17th December following his the previous day, after noticing the clerk who he had delegated the drafting of the letter to had omitted important information.²³ Staff absences also made errors more likely, as clerks were given tasks they might be unfamiliar with, or were pressed to complete additional tasks.²⁴ Those who served in the Home Office were perfectly accustomed to peaks in business, and the late nights and early mornings that these times required. Furthermore, as

¹⁹ Reid, *Land of Lost Content*, pp. 79-80.

²⁰ HO41/3 pp. 200-1, John Hiley Addington to J. Hildyard, 27th June 1817.

²¹ DHC 152M/C/1819/OH114, Sidmouth to Lord Howden, 31st October 1819.

²² DHC 152M/C/1819/OM, Sidmouth to Byng, 12th October 1819; DHC 152M/C/1819/OZ, Sidmouth to Bathurst, [September/October] 1819.

²³ HO41/5 p. 406, Hobhouse to Fletcher, 17th December 1819.

²⁴ DHC 152M/C/1817/OZ, Sidmouth to John Hiley Addington, 7th January 1817.

we saw in the previous chapter systems were in place through which labour could be borrowed or bought to see the Office through to more peaceful times when any arrears could be dealt with.

Added to these temporary strains was a continuous increase in the portfolio of business over time as the Home Office assumed more regulatory responsibilities over provincial affairs. Managing an enquiry into the state of county prisons, an enquiry into the effects of treadmills on the health of prisoners, supervising the metropolitan police, maintaining the criminal register, and reviewing petitions for remissions and pardons of sentences are just some examples in the period concerned.²⁵ To use criminal petitions as an example, the number of petitions received on behalf of criminals increased relatively consistently year on year.²⁶ This additional responsibility is just one of many which occupied the time of the trio at the Home Office, adding to the tremendous strain during periods of unrest.

Table 3.1 - Criminal Petitions Received at the Home Office, 1821-1832

Year	Number of Petitions Received	Year	Number of Petitions Received
1821	595	1827	1079
1822	524	1828	1093
1823	206	1829	1105
1824	860	1830	1140
1825	676	1831	1444
1826	799	1832	1610

Data obtained through The National Archives' Discovery search engine [obtained 18/07/2017].

In his thesis, Donajgrodzki attempts to quantify the increase in business by comparing the number of years covered in each domestic correspondence entry book (HO43) from December 1821 to 1848.²⁷ It was believed that in busier years volumes would be able to cover a smaller period as

²⁵ Donajgrodzki, 'Home Office, 1822-48', p. 37.

²⁶ Cataloguing work on these items is not yet complete, and thus actual figures may be marginally different.

²⁷ Donajgrodzki, 'Home Office, 1822-48', pp. 32-4.

more letters would have been entered into the volume within a short period, therefore filling the volume faster. There are unfortunately numerous issues with this method. Though disturbance correspondence was indeed separated (HO40 and HO41) by this point as we have noted above, letters which relate to the dearth and distress, which often accompanied disturbance, are found in the general domestic correspondence series (HO42 and HO43). Consequently, the number of letters received from the provinces increased, and the number of replies with it. The cited baseline of December 1821-November 1829 is relatively quiescent in comparison to the later periods, save for industrial disturbances c.1825-6, and some anxieties around the time of Catholic emancipation in 1829. Entry books are therefore able to cover much longer periods as less correspondence was received as a result. By comparison the early 1830s, which saw the movement for parliamentary reform and the Swing riots, volumes are not able to cover as many years. As such the conclusion of Donajgrodzki of an overall increase in business is confirmed incidentally as later years chosen as samples tend to coincide with years of protest. Donajgrodzki's methodology has been replicated for the years of March 1782 to August 1833 in Appendices 3 and 4, which show how problematic such a method is both in showing a general increase in business and also in identifying precisely when peaks in business occurred.

Added to this are the complications created by the establishment and termination of correspondence series, some of which have been noted above, which would affect the amount of correspondence contained in these volumes. Further still, we can add that pressure of business might have led to the Home Office not responding to all the letters it received.²⁸ This pressure might also have resulted in shorter letters being written by the Home Office meaning more of them could be stored in a single volume. We can even add the issues of the size of a temporary clerk's handwriting who was employed during a peak in business, and also efforts to economise by reducing the size of handwriting. Unfortunately, there are far too many problems associated with

²⁸ HO41/2 ff. 241-2, Sidmouth to T.S. Gooch, 29th March 1817.

Donajrodzki's methodology. The unpredictable nature of the majority of the Home Office's work makes it difficult to apply statistical methods. However, a clearer picture is created when we consider not the letters the Home Office produced, but the number it received. By utilising the foliation system used by archivists, we can identify peak years of incoming correspondence. Of course, this data has its own flaws; some folios are blank, some letters within the domestic correspondence series are copies, précis or internal memoranda, and the correspondence includes lengthy enclosures such as newspapers and radical publications of which only a small section was relevant to the intended reader. These problems slightly inflate the total amount of correspondence received. Nonetheless, the below graph aptly demonstrates the fluctuating nature of the Home Office's business, the expected peaks during years of disturbance are present, and it also shows us particularly quiet (both in terms of disturbance and in general Home Office business) periods.

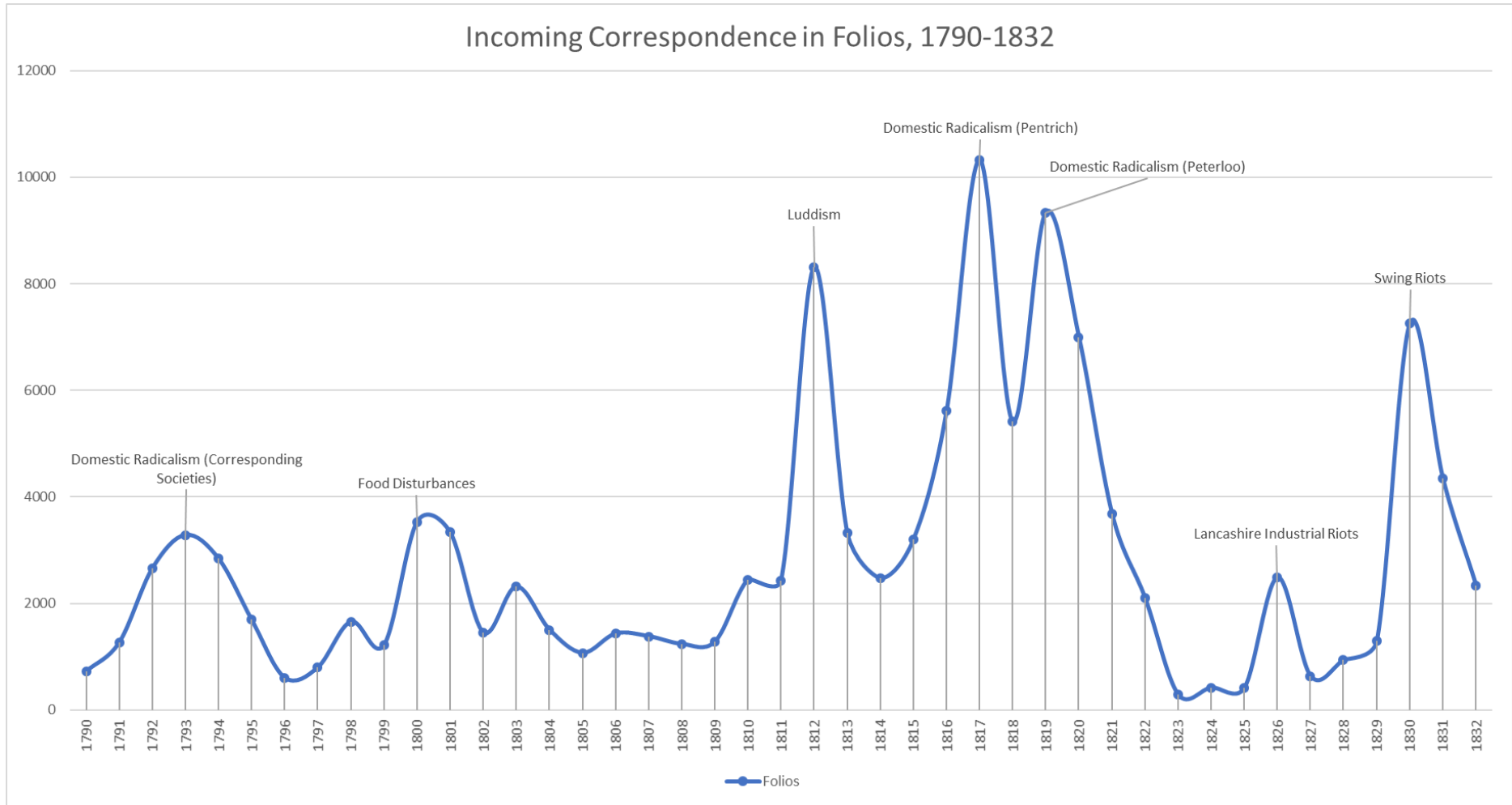


Figure 3.3 – Home Office Correspondence in Folios, 1790-1832

Conclusion

Whilst historians such as Keller have noted the impact of political appointments in stimulating changes in policy or procedure, historians have overlooked the capacity for existing personnel to resist change.¹ By analysing the systems and procedures of the Home Office this chapter has shown that the Home Office was able to sustain its primitive correspondence system well into the 1840s, which suggests a less authoritarian or dictatorial approach adopted by department heads than has been realised. Modifications were made to the existing system, rather than implementing a new one, when the strains of the early nineteenth century necessitated recourse to more efficient means of correspondence turnover. During the Luddite disturbances the Home Office's simple archival system became cumbersome, and only reluctantly did the Office begin to implement changes after intense periods of labour to supply the committees of secrecy. Thus, it was not innovation from within but pressure from without that forced a logical change to established procedure. As was the case with the actual formation of the Home Office, a more thorough and logical reorganisation of correspondence series was suspended until an opportune moment presented itself. The Home Office not only had to cope with these momentary peaks in business due to disturbance but with increasing demands from its other responsibilities.

The acquisition of additional responsibilities forms the basis of many Whiggish histories of the Home Office, which provide a series of snapshot images of the responsibilities of the Office and its personnel from its origins to its contemporaneous present. However, such an approach has limited our understanding of how these duties were performed. By isolating the Home Office's role as a peacekeeper and understanding the entire correspondence process, from its creation to its dissemination, a more fluid image emerges. Whilst Whiggish historians have tended to neglect the importance of the mechanical aspect of Home Office responsibilities, historians of public disorder, with their emphasis on history from below, have been discouraged from institutional enquiry. The

¹ Keller, *Triumph of Order*, p. 66.

chapters which follow will outline the range and use of the tools at the Home Office's disposal, beginning chronologically from the food riots at the turn of the nineteenth century up to the year of Great Reform Act of 1832. The trials and tribulations of the period were varied; they presented unparalleled challenges to which a response determined by established precedent could not be applied.

Chapter 4 – Preserving the Peace: Home Office Powers and Advice

The Home Office in the early nineteenth century had a range of tools at its disposal to inform and reinforce the local magistracy. It was the magistracy that the Home Office depended on to preserve order; they were as Richard Vogler notes the ‘only means by which the power of the central state could be projected into the local areas.’² A balance was to be maintained however, the power of the state should not supersede that of local authority. As Home Secretary Lord Thomas Pelham aptly put it to a Yorkshire magistrate in 1803, the Home Office was ‘ready to give assistance and encouragement’ to magistrates in the execution of their duty, ‘but not to presume to direct or control their discretion in the execution of that Duty’.³ To interfere too much in local affairs was undesirable, impractical and unaffordable; it would establish an unwanted precedent of central interference in local affairs that neither party desired. The dangers of an overbearing presence in local affairs are aptly demonstrated by the resistance to central regulation and inspection in the 1830s in areas such as working conditions, poor relief, and public health. Legislation established new and often unwanted bureaucracies in the provinces which upset traditional power structures and encouraged communal resistance which permeated social strata.⁴

This chapter examines the various powers of the Home Office to show how it intervened to preserve the King’s peace without compromising local autonomy. First, the relationship between centre and province will be briefly discussed. The second section will discuss Home Office powers which aided in the enforcement of the law, principally advice given to magistrates as to the use of their powers as justices of the peace, or the despatch and advice on the use of military force to assist

² Richard Vogler, *Reading the Riot Act: The Magistracy, the Police and the Army in Civil Disorder* (Milton Keynes: Open University Press, 1991), p. 14.

³ HO43/13 pp. 19-21, Lord Pelham to Joseph Radcliffe, 20th April 1803.

⁴ Joanna Innes, ‘Central Government ‘Interference’: Changing Conceptions, Practices, and Concerns, c.1700-1850’, in *Civil Society in British History: Ideas, Identities, Institutions*, ed. by Jose Harris (Oxford: Oxford University Press, 2003), pp. 39-60 (p. 39); Miles Ogborn, ‘Local Power and State Regulation in Nineteenth Century Britain’, *Transactions of the Institute of British Geographers*, 17:2 (1992), 215-26 (p. 216).

them in that capacity. Finally, powers which aided in intelligence gathering will be analysed. These powers assisted justices in acquiring further information against inhabitants suspected of disruptive and potentially seditious designs. The Home Office ordered Bow Street principal officers to be despatched to the district and investigate, ordered the interception of letters to and from suspects, and suggested the employment of spies to infiltrate secretive groups.

Centre and Province

To prevent accusations of centralisation, and to ensure that local government was self-reliant, it was essential that government intervened as little as possible in the machinery of order. As such the Home Office acted as a passive overseer, routinely observing but interjecting only when necessary. This not only saved resources but encouraged self-reliance on the part of local authorities and influential inhabitants. Communication and general organisation between provincial forces was encouraged on the principles of mutual security and mutual responsibility. It is this retention of authority by the civil authority that is important to emphasise, the Home Office did not have the power nor desire to assume control. The chain of command in local jurisdictions had to be respected, and self-dependency and vigilance encouraged, for only then were civil authorities able to preserve order without becoming reliant on the resources of government.

As a consequence, however, this policy produced a distant relationship between province and centre as civil authorities were encouraged but not obliged to report outbreaks of disturbance to the Home Office. Lines of communication between state and locality were broken in some areas, as the Home Office did not always have magistrates it could rely on to act with due haste and discretion. In one instance the Home Office was obliged to have recourse to alternative contacts. At York in the summer of 1820, James Shephard of Bootham Bar wanted to provide information against the radicals of the town, but Under-Secretary of State Henry Hobhouse, not knowing 'any magistrate in York, in whom [he] could confide,' was obliged to resort to a personal contact to obtain his

information.⁵ Equally, it was difficult to ensure that the policies of the state were upheld in the provinces. Decisions taken at a local level could clash with government principles, such as conceding to the will of the crowd in return for peace, or contrary opinions on the cause of a food scarcity.⁶ This will be explored in more detail in Chapter 5, suffice to say that the Home Office had few sanctions available to impose on deficient agents of the peace. The Home Office was not only required to establish and maintain lines of communication between state and province, but on occasion was called upon to act as a mediator between a town's inhabitants, the local magistracy, and/or the county lieutenancy when disagreements occurred.⁷

Notwithstanding these potential problems, this network of repression was generally harmonious. After all, the relationship between the Home Office and civil authorities was one of mutual gain. Whilst disturbances were uncommon if not rare for many provincial magistrates, they were a matter of daily routine for the Home Office, and thus provincial officials received the benefit of the Home Office's decades of experience in the methods of containment. In turn, the Home Office, distant as it was from the sites of disturbance from its premises in London, received from local authorities the knowledge of their district; details of riots, public and secretive meetings, and suspicions of sinister conspiracies. Through this information the Home Office was able to construct a national picture, its own, though probably not literal, atlas of protest.⁸ For the Home Office correspondence from the provinces was invaluable in understanding the root causes and motivations of the disaffected, to understand the tactics adopted, and in turn decide how to make the best use of the powers at its disposal.

⁵ HO79/4 ff. 69-70, Hobhouse to Thomas Price, 21st July 1820.

⁶ HO41/1 ff. 26-7, Sidmouth to Reverend Sir Bate Dudley, 25th May 1816.

⁷ See Chapter 4; HO41/1 ff. 27-8, Sidmouth to Reverend B. Barker, 27th May 1816; HO41/1 f. 35, Sidmouth to Lord Suffield, 29th May 1816.

⁸ Historians have and are continuing to create national, regional, and local maps of protest. See for example *An Atlas of Rural Protest in Britain: 1548-1900*, ed. by Andrew Charlesworth (Philadelphia: University of Pennsylvania Press, 1983); *An Atlas of Industrial Protest, 1750-1985* ed. by Andrew Charlesworth and others (Basingstoke: Macmillan, 1996).

Enforcement

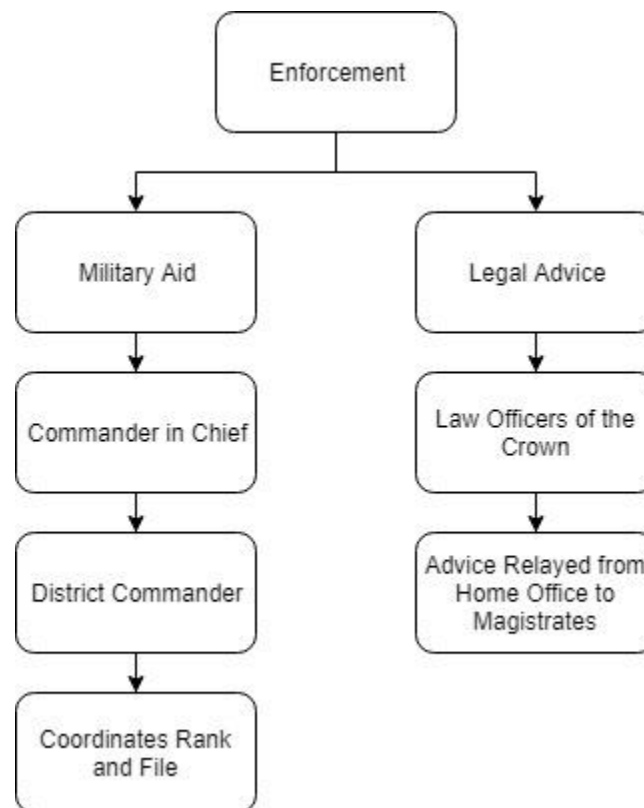


Figure 4.1 – Flow Chart Depicting Military Aid and Legal Advice Processes

There was no equivalent to the magistrates' guidebook Richard Burn's *The Justice of the Peace, and Parish Officer* which the home secretary could turn to when a complicated instance of public disturbance arose.⁹ Instead, the secretary and under-secretaries of state relied on the actions of their predecessors to guide them. The personal preference of the home secretary was also a factor, but one which is more difficult to assess. Relying on precedent was practical in theory but more problematic in practice. The emergence of new and more threatening forms of protest forced the Home Office onto unfamiliar ground on which no precedent had yet been formed, forcing the home secretary to adapt and experiment with the use of their powers and influence. This next section

⁹ The book divided the matters which justices dealt with, and then gave guidance with reference to the laws relevant to that subject, for example what constituted a riot and when the Riot Act could be read. Richard Burn and John Burn, *The Justice of the Peace, and Parish Officer*, 4 vols (London: T. Cadell, 1793).

considers the powers of the Home Office which were used to aid provincial authorities in the enforcement of the law.

Advice

Though not a power *per se*, advice was the most common request from many inexperienced and panicked magistrates. Providing advice was as much about ensuring the confidence of the magistracy as it was about ensuring the ‘correctness of decision’ of the secretary of state; it removed ‘all responsibility from the acting magistrate’ and enabled him to proceed without hesitation.¹⁰ Clarification on the unclear terminology of historic and newly enacted legislation was a common request. On most occasions these questions could be answered by the home secretary or the permanent under-secretary of state, the latter of whom was typically a qualified barrister. Simple queries could be swiftly dealt with, such as that of William Alexander of Yarmouth, who enquired in 1817 whether or not reading rooms at booksellers’ shops required a license under the newly enacted Seditious Meetings Act (57 Geo. III c. 19), which made meetings of over fifty people illegal.¹¹ More obscure and serious cases required the opinion of more senior and experienced interpreters of the law, the law officers of the crown, or the attorney and solicitor generals. For example, magistrate Alexander Haden questioned whether a person could be committed under the Hawkers and Pedlars Act for selling the pro-reform publication *Cobbett’s Weekly Political Register*. In this case the publication was sold at the marketplace on market day, and therefore no action could be taken.¹² The most serious and important cases, notably those relating to high treason, were also sent for the expert opinion of the attorney and solicitor generals.¹³ The opinions of this hierarchy

¹⁰ HO43/21 pp. 238-9, Addington to Radcliffe, 3rd October 1812.

¹¹ HO41/2, f. 245, Beckett to Haden, 2nd April 1817.

¹² HO41/2 ff. 160-1, Addington to Alexander B. Haden, 18th February 1817.

¹³ HO41/3 pp. 216-7, Hobhouse to B.H. Allen, 2nd July 1817; HO41/4 pp. 424-5, Hobhouse to Attorney General, 2nd August 1819.

outside their interpretations of the law were equally valuable when the Home Office was greeted with unprecedented circumstances. In December 1817 the Office's principal legal correspondents were consulted for their opinion on the release of remaining state prisoners apprehended under the suspension of habeas corpus after the attempted insurrection in June (see chapter 7).¹⁴ The vast majority of the cases which were referred to the law officers of the crown related to inflammatory and seditious publications, which proved particularly problematic to prosecute because the author could not be identified, or because of their artful use of multivalent language.¹⁵

Military Aid

In preserving the public peace, provincial justices were susceptible to intimidation from large crowds of the disaffected, and the Home Office frequently received requests from civil authorities to provide military aid or asked for advice on how to use them.¹⁶ Localities had their own civil machinery in place, built upon the principles of 'mutual security and mutual responsibility', but these forces were often too few in number to forcibly disperse a crowd or seize one of its leaders.¹⁷ When in need of assistance, a magistrate would first have recourse to parish constables and urban watchmen, and when necessary would temporarily swear in additional special constables, an additional constabulary force formed from the town's ratepayers. These civil forces were not uniformed and typically armed with only blunt weapons but were provided with arms by the Board of Ordnance on rare occasions when a violent disturbance or possible insurrection was anticipated.¹⁸

¹⁴ HO41/3 p. 533, Home Office to Mr. Litchfield, Mr. Maule, Mr. Dealtry, Solicitor General and Attorney General, 17th December 1817.

¹⁵ Katrina Navickas, 'Political Trials and the Suppression of Popular Radicalism in England, 1799-1820', in *Political Trials in an Age of Revolution* ed. by Michael T. Davis, Emma Macleod, and Gordon Pentland (forthcoming).

¹⁶ HO41/4 pp. 257-70, Sidmouth to the Earl of Derby, 24th February 1819.

¹⁷ Babington, *Bow Street*, p. 21.

¹⁸ HO41/9 p. 144, Melbourne to Earl Brownlow, 22nd December 1830.

These forces were the front line against crime and popular disturbance, but their numbers and arms were few and were prone to being overwhelmed by the scale of popular protest.

In the preservation of peace, the magistrates and constabulary were supported by regional military forces, though not all magistrates preferred to have recourse to these voluntary and often amateur forces. Yeomanry cavalry, a county volunteer force primarily intended for internal defence against potential invading armies during the Napoleonic Wars, also played an important role in the preservation of order. Magistrates could not call upon the forces themselves but were required to correspond with the lord lieutenant or county sheriff to order them to assemble. Once assembled upon the request of a magistrate or the Home Office, these forces could be called upon to aid magistrates in containing disturbances. The benefits of a mobile and intimidating cavalry force are obvious, but their numbers limited their efficacy. They were also more difficult to establish in the areas where they were most needed, the manufacturing districts, as they were formed principally from the landed gentry, tenant farmers, and small landowners. As such certain areas of the country, particularly the Midlands and western counties, had substantially larger bodies of yeomanry than the manufacturing districts of Lancashire, for example.¹⁹ The provinces also had access to militia or volunteer forces, the latter of which was mostly incorporated into the militia by 1808.²⁰ All of these forces could be resorted to without any Home Office intervention so long as there was an adequate collaboration between the magistrates, the lord lieutenant, and the officers commanding the voluntary forces. Many Home Office responses to reports of disturbance simply acknowledge the receipt of a report of a disturbance and praise the zeal and activity of the magistrates and any voluntary forces called upon to assist.

¹⁹ HO41/4 pp. 412-4, Sidmouth to Major General Hope, 29th July 1819; Glenn A. Stepler, *Britons, To Arms! The Story of the British Volunteer Soldier* (Stroud: Alan Sutton, 1992), pp. 27-8.

²⁰ George Murray Hay, 'The British Yeomanry Cavalry, 1794-1920' (unpublished PhD thesis, University of Kent, 2011), p. 143.

However, if these forces were deemed inadequate by the locality, the assistance of the more professional and experienced regular foot soldiers or cavalry was requested. If the request was approved the Home Office would communicate either verbally or with a short note to the Horse Guards which was headed by the commander-in-chief of the British army.²¹ Necessary internal deliberations were had with the adjutant-general and quartermaster-general, responsible for infrastructure, supplies and administration, and a suitably large and nearby force selected. A communication from the commander-in-chief then instructed a district officer who commanded the military in a specified region (usually defined by region such as northern district and eastern district) to move forces to the desired area.²² These requests undoubtedly caused both the Home Office and the Horse Guards great inconvenience, as they were forced to constantly move troops around to ensure all requests for aid could be met. A demand for aid in a populous centre might require the support of several regiments, leaving certain areas of the country with limited forces should a riot occur.

This long and laborious process was abandoned in times of crisis to avoid the delay of corresponding with London-based government departments. Whilst county lieutenants were recognised as a channel of communication between province and centre, direct communication with magistrates on the spot was far more efficient.²³ Magistrates in need of military support were advised to apply directly to the district officer, who being on the spot was best able to assess the temperament of the disaffected, and to coordinate troops accordingly. 'You should exercise your own discretion' Under-Secretary John Hiley Addington wrote to District Officer Major General Sir John Byng, 'where local intelligence, which cannot have been received here, may dispose you to

²¹ Sidmouth's preferred contact was Sir Benjamin D'Urban, Deputy Quartermaster General from 1816 and Major General from 12th August 1819. HO41/5 pp. 200-1, Sidmouth to J. Mansfield, 2nd November 1819; *Gentleman's Magazine*, December 1849.

²² Pye, *Home Office*, p. 45.

²³ Chase, *1820*, p. 20.

doubt the expediency of acting under the directions...that you...have received from this office.’²⁴

The Home Office corresponded with District Officers directly on a frequent basis; they became a principal source of information, and by necessity, Home Office personnel developed a close relationship with some district officers. ‘It does my heart good to correspond with you’, Under-Secretary of State Henry Hobhouse wrote to Byng in the tumultuous year of 1818.²⁵ Information received from officers of military detachments exposed any breakages in lines of communication between state and province because they could be called upon directly by the magistracy to assist them without the Home Office being aware of any anticipated disturbance. If only momentarily the military reports supplied the deficit of information from the disturbed districts they were called to.

Table 4.1 - Number of Militia, Volunteer, Yeomanry and Regular Forces serving in Great Britain and Ireland, 1804-1832

Year	Militia	Volunteers (GB)	Yeomanry	Regulars	
				Great Britain	Ireland
1804	90,640	340,060	-	-	-
1805	89,809	318,173	-	64,614	29,236
1806	74,653	308,973	25,180	73,857	21,883
1807	77,990	294,378	-	62,569	25,089
1808	59,577	296,669	-	116,408	
1809	71,467	56,478	20,810	75,279	
1810	76,484	-	-	76,096	
1811	77,434	-	-	69,144	
1812	71,803	68,643	19,207	70,004	
1813	67,989	Dissolved	-	63,802	
1814	63,756	-	-	60,267	
1815	36,086	-	-	46,305	
1816	-	-	-	58,614	
1817	-	-	17,818	28,462	24,178
1818	-	-	14,274	29,819	20,465
1819	-	-	Over 20,000	28,987	20,276
1820	-	-	30,791	30,927	20,636

²⁴ HO41/2 ff. 154-5, Addington to Byng, 13th February 1817.

²⁵ HO79/3 pp. 272-4, Hobhouse to Byng, 24th August 1818.

1821	-	-	-	27,875	20,119
1822	-	-	-	16,043	19,679
1823	-	-	-	13,062	19,928
1824	-	-	-	15,054	20,130
1825	-	-	-	14,928	19,574
1826	-	-	-	21,779	20,184
1827	-	-	-	20,248	20,116
1828	-	-	-	25,172	20,705
1829	-	-	-	19,437	21,453
1830	-	-	-	19,885	20,544
1831	2,697	20,399	31,422	19,778	16,362
1832	-	-	-	25,083	20,077

PP, 1806-7 (120), IV, Return of Effective Strength of Regular and Militia Forces: 1804-06; PP, 1806-7 (45), IV, Return of Effective Force of Volunteers of Great Britain: December 1806; PP, 1807 (63), IV, Return of Effective Strength of Militia Forces in Great Britain and Ireland, July 1807; John Fortescue, *The County Lieutenancies and the Army, 1803-1814* (London: Macmillan, 1909), pp. 303-5; PP, 1810 (130), XII, Return of Effective Strength of Regiments of British Militia: 1807-10; PP 1808 (184), VII, Account of Effective Number of Volunteers in Great Britain and Ireland, January and July 1801-07; PP, 1810 (54), XIII, Return of Effective Strength of Regular and Militia Forces: 1808-09; PP, 1810-11 (30), X, Return of Effective Strength of Regular and Militia Forces: 1810; PP, 1810 (182), XII, Return of Effective Yeomanry and Volunteers in Great Britain; PP, 1810 (54), XIII, Return of Effective Strength of Regular and Militia Forces: 1808-09; PP, 1810-11 (30), X, Return of Effective Strength of Regular and Militia Forces: 1810; PP, 1812 (49), IX, Return of Effective Strength of Regular and Militia Forces: June and December 1811; PP, 1812 (100), IX, Return of Corps of Yeomanry and Volunteers serving in Counties of Great Britain; PP, 1812-13 (34), XIII, Return of Effective Strength of Regular and Militia Forces: June and December 1812; Stepler, *Britons, to Arms!*, pp. 20, 29; PP, 1813-14 (117), XI, Return of Effective Strength of Regular and Militia Forces: June and December 1813; PP, 1814-15 (195), IX, Return of Effective Strength of Regular and Militia Forces: June and December 1814; PP, 1816 (99), XII, Return of Effective Strength of Regular and Militia Forces: June and December 1815; PP, 1816 (100), XII, Return of Effective Strength of British Army: June and December 1815; PP, 1817 (206), XIII, Return of Effective Strength of British Army: 1816-17; Austin Gee, *The British Volunteer Movement, 1794-1814* (Oxford: Oxford University Press, 2003), p. 54; HO41/5 pp. 244-5, Sidmouth to Earl of Cassilis, 14th November 1819; PP, 1821 (189), XV, Return of the Number of Troops of Yeomanry and Volunteers in Great Britain, 1820; PP, 1831-2 (388), XXVII, Return of Armed Forces in United Kingdom, 1831; PP, 1832 (317), XXVII, Return of Establishment and Effectives of British Army at Home and Abroad, 1817-31.

What is apparent from the above table is that the gradual reductions in both voluntary and regular forces as a response to the needs of war presented the home secretary and his military colleagues with a dilemma. An increasingly restless population was to be contained by a dwindling force. This is a far cry from the claim of E.P. Thompson who uses evidence of the construction of 155 barracks between 1792-1815 to suggest that 'By 1816 the English people were held down by force.'²⁶ As Bruce Collins has argued, the increase in accommodation was not a result of the country having a

²⁶ Thompson, *The Making* (2013), p. 663.

larger force, but was a response to threats of invasion and the result of a rapid expansion of the army and militia which placed strains on normal peacetime billeting.²⁷ The number of regulars serving in Great Britain and Ireland in 1816 was lower than in most war years, and voluntary forces had dwindled significantly. The continued decline of regular forces following the termination of hostilities signifies their purpose was more against the physical and ideological threats from France than a determination to subdue the population by force. As we will see in later chapters, the onus was increasingly placed upon local inhabitants to step up in defence of private property and against radical reform, though many were reluctant to accept such a burden. From the table, we can also see after the economy had recovered and with the resurgence of popular protest in the early 1830s numbers of regular troops were reinforced to meet demand.

²⁷ Bruce Collins, *War and Empire: The Expansion of Britain* (London: Routledge, 2014), p. 397.

Intelligence Gathering

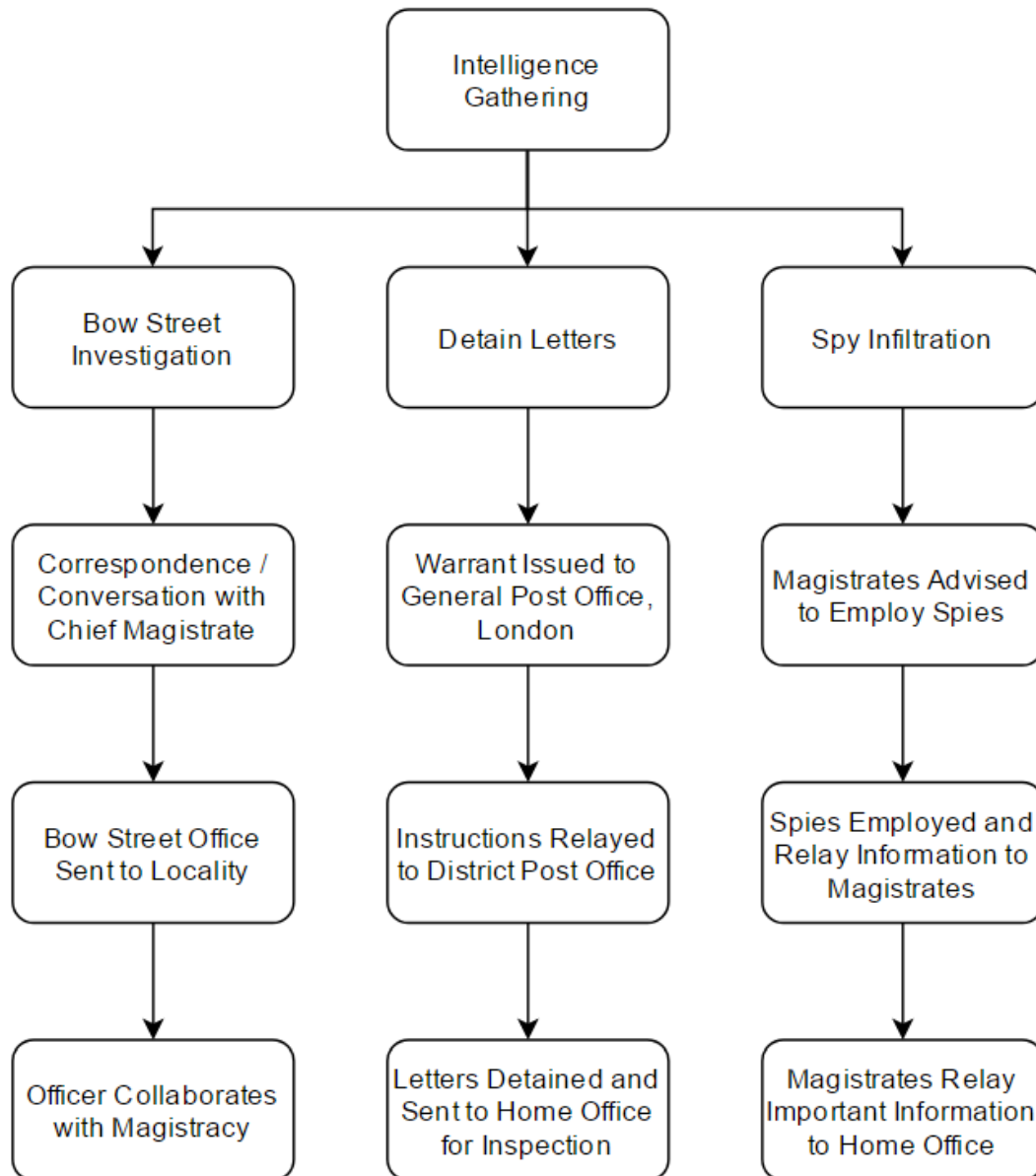


Figure 4.2 – Flow Chart Depicting Flow of Information and Mechanical Processes of Intelligence Gathering Powers

This section considers those powers which aided the Home Office in intelligence gathering. The Home Office could not always rely on active provincial authorities to obtain information, for some were inactive, uncooperative, or were simply unable to obtain information due to the secretive nature of the disaffected's activity. The home secretary was bestowed with powers which either

provided additional support to civil authorities or circumvented them. He was able to utilise resources of the Bow Street and the metropolitan police offices to investigate attacks on property or as temporary reinforcements; he could order the interception of the post of radicals, arsonists, insurrectionaries and suspected criminals; and he also employed, financed, and advised on the use of spies and informers to obtain information.

Bow Street and the Metropolitan Police

Although London affairs are not a primary focus of this thesis, some of the metropolis' policing resources were used to assist in preserving the peace in the provinces. By 1800 the city of London had eight police offices, seven of which were established in 1792 by the Middlesex Justices Act, and a further office in 1800 to combat crime on the Thames. The 1792 Act had aimed to create a more professional and uniform London police by standardising payments for stipendiary magistrates, doing away with an archaic system marred by justices who exploited their position for personal profit, known as trading justices.²⁸ In 1792 the Home Office was placed in control of the purse strings and was therefore able to closely scrutinise police expenses. All of the police offices had a designated area which they were responsible for and acted relatively independently with little supervision by the Home Office, except at monthly meetings held in the secretary of state's office.²⁹ At these meetings and through correspondence magistrates and their subordinate constables were, on occasion, called upon for duties in the provinces upon the request of the secretary of state (see chapter 8, for example).³⁰ One office received more applications than the others however, the office at Bow Street, which had acted as a model for those created in the 1792 Act. Bow Street was unaffected by the Act and was not, unlike the other offices, confined to a geographic area of

²⁸ Beattie, *English Detectives*, pp. 167-173; Clive Emsley, *Crime and Society in England 1750-1900*, 2nd edn (London: Longman, 1996), pp. 220-1.

²⁹ HO65/1, John King to Magistrates of the Police Offices, 5th June 1802.

³⁰ Beattie, *English Detectives*, p. 187.

operation, and thus it preserved its unique status and historic close relationship with the Home Office.³¹

The office at Bow Street was where the chief magistrate of the London police operated from. His relationship with the secretary of state was especially close, and he regularly attended at the Home Office, where he was provided with a sizeable room to conduct business.³² In the 1830s Chief Magistrate Sir Frederick Roe stated he attended 'at the Home Office frequently, I will not say daily, because I use my discretion about it, whether I think the secretary of state will want to see me.'³³ Anticipated tumult in London would, of course, be an occasion which a meeting with the secretary of state would be desired, as the London police generally were drawn upon to observe and arrest those suspected of seditious or insurrectionary designs, and to seize papers for the joint inspection of the chief magistrate and the home secretary.³⁴ The chief magistrate was also called upon to conduct crucial magisterial tasks for the Home Office and Privy Council, such as the examination of prisoners arrested on charges of High Treason in 1817, and later the radical Samuel Bamford.³⁵

Clive Emsley and John Beattie have suggested the chief magistrate's close relationship with the Home Office went as far as his being a 'third under-secretary in all but name', and assisted the Office in its investigative work. Beattie also suggests Chief Magistrate John Ford used his de facto position in the Home Office to establish a new correspondence entry book for police correspondence in 1795 (HO65). Ford would have undoubtedly have benefited from this arrangement, and pressure from Ford may have stimulated this administrative change.³⁶ The close

³¹ Cox, *Low Cunning*, p. 31.

³² Babington, *Bow Street*, p. 201; WORK 6/378/1, Furniture Inventory.

³³ *PP 1837 (451)*, XII, Report from the Select Committee on Metropolis Police Offices etc., p. 193 cited in Vogler, *Riot Act*, p. 26.

³⁴ Beattie, *English Detectives*, p. 189.

³⁵ Beattie, *English Detectives*, p. 169; Samuel Bamford, *Passages in the Life of a Radical*, ed. by W. H. Chaloner, 6th edn, 2 vols (London, 1967; first published 1839-41), I, p. 105; DHC 152M/C/1813/OH38, State of the Police with Observations by Mr Read, 18th August 1813.

³⁶ Beattie, *English Detectives*, p. 188; Clive Emsley, 'Home Office and its Sources', p. 532.

relationship between the home secretary and chief magistrate is most apparent with Chief Magistrate John Ford, who became the Superintendent of Aliens in 1800, a position jointly held by Under-Secretary of State for the Home Department William Wickham who oversaw an extensive spy network in the 1790s. Close ties between these senior officials highlights the possibility of the chief magistrate's influence extending beyond metropolitan affairs. Although integral to the repression of London radicalism and the general preservation of order in the metropolis, there is, unfortunately, no indication of how often the chief magistrate was called upon for his opinion on how to preserve order in the provinces or what weight his opinions had on those of the decision-making trio. His influence is impossible to decipher, for the letters from the Home Office to provincial officials consist of clear and concise advice signed by the secretary or under-secretary; they do not contain the details of internal deliberations in the Office with parties other than the decision-making trio. Nonetheless, Roger Wells has noted how the chief magistrate had his own cohort of spies who were sent into the country, and that he developed his own relationships with provincial authorities to provide a steady stream of information.³⁷ A level of collaboration, although difficult to estimate, certainly existed. With finite manpower and resources at his disposal, the home secretary was forced to rely on the knowledge, expertise and resources of other senior departments. By all accounts the home secretary was not by any means left 'painfully alone' to direct Office business, as has been suggested by Home Secretary Viscount Sidmouth's biographer.³⁸

It was not only the chief magistrate's experience in the preservation of order that the Home Office used. Uniquely, Bow Street had at its disposal a total of eleven active principal officers, also known as Bow Street runners, who had developed a reputation for their investigative skills and were the contemporary equivalent of a detective. The finite resources and manpower of Bow Street were only permitted to influential individuals or in particular cases, such as to investigate a series of

³⁷ Wells, *Insurrection*, p. 37.

³⁸ Ziegler, *Addington*, p. 320; Peter Jupp, 'The Landed Elite and Political Authority in Britain, ca. 1760-1850', *Journal of British Studies*, 29:1 (1990), 53-79 (p. 63).

robberies at Cambridge University.³⁹ Renowned for their reliability and acute intelligence, they believed themselves to be *primus inter pares* amongst their metropolitan police colleagues.⁴⁰ Both magistrates and private individuals called for their expertise, either directly through Bow Street, or indirectly at the Home Office. In total, about a fifth of all its provincial cases came through the Home Office. As David Cox notes, the use of principal officers correlates well with peak periods of distress and disturbance but appears also to have been affected by the individual preferences of various chief magistrates and secretaries of state, who showed varying degrees of interest in their use. As we will see in chapter 8 for example, Home Secretary Lord Melbourne's recourse to their expertise is extreme compared to his predecessors.⁴¹ Earlier home secretaries, such as Viscount Sidmouth, discouraged their application except in the most sinister cases (such as suspicions of arming) so as not to diminish the vigilance of the county magistracy.⁴² Cox's data, reproduced in Table 4.2, shows the types of cases in which Bow Street principal officers were called to investigate outside of the metropolis. Given that his analysis also includes more peaceful years in terms of popular protest, the number of cases relating to spying, sedition, treason and rioting is significant when compared to more common and less sophisticated forms of crime.

³⁹ HO43/11 pp. 419-420, Portland to Vice Chancellor of the University of Cambridge, 27th March 1800. Cox, *Low Cunning*, p. 32.

⁴⁰ Brian Bailey erroneously refers to Conant and Baker as Bow Street officers. Bailey, *Luddite Rebellion*, p. 38; Babington, *Bow Street*, pp. 174-5, 190, 201.

⁴¹ Cox, *Low Cunning*, p. 74, Table 3.1.

⁴² HO41/4 p. 262, Hobhouse to Charles Prescott, 27th February 1819.

Table 4.2 - Types of Recorded Provincial Cases, 1792-1839

Type of Offense	No. of cases	%
Abduction/elopement/bigamy/adultery	9	1.5
Arson/property damage/threats	93	15.47
Burglary	66	10.95
Duelling/prizefighting	11	1.83
Fraud/forgery/embezzlement/counterfeiting	71	11.81
Larceny	86	14.31
Murder/attempted murder	99	16.47
Others/Not recorded	15	2.5
Pickpocketing	14	2.33
Poaching	9	1.5
Recapture of escapee(s)	14	2.33
Robbery	61	10.15
Smuggling	11	1.83
Spying/sedition/treason/rioting	42	6.99
Total	601	

Reproduced from Cox, *Low Cunning*, p. 105, Table 4.1.

In London a more professional, centrally-coordinated, and uniform police force was created with the passing of the Metropolitan Police Act in 1829 under Robert Peel. The story of the enactment of the Metropolitan Police Act has been told many times before, and there is no need nor room to replicate it here.⁴³ What is important to note is that the Act expanded the number of police officers at the Home Office's disposal, which were deployed in the provinces to preserve order or to aid in the professionalisation of provincial policing.⁴⁴

The Post

From as early as the seventeenth century the secretaries of state were authorized in times of war and perceived danger to intercept both domestic and foreign letters.⁴⁵ A warrant signed by the secretary of state and sent to the post master general at the General Post Office, London, was

⁴³ See for example T.A. Critchley, *A History of Police in England and Wales*, 2nd edn (London: Constable, 1978), p. 51; David Taylor, *The New Police in Nineteenth-Century England: Crime, Conflict and Control* (Manchester: Manchester University Press, 1997), pp. 14-22; Stanley H. Palmer, *Police and Protest in England and Ireland, 1780-1850* (Cambridge: Cambridge University Press, 1988), pp. 292-4.

⁴⁴ The use of the metropolitan police will be revisited in more detail in chapter 7. Emsley, *Crime and Society*, p. 225; Cox, *Low Cunning*, pp. 218-20.

⁴⁵ Rep. Comm. Post Office, pp. 3-6.

sufficient to authorise the interception of letters directed to a named individual. The reasons for issuing such a warrant were twofold; first, in pursuit of criminal justice to obtain information that would reveal the location of an offender or their ill-gotten spoils. Second, to acquire intelligence relating to radical proceedings and possible conspiracies. On 11th May 1812, the day of Spencer Perceval's assassination by the bankrupt businessman John Bellingham, Home Secretary Richard Ryder ordered letters addressed to Bellingham to be intercepted and forwarded to him for inspection.⁴⁶ This instantaneous reaction was to assure shocked parliamentarians that Bellingham was not part of a broader, possibly Luddite, conspiracy, an idea that gained traction in the hours of hysteria after his death. Information sent to the Home Office some days later confirmed Bellingham's motive 'was not of a political nature.'⁴⁷ Under the assumptions of confidentiality a criminal, radical or conspirator might incriminate themselves, provide their location, signify a meeting place, name others involved in a crime or conspiracy, or otherwise provide useful information to the forces of law and order. Once intercepted these letters were either retained as evidence or were copied and ordered to be carefully resealed and sent to their intended recipient. By doing so the chain of communication remained unbroken and the author and their recipient were unaware that their letters were being intercepted, which allowed the Home Office to intercept any future letters, and provided further opportunities for the suspects to incriminate themselves or their associates.⁴⁸

As the use of letters to communicate increased with the development of the national postal system and with improved literacy so too did the state's interception of it. Roger Wells' claim that we have no record of the level of interception is in fact incorrect, and the scale of the destruction of warrants and intercepted letters might not be as widescale as he claims. There was no reason to

⁴⁶ HO79/2, Richard Ryder to the Post Master General, 11th May 1812.

⁴⁷ HO43/20 pp. 370-1, Beckett to Joseph Butterworth, 20th May 1812; Gordon Pentland, "'Now the great Man in the Parliament House is dead, we shall have a big Loaf!'" Responses to the Assassination of Spencer Perceval', *Journal of British Studies*, 51:2 (2012), 340-363 (p. 344).

⁴⁸ HO79/3 pp. 403-4, Hobhouse to Francis Freeling, 26th June 1819.

purposefully destroy warrants to intercept letters of suspicious individuals as the action was legal and only undertaken if sufficient evidence was presented.⁴⁹ A royal commission appointed in 1844 reported that from 1712 to 1798 a total of 101 warrants were issued to intercept letters. From 1798 to 1844 this had increased to a total of 372. For the latter period 77 warrants to intercept letters relate to suspicions of treason, sedition, and radical activity, a further 20 relate to correspondence with foreign nations, and the remainder relate to murder, theft, fraud, and other lesser crimes.⁵⁰ Due to poor record keeping the motive for 89 warrants could not be ascertained. The royal commission, whose purpose was to examine the then-current and historic use of the warrant, reported that the state's use of this power had been moderate. Yet if we consider that a single warrant could order the interception of letters to or from more than one individual, the number of intercepted letters increases greatly. A warrant in April 1817 for example, ordered the detention of letters from a total of twenty individuals.⁵¹ Furthermore, the number of warrants noted in the below table does not include those letters which were intercepted by overzealous provincial postmasters and postmistresses who inspected letters without official sanction, nor those intercepted by keepers of county gaols from prisoners to their families, friends and political allies.⁵²

⁴⁹ Wells, *Insurrection*, p. 33.

⁵⁰ Hemmeon, *Post Office*, p. 46; Rep. Comm. Post Office, pp. 9-11.

⁵¹ HO79/3 p. 24, Sidmouth to Post Master General, 3rd April 1817.

⁵² HO41/3 p. 23, Beckett to Keeper of the Gaol at Reading, 5th May 1817.

Table 4.3 – Number of Warrants Issued to Intercept Letters, 1800-1832

Year	Number of Warrants	Year	Number of Warrants
1800	11	1817	11
1801	7	1818	9
1802	6	1819	6
1803	7	1820	6
1804	2	1821	1
1805	7	1822	12
1806	9	1823	7
1807	13	1824	2
1808	2	1825	6
1809	11	1826	8
1810	6	1827	8
1811	8	1828	4
1812	28	1829	5
1813	8	1830	14
1814	3	1831	17
1815	2	1832	5
1816	0		

Rep. Comm. Post Office, p. 11.

As one might expect, most of the peak years coincide with periods of distress; the 1800 food shortage, Luddism in 1812, the attempted insurrections in 1817, insurrection in Ireland in 1822, and the movement for parliamentary reform and Swing-related paranoia in the 1830s. Intelligence gathering during these years was essential to uncover the designs of the disaffected and to discover or confirm that the disturbances posed a threat to King and Constitution. Yet the number of warrants issued to intercept during the earlier movement for parliamentary reform, particularly the months surrounding Peterloo, is worth noting. The overt nature of political activity, that is, orators on a mass platform rather than at a private meeting, made this tool less necessary. Indeed the letters of prominent orator Henry Hunt were intercepted, but as we will see in chapter 7, the character of protest had shifted since the botched insurrection of 1817. In 1819 less emphasis was placed upon acquiring intelligence, and more on obtaining sufficient evidence for prosecution.⁵³ In

⁵³ HO79/3 p. 410, Sidmouth to Post Master General, 1st July 1819.

addition, the Home Office was already in receipt of information from other sources, principally the spies and informers it financed.

Spies and Informers

Throughout the period the Home Office acted as the nexus of communication between the provinces and central government. It received the reports of local civil and military authorities, relayed advice and coordinated military support at crucial moments. Yet the Office could not always rely on acquiring information from reputable individuals. Paranoia grew as an increasing number of sophisticated industrial and political groups were forced to resort to covert gatherings at secluded locations as public gatherings were restricted by repressive legislation. Although the public was less exposed to radical rhetoric, this legislation made it far more difficult for civil authorities to gain insight into their proceedings. No longer could a magistrate attend a public meeting or send a subordinate to produce a report of the proceedings, they were instead required to infiltrate secretive groups. Members of these groups were on their guard as they were perfectly aware that their mail might be intercepted, and 'avoided, as far as possible, the keeping any papers; used ciphers or mysterious words, in the few writings that passed between them, and principally carried on their intercourse by agents, who went from place to place, and were recognised by signs, which were frequently changed.'⁵⁴ Disrupting these meetings was counterproductive without knowing their intended objective or before authorities possessed sufficient evidence to prosecute ringleaders. As a consequence the Home Office, military and civil authorities had recourse to financially incentivised spies and voluntary informers, whose information could not always be relied upon.

⁵⁴ *PP 1799, X*, Report from the Committee of Secrecy, to whom the several Papers, which were presented (sealed up) to The House by Mr. Secretary Dundas, upon the 23rd day of January 1799, by His Majesty's command, were referred;- relating to Seditious Societies, &c.

‘Spies and informers had been at all times employed by all governments, and ever must be...and such persons, from zeal in their business, would sometimes go farther than they ought.’⁵⁵

The apt words of Lord Liverpool, spoken before the House of Lords in June 1817, were in response to suggestions of a ministerial conspiracy, that government was employing *agent provocateurs* to mislead respectable reformers to more sinister objectives to make them easier to prosecute.⁵⁶

There is some evidence which suggests some of the Home Office’s informers were used for more than simply observing and reporting, contrary to the defensive statements of Liverpool. In 1818 some nineteen Manchester trades formed the General Union of Trades with the intention to support one another in trade disputes (see chapter 7). The Union’s connection with the radical underground caused the Home Office great anxiety, as economic disputes could easily become political.⁵⁷ Under-Secretary of State Henry Hobhouse hinted to their principal source of information, Boroughreeve Thomas Scholes Withington, that ‘it would not be amiss that the seeds of schism and jealousy should be sewn among the parties who have adverse interests.’⁵⁸ There is also evidence to suggest that in 1820 pikes were planted on radicals by an agent of William Chippendale of Oldham, with the prior knowledge of District Commander Sir John Byng.⁵⁹ The scale of such activity is impossible to decipher; more instances of this type of activity might have taken place but the evidence was deliberately destroyed if it ever existed. Furthermore, there is also the possibility of employed spies and informers influencing the activity of the disaffected on their own accord.⁶⁰ Some might have simply been caught up in the furore of meetings, whilst others who desired to produce an impressive report to their employer could have persuaded attendees to commit incriminatory acts of violence. Equally, the reports of these spies and informers likely exaggerated the actual events for the same

⁵⁵ *HPD*, 1st series, vol. 36, House of Lords, 16th June 1817, col. 1007.

⁵⁶ *Sherwin’s Weekly Political Register*, 21st June 1817.

⁵⁷ Malcolm Chase, *Early Trade Unionism* (London: Breviary Stuff, 2012), p. 84.

⁵⁸ HO79/3 pp. 283-4, Hobhouse to Thomas Scholes Withington, 26th August 1818.

⁵⁹ HO40/11 ff. 134-5, X.Y. [William Chippendale] to Byng, 2nd March 1820.

⁶⁰ HO41/3 pp. 190-1, Addington to J. Horton, 24th June 1817.

reason. With this in mind, the Home Office put spymasters on their 'guard with respect to that description of people who though necessary and very trustworthy' could have ulterior motives.⁶¹

Spies and informers were an unfortunate but necessary asset which provided the Home Office with information it would otherwise be unable to procure. Their employment was one of the few proactive tools the Home Office and provincial spymasters had at their disposal; they were a source of information from the disturbed areas of the country both at moments of crisis and in more peaceful times. This network of information stimulated strong relationships between the Home Office and magistrates who demonstrated alacrity in their magisterial capacity, and a level of zeal and discretion requisite for the challenges of domestic espionage. In the most extreme case, a constant supply of money was transmitted from the Home Office secret service fund to the most notable spymaster Colonel Ralph Fletcher, a magistrate and Orangeman of Bolton. Fletcher was in receipt of secret service funds for at least twenty-five years from the food riots at the turn of the century to the industrial disturbances in Lancashire in 1826.⁶² Though critiqued for excessive expenditure and the exaggerations of his informants, Fletcher's zeal and affinity for espionage made him a particularly useful provincial asset.⁶³ His spies were not confined to their own province and travelled to other counties where the Home Office had no reliable source of information.

From the records available it appears that Fletcher was the Office's longest serving spymaster since its formation, but there is no complete record of expenditure. The full range and extent of the application of secret service money is impossible to decipher from what survives. Lump sums were drawn from the Treasury, and no accurate record appears to have been kept in the Office. For the most part we are limited to the reports forwarded by spymaster magistrates which

⁶¹ HO43/13 pp. 102-3, Portland to Fletcher, 14th July 1801.

⁶² Katrina Navickas, *Loyalism and Radicalism in Lancashire, 1798-1815* (Oxford: Oxford University Press, 2009), p. 118; HO43/13 pp. 163-5, Lord Pelham to Fletcher, 5th September 1801; HO79/4 f. 165, Hobhouse to Fletcher, 6th September 1826.

⁶³ HO79/4 f. 161, Hobhouse to Fletcher, 8th August 1826.

are signed with aliases, and the bundles of receipts and vouchers jotted down on scrap paper.⁶⁴ The closest we can get to a detailed account of payments is during the Luddite disturbances when Home Office expenditure on secret service activities became so widespread it warranted the creation of a payment book in order to keep track of it all.⁶⁵ The volume includes the payment of constables to apprehend suspects as well as pay spies. Even this source proves problematic as entries were discontinued after several months, and do not record payments of lump sums to spymaster magistrates who operated semi-independently.

Secret services expenses were audited in an effort to keep an accurate account of expenditure and to encourage economy, but it is impossible to glean anything from these scrolls other than isolating periods of peak expenditure. Even with this it becomes impossible to accurately establish money used in England, Wales and Scotland from that used in Ireland and on the continent to contribute to the war effort. As can be seen in Table 3.4, incredibly high average monthly expenditure (AME) occurs in years of relative domestic stability, making it very unlikely this money was used for domestic surveillance. This is compared with peaceful years after the war had ended when AME is consistently much lower. Post-war retrenchment may account for some of this reduction, but this still does not explain why such large amounts of money would be spent during domestically peaceful years. What is worth noting, and what will be discussed in more detail in chapter 8, is the surprisingly low expenditure during 1830-2, during the Swing riots and movement for parliamentary reform. The personality, principles, and experience of the decision-making trio at different times appears to have drastically affected their attitude to secret service.

⁶⁴ HO387/6, 9-11, 15.

⁶⁵ HO40/2/6, Notebook of Payments.

Table 4.4 – Home Office Secret Service Expenditure, 1794-1832

Period Start Date	Period End Date	Amount Paid to Permanent U-Secretary	Amount Paid to Parliamentary U-Secretary	Total	Average Monthly Expenditure (AME)
11 th July 1794	26 th June 1801	William Wickham £3,241 19s 3d John King £37,464 4d 10s		£40,706 4s 1d	£490
30 th July 1801	17 th August 1803	£19,740 8s 5d	£2,363 13s	£22,104 1s 5d	£884
18 th August 1803	11 th May 1804	£9,783 15s 6d	£336 13s	£10,120 8s 6d	£1,124
11 th May 1804	6 th February 1806	£13,875 12s 6d		£13,875 12s 6d	£661
6 th February 1806	25 th March 1807	Foreign Secret Service £1,300 Charles Wynn £7,486 17s 1d John Beckett £50		£8,837 17s 1d	£679
25 th March 1807	1 st November 1809	Miscellaneous £9,881 John Beckett £6,005 12s 7d	£900	£16,786 12s 7d	£524
1 st November 1809	12 th June 1812	Miscellaneous £6,896 13s 4d John Beckett £4,661 19s 8d		£11,558 13s	£372
11 th June 1812	1 st January 1818	John Beckett £7,161 3s 11d Henry Hobhouse £835 12s 11d	£1,198, 3s 11d	£9,195 9d	£137
1 st January 1818	18 th January 1822	£14,425 6s 2d	£244 2s	£14,669 8s 2d	£305
18 th January 1822	30 th April 1827	Henry Hobhouse £3,664 1s 8d William Sturges Bourne £1,261 4s 7d		£4,925 6s 3d	£78
30 th April 1827	16 th July 1827	£76 17s		£76 17s	£25

16 th July 1827	22 nd January 1828	£147 18s		£147 18s	£24
22 nd January 1828	22 nd November 1830	£2,307 7s 6d		£2,307 7s 6d	£67
22 nd November 1830	6 th June 1833	£2,084 11s		£2,084 11s	£67

AO1/2122/7, Account Rolls, Duke of Portland, 11th July 1794 to 16th June 1801; AO1/2123/12, Account Rolls, Lord Pelham, 30th July 1801 to 17th August 1803; AO1/2123/14, Account Rolls, Charles Yorke, 18th August 1803 to 11th May 1804; AO1/2123/15, Account Rolls, Lord Hawkesbury, 11th May 1804 to 6th February 1806; AO1/2125/22, Account Rolls, Earl Spencer, 6th February 1806 to 25th March 1807; AO1/2126/29, Account Rolls, Earl of Liverpool, 2nd March 1807 to 1st November 1809; AO1/2127/33, Account Rolls, Ryder, 1st November 1809 to 12th June 1812; AO1/2129/45, Account Rolls, Viscount Sidmouth, 11th June 1812 to 1st January 1818; AO19/116, Secret Service Accounts, Viscount Sidmouth, 1st January 1818 to 18th January 1822; AO1/2130/51, Account Rolls, Robert Peel, 18th February 1822 to 30th April 1827; AO19/116, Secret Service Accounts, William Sturges Bourne, 30th April 1827 to 16th July 1827; AO19/116, Secret Service Accounts, Marquess of Lansdowne, 16th July 1827 to 22nd January 1828; AO19/116, Secret Service Accounts, Robert Peel, 22nd January 1828 to 22nd November 1830; AO19/116, Secret Service Accounts, Viscount Melbourne, 22nd November 1830 to 6th June 1833.

Indications as to how the intelligence system operated are further obscured by the loss of records which were stored at the Alien Office, a sub-department of the Home Office. In the 1790s, Superintendent of Aliens and Under-Secretary of State for the Home Department (1798-1801) William Wickham oversaw an extensive and organised spy network which stretched over to Ireland and France. These spies infiltrated groups which were believed to be cooperating the French in their planned invasion of the country.⁶⁶ The position of Superintendent of Aliens was held by notables such as Under-Secretary of State for the Home Department John King (1791-1806), and Chief Magistrate Richard Ford (1800-1806). Once more, the involvement of the chief magistrate in the very institution which managed domestic and foreign espionage suggests a closer relationship between him and the decision-making trio than has been realised. Whether or not this relationship was limited to the personalities of the time, or during the stresses of wartime government, is a matter of speculation. What is certain, however, is that the importance of the Alien Office cannot be understated; it was certainly the 'first comprehensive British secret service' Elizabeth Sparrow

⁶⁶ Wells, *Insurrection*, p. 32.

claims.⁶⁷ The lessons learned and experience gained during their superintendence helped to shape the Home Office's approach to domestic surveillance.⁶⁸

Provincial authorities who were unable to penetrate radical circles in their neighbourhood sometimes requested for a spy to be sent from London. A spy selected by government meant the local authority did not have to go to the trouble of finding such a person, nor were they accountable for the contents of their reports (and any exaggerations), and perhaps expected them to be of a superior, even professional standard. However, infiltrating secretive groups was a difficult task, and a stranger from London would find it difficult to gain access. As Sidmouth confessed to the Lord Advocate of Scotland, 'Strangers are not likely to ingratiate themselves into the confidence of the disaffected.'⁶⁹ The sudden appearance of a Londoner in a Scottish town attempting to gain entry to a secretive group would have been, on obvious cultural and linguistic grounds, highly suspicious. The Home Office also did not have reliable or professional spies at their fingertips, though it received offers of service from correspondents and visitors.

As the account of Oliver the spy, also known as William Richards or William Jones shows, members of the public were able to walk in off the street, but it appears almost all of them were turned away. Oliver's proceedings will be revisited in a later chapter, but what is worth noting here is that it appears that Oliver was the only spy during this period who was under the direct supervision of the Home Office. The Home Office had encouraged the employment of spies by magistrates in the metropolis and provinces for decades, and had promised to provide them with the necessary funds, but had shied away from employing them directly. This was a defensive policy so as not to build up a relationship with individuals who were temporary and disposable tools. Expectations of lucrative rewards were diminished since remuneration was decided by the spymaster, which was in turn limited by what the Home Office deemed to be reasonable expenses.

⁶⁷ Sparrow, 'Alien Office', p. 362.

⁶⁸ Knight, *Britain Against Napoleon*, p. 125.

⁶⁹ HO79/2, Sidmouth to The Lord Advocate, 21st December 1816.

Attempts by spies and informers to establish direct contact with the home secretary were promptly redirected to their established contacts. Informer David Ramsay was corrected on two occasions and was advised to contact Stockport solicitor John Lloyd or Major General Sir John Byng.⁷⁰ Similarly, when Manchester spy John Livesey arrived at Whitehall and attempted to obtain a personal interview with Home Secretary Viscount Sidmouth in 1819 he was promptly denied and redirected back to Manchester. On more than one occasion Livesey had attempted to establish personal contact with Sidmouth, and on this occasion claimed he had received instructions to do so from his spymaster, the Manchester magistrate Reverend Charles Wicksted Ethelston. To Under-Secretary of State Henry Hobhouse, his attempts showed 'how falsely he estimates the sphere in which he moves, and how necessary it is to keep him at a distance.'⁷¹ Other informers preferred to keep a low profile and did not wish to contact the Home Office directly, as they feared that their identity might be inadvertently disclosed.⁷² Instead those who wished to offer information tended to approach a magistrate who then contacted the secretary of state with their information. Such an arrangement was not exactly timely, but appears to have been preferred by most informants.⁷³

Keeping a distance also meant the Home Office was not encumbered with the supervision of spies and informers. Arranging discreet meetings and taking their reports in person would occupy precious time in disturbed periods – detailed but concise reports taken down by provincial magistrates were far more efficient. This policy also distanced central government from the spies for more public reasons. The public outcry caused by the unmasking of Oliver the spy is evidence enough of the problems of direct employment. After the identity of Oliver was publicised by Edward Baines in the *Leeds Mercury*, government was obliged to arrange for his removal to the Cape of

⁷⁰ HO41/4 p. 139, Hobhouse to David Ramsay, 27th July 1818; HO41/4 pp. 187-9, Henry Clive to Reverend Charles Prescott, 26th September 1818.

⁷¹ HO79/3 pp. 377-8, Hobhouse to Reverend Charles Wicksted Ethelston, 10th May 1819.

⁷² HO42/179 ff. 293-4, David Ramsay to Sidmouth, 20th August 1819; HO79/4 p. 162, Hobhouse to Byng, 9th August 1826.

⁷³ HO79/4 ff. 53-4, Sidmouth to Viscount Lascelles, 21st March 1820.

Good Hope for his protection, and to remove the object which fuelled the radical press in their censure of government activity.⁷⁴ Similarly, George Edwards, a spy who had infiltrated a conspiratorial group who planned to assassinate the Cabinet in 1820, was moved to Cape Town after he testified against the conspirators.⁷⁵ And in a more generous case, a hundred acres of fertile land in Upper Canada was secured for the Luddites-turned-informers John Blackburn and William Burton, after their evidence secured the conviction of William Towle and seven others at the Leicester Assizes.⁷⁶ If possible, such expensive arrangements were avoided, and informers were simply relocated to another part of the country where they could continue a practised trade.⁷⁷ The professions of spies and informers employed in the service of government range from lawyers, attorneys, militiamen, regulars, navy officers and general tradesmen to deserters, debtors and criminals.⁷⁸

For many, loyalty to King and Country was not enough to even contemplate employment as a spy, and thus many were incentivised in one form or another. Employment in return for money was the most common reward. During an economic downturn, which often accompanied disturbances, financial remuneration appealed to those who did not embrace radical rhetoric and wished to frustrate their designs. To ensure that quality information was produced, the Home Office advised provincial authorities not to pay informers in advance until they had proven their worth.⁷⁹ In reality this policy served to encourage dishonest and inflated reports as informers exaggerated events or personally encouraged seditious behaviour to secure their payment. If information was

⁷⁴ Kirsten McKenzie, 'Exit Pursued by a Bear: Oliver the Spy and the Imperial Context of British Political History', *History Australia*, 13:1 (2016), 80-94.

⁷⁵ Paul A. Pickering, 'Betrayal and Exile: A Forgotten Chartist Experience', in *Unrespectable Radicals?: Popular Politics in the Age of Reform*, ed. by Paul A. Pickering and Michael T. Davis (London: Routledge, 2008), p. 202.

⁷⁶ Kevin Binfield, *Writings of the Luddites* (Baltimore: John Hopkins University Press, 2004), p. 156; HO41/3 pp. 360-2, Hobhouse to C.G. Mundy, 15th August 1817; HO79/3 pp. 71-5, Sidmouth to Mundy, 22nd September 1817.

⁷⁷ HO79/3 p. 372, Hobhouse to Enfield, 3rd May 1819.

⁷⁸ Sue Wilkes, *Regency Spies: Secret Histories of Britain's Rebels and Revolutionaries* (Barnsley: Pen & Sword, 2015), Chapter 1.

⁷⁹ HO79/3 pp. 28-30, Addington to Ethelston, 14th April 1817.

offered freely by patriotic volunteers no hope of a reward or reprieve was to be encouraged, though some rested on the fact that their historic services would not go unnoticed during times of dearth.⁸⁰ James Hamill living near Bolton requested financial aid after finding himself in distress and was promptly awarded £10 by Home Secretary Richard Ryder, as he had ‘occasionally given useful information respecting illegal & riotous proceedings of the disaffected in his neighbourhood.’⁸¹ The information provided by the spy William Chippendale from 1812 to 1819 was ‘more useful Information than any other Individual’ and upon his death arrangements were made to provide his destitute wife with an annual allotment of £120.⁸² Others such as Thomas Bradley, whose information was vital in the treason trials of 1817, were found employment in a position under the home secretary’s patronage, in Bradley’s case the London police.⁸³ Others tried their luck with similar ambitions of permanent employment in the service of government, or attempted to secure themselves a military commission, but were ultimately silenced with a singular payment.⁸⁴

Other informers did not seek money but forgiveness, appealing to the royal prerogative of mercy, a power which was largely handled by the home secretary. Repenting radicals offered information in return for immunity from prosecution for confessed offences, or claimed they had been misled in an attempt to save their own skin. Others were unaffiliated with a radical or insurrectionary cause but offered their services to absolve themselves of other crimes. For example, during the Swing Riots a man by the name of Bussey was offered a remission of the capital sentence of horse stealing if he provided information against radical societies in London. His information was, in Home Secretary Viscount Melbourne’s opinion, unsatisfactory and was not granted the

⁸⁰ HO79/4 ff. 53-4, Sidmouth to Viscount Lascelles, 21st March 1820.

⁸¹ HO43/19 pp. 112-4, Beckett to Mr. Ainsworth, 4th May 1811.

⁸² Complications prevented Mrs Chippendale from receiving annual sums from the Pension Fund, but eventually received £120 per annum which was back paid to 1823. HO79/4 f. 175, Hobhouse to J.C. Herries, 5th June 1827; ff. 179-80, Phillipps to Mrs. Chippendale, 21st April 1828.

⁸³ HO41/4 pp. 54-5, Sidmouth to Hugh Barker, 27th February 1818.

⁸⁴ HO79/2, Beckett to John Lloyd, 23rd January 1813.

remission.⁸⁵ In another case however, the offer of information from a deserter from the 73rd Regt Foot, Charles Merryman Hewitt, was duly accepted.⁸⁶ These latter offers demonstrate the leverage that the home secretary had in the judicial sector – the prerogative of mercy, an arguably unrelated responsibility for the home secretary, was exploited for the benefit of the preservation of order at critical moments. Ultimately, potential spies and informers offered their services to impress those in positions of power and influence upon motives of loyalism, opportunism, and/or repentance.

Although quite disposable assets, given the fact their employment could be terminated at any time, the Home Office took significant steps to preserve the anonymity of its spies, informers, and their families. A series of letter-based aliases was devised for use in private correspondence to mask an informer's identity, and in some cases even the Home Office was unaware of the true identity of its source of information.⁸⁷ More complicated alphanumeric cyphers were used by some spies and informers, but this simple method was more widely practised.⁸⁸ To encourage a standard practice, magistrates unversed in the ways of intelligence gathering were quickly brought up to speed with the established procedure of anonymising their spies and informants in their correspondence.⁸⁹ At the Home Office, this process involved the redaction of official records which had previously disclosed an identity. In February 1818 the names of two informers were 'obliterated from every paper in [the] Office' to maintain their anonymity.⁹⁰

⁸⁵ HO41/9 pp. 47-8, Phillipps to Reverend J.S. Phillott, 15th December 1830; p. 84, Phillipps to Phillott, 17th December 1830.

⁸⁶ HO79/2, Beckett to Mr. Stevens, 14th August 1812.

⁸⁷ HO79/4 f. 164, Peel to Byng, 26th August 1826.

⁸⁸ DHC 152M/C/1812/OH8, John Thomson to Sidmouth, 12th November 1812; DHC 152M/C/1812/OH7, Report of J.B., 4th August 1812.

⁸⁹ HO79/3 pp. 269-70, Hobhouse to Ethelston, 24th August 1818.

⁹⁰ HO79/3 pp. 154-7, Hobhouse to Byng, 23rd February 1818.

Conclusion

This chapter has clearly set out the principal powers at the disposal of the Home Office to preserve order. Much of the debate in the study of government's response to public disturbance, as will be seen in later chapters, concerns the application of state power to repress public disturbance, or to foil seditious conspiracies. What has not been emphasised enough however, and what this chapter has shown, is that there was no significant change to the way the Home Office was able to preserve order throughout the period. If the tensions surrounding the food riots, Luddism, attempted insurrection in 1817, the Peterloo Massacre, the Cato Street conspiracy, the Swing riots, and anticipated risings during renewed agitation for reform in the 1830s, were all insufficient motivation to temporarily or permanently extend the Home Office's realm of authority, then there was evidently no manifest desire to do so. Empowering the Home Office would have placed a greater burden on the resources of government at a time when they were already stretched by the war with France and crippled by the debt it created.

The use of central government's resources will be assessed in the following chapters, however what has been shown in this chapter is that it had fewer resources at its disposal than has been implied by historians such as Thompson. Maintaining order was a difficult task as home secretaries were required to assess whether intervention would discourage self-reliance, infringe upon local authority or leave other areas of the country weakened. Added to these problems were pressures to economise which limited the number of troops at the home secretary's disposal. The application of its resources could be insufficient to defeat the threat before it, and in such cases the Home Office had recourse to the legislature. In conference with the law officers of the crown the Home Office drafted repressive legislation, or in extreme cases called for temporary suspensions of habeas corpus.⁹¹ This legislation was part of the constant battle to empower and invigorate the magistrates and local inhabitants to repel the forces of disorder themselves, and to stimulate self-

⁹¹ DHC 152M/C/1819/OZ, Sidmouth to Lord Ellenborough, 17th October 1819.

reliance. What follows in the ensuing chapters is an analysis of how these powers were used, and how the Home Office attempted to invigorate the local forces of order into action, providing assistance where necessary, but never overstepping the boundaries by establishing unwanted precedents which would ultimately hinder the operation of the machinery or order.

Chapter 5 – Food Riots, 1800-1801

The beginning of the nineteenth century was marked by the final national wave of food rioting. Localised and fragmented instances of conflicts for subsistence would occur into the nineteenth century, notably concurrent with Luddism from 1811-1813 and the bread riots of 1816, but it ceased to be the characteristic form of popular protest that it was in the preceding century. Indeed, it has been argued that two out of every three disturbances in the eighteenth century directly related to food.¹ During these disturbances popular collective action was founded on suspicions of engrossing, forestalling, and regrating, which involved the sale of goods outside the usual market environment, and the retention or wholesale purchase of goods by merchants and millers to inflate prices and create an artificial scarcity. Such actions were a defilement of the norms of market activity and were met with collective demands to restore them. Official communications from central government attempted to combat the pervasiveness of the idea that the scarcity was entirely artificial; that it was the product of a scheme devised by self-interested farmers and tradesmen to exploit their monopoly of the grain trade. In these disturbances, retailers of foodstuffs were compelled to bring their goods to market and to sell them at a 'just' price decided by the crowd, otherwise known as taxation populaire, and transport routes from producing to consuming regions were maliciously disrupted in attempts to retain grain.² Suspected monopolisers were also subject to verbal and literary threats of damage to their property or personal injury which were sometimes carried out if they refused to meet the crowd's demands.

¹ Isolated examples are also found in the twentieth century, see Lynne Taylor, 'Food Riots Revisited', *Social History*, 30:2 (1996), 483-96; J. Archer, *Social Unrest and Popular Protest in England, 1780-1840* (Cambridge: Cambridge University Press, 2001), p. 28; Carl Griffin, *Protest, Politics and Work in Rural England, 1700-1850* (Basingstoke: Palgrave, 2014), pp. 99-101; John Rule, *The Labouring Classes in Early Industrial England 1750-1850* (London: Longman, 1993), p. 351.

² Thompson, 'The Moral Economy'.

Historians of food riots have tended to concern themselves with attempting to understand the absence, occurrence, and recurrence of the phenomenon in various regions, the objectives and motivations of its actors, and the relationships between the gentry and the crowd, all of which has commonly been framed within, or in criticism of, the concept of a moral economy.³ Others, such as Roger Wells, have provided us with an account of the disturbances and provincial and central government's responses.⁴ Within these histories, Home Office intervention features under the broader umbrella of central government, as the inflexible custodian of the free market, devoid of agency and acting at the collective will of Cabinet. As such the breadth and depth of Home Office intervention has received insufficient attention. This chapter will, therefore, provide an overview of Home Office intervention during the shortage of 1800-1801. It will explore how the Office attempted to counter food riot tactics, notably arson and threatening letters, and how it investigated rumours of seditious conspiracies. It will also discuss how the Home Office involved itself in provincial provision politics when not all local authorities were amenable to central interference. This will be explored through an in-depth case study of Home Office intervention in Oxford when food prices rose considerably in September 1800. The study reveals how little power the Home Office had to intervene in local jurisdiction, and how frustrating it was for the home secretary who was determined to implement a consistent response to food disturbances across the country.

Lessons Learned

During the food riots the Home Office was headed by the Duke of Portland, who had also been home secretary during the previous shortage of 1795-6. Portland was committed to the suppression of taxation populaire 'by the most vigorous and effectual measures' and desired the populace be

³ For example Randall, *Riotous Assemblies*, chapter 9; Bohstedt, *Politics of Provisions*; Jones, 'Swing, Speenhamland'; Andrew Charlesworth, 'From the Moral Economy of Devon to the Political Economy of Manchester, 1790-1812', *Social History*, 18:2 (1993), 205-217; Thompson, *The Making* (2013); Bohstedt, 'The Moral Economy'.

⁴ Roger Wells, *Wretched Faces: Famine in Wartime England 1793-1801* (Gloucester: Allan Sutton, 1988).

admonished 'of the dangerous consequences to which such conduct must expose them personally' as such action would 'increase all the evils which necessarily attend a scarcity.'⁵ Seizure of foodstuffs and retailing them at lowered prices was not only a direct attack on private property, but threatened to accelerate the severity of the scarcity through uncontrolled consumption. Such a firm stance against collective bargaining was replicated inside the Home Office, where clerks attempted to protect their standard of living by requesting an increase in their salaries to meet the costs of daily subsistence.⁶ The recourse to a petition may have been stimulated by an increase to the under-secretaries' salary in January 1799, when an arrangement was made to increase their pay from £2,000 to £2,500 after serving three years.⁷ All but two of the permanent clerks signed the petition, George Thomas Lefroy and Richard Hatt Noble, but it is unclear whether they refused to sign the petition or were unable to because they were taking annual holiday or were ill. No other employees, such as the Office's maintenance staff, appear to have followed suit. Furthermore, there is no evidence to suggest that a similar petition was signed during the shortage of 1795-6, nor is there any indication similar requests were made in other government departments.⁸

That the plea of the clerks was framed in a petition, rather than discussed verbally, is telling of the relationship between Portland and his clerks. It suggests a more distant and official relationship than is expected in a government department where the system of patronage was conducive to the formation of close relationships. Portland's rejection of their petition was not the result of this distant relationship however, but rather his wariness of setting a dangerous precedent. At a time when government finances were under close scrutiny, and when it was abolishing many of its older forms of rewards for dutiful employees, increments to government clerks' pay would have been in addition to the lump sum they received in compensation for the changes. Furthermore,

⁵ HO43/12 pp. 6-7, Portland to Earl of Radnor, 13th June 1800; HO43/11 pp. 482-3, Portland to Earl Fitzwilliam, 11th May 1800.

⁶ HO42/55 ff. 107-9, Clerks of the Home Office to Portland, 16th December 1800.

⁷ PC2/152 pp. 157-8, Order in Council, 23rd January 1799.

⁸ FO366/380, Establishment Salaries: Quarterly and Annual Accounts.

news of successful collective action from within government would have encouraged others to do the same, from inside and outside the confines of Whitehall.⁹ Portland did concede to introducing a similar length of service based increment to the chief clerk's salary in February 1801, but the remainder of the clerkship had to wait until 1809 for a similar addition.¹⁰

Both the 1795-6 and 1800-1 shortages took place during the war with Revolutionary France (1793-1802), which placed tremendous strain upon trade infrastructure, finance, and military resources.¹¹ The most important difference between the two shortages was government's response. During the 1800-1 shortage government did not repeat the mistake of heavy government intervention as it had done in 1795-6 when a government scheme of grain imports to provide relief to famished communities proved disastrous and actually served to accelerate rather than ease the scarcity. Government purchases of grain from abroad discouraged independent trade by grain merchants, and thus reduced national imports; the release of government stocks onto the market would have deflated market prices and therefore reduced profit margins. The consequent shortage saw the Home Office inundated with requests from town relief committees for access to government stocks, who were redirected to major trading centres such as Newcastle, Bristol, and Liverpool where they were obliged to bid against their neighbours to stave off starvation.¹² Even after a successful purchase, agents still had to make the return journey without being intercepted by crowds which imposed taxation populaire. Such scenes persuaded a parliamentary committee appointed during the shortage to recommend against such interventionist policy in any future shortage.¹³

⁹ HO82/1.

¹⁰ The chief clerk's salary was increased from £1,000 to £1,250 after five years' service, and £80, £200, £300, and finally £400 were added to the clerks' salaries after every five years' service. HO45/9283/1782L, Order in Council, 18th February 1801; HO45/9283/1782L, Order in Council, 10th May 1809.

¹¹ John Bohstedt, *The Politics of Provisions: Food Riots, Moral Economy, and Market Transition in England, c. 1550-1850* (Farnham: Ashgate, 2013), p. 167.

¹² Bohstedt, *Politics of Provisions*, pp. 188-92; Wells, *Wretched Faces*, pp. 187-97.

¹³ Stevenson, 'Food Riots in England', p. 42; *PP 1795-6, IX*, First Report of the Parliamentary Committee on the High Price of Provisions.

Similar conditions returned in 1799 when unseasonal frost in June and July was followed by destructive flooding in August.¹⁴ Prices had risen substantially by the winter, and conditions were worsened by a concurrent industrial depression which put many out of work. This particularly affected the north, where under-employment in textile trade intensified hardship, and riots broke out in October and November in Lancashire.¹⁵ From January 1800, however, much of the country also experienced some form of food-related disturbances. Barges carrying grain were stopped, crowds pressured magistrates to regulate local markets, price-fixing riots occurred, and at Ashton a crowd clashed with a local volunteer force before seizing and re-selling the goods of a corn dealer.¹⁶ Mass imports reduced average prices during the summer, but optimism was short-lived when prices shot up after a deluge of rain prevented crops from being threshed. Prices rocketed and what historians have termed the 'September hypercrisis' began.¹⁷ At the beginning of September disturbances were first started at Sheffield, and quickly extended to Nottingham and Derby on the 4th, Leicester on the 5th, Birmingham on the 8th, and by the 17th to most of central, western, and southern Midlands. London experienced its first major food riot on the 15th, and by the end of the month disturbances were reported in south-east England and south Wales.¹⁸ Prices continued to rise until the spring of 1801 when large imports of foreign produce finally stabilised prices.¹⁹

Though wary of the disastrous consequences of intervention during 1795-6, government did take some steps to help alleviate distress. An enquiry was made into the 'probable prices' of grain in the Barbary States, which still came under the responsibility of the Office until 1804, between December 1799 and September 1800 and consuls were requested to use their 'utmost endeavours'

¹⁴ Wells, *Wretched Faces*, pp. 37-8.

¹⁵ Wells, *Wretched Faces*, pp. 58-9; Randall, *Riotous Assemblies*, p. 214.

¹⁶ Randall, *Riotous Assemblies*, pp. 214-7.

¹⁷ Boyd Hilton, *A Mad, Bad, & Dangerous People?: England 1783-1846* (Oxford: Oxford University Press, 2006), p. 92; Bohstedt, *Politics of Provisions*, pp. 206-7.

¹⁸ Wells, *Insurrection*, p. 181; Alan Booth, 'Food Riots in the North-West of England 1790-1801', *Past and Present*, 77:1 (1977), 84-107 (p. 90); Roger Wells, 'The Revolt of the South-West, 1800-1801: A Study in English Popular Protest', *Social History*, 2:6 (1977), 713-744.

¹⁹ Randall, *Riotous Assemblies*, p. 217.

to promote the exportation of corn to Britain.²⁰ Bounties were again granted to independent traders for wheat imports which prevented mass starvation in the summer of 1800.²¹ What had changed from 1795 was that government no longer employed agents to make purchases of foreign grain, and that the Home Office renounced its position as a central coordinator of grain supply.²² The Office was however, as in 1795-6, still inundated with requests for central aid, which were swiftly rejected. Applicants were informed that ‘all resources...in the power of Government’ were ‘wholly exhausted’, and were advised to have recourse to county rates, to establish soup kitchens, and use substitute vegetables.²³ Rejections highlighted the ruinous effects to the free market if it intervened as it had done previously, referring indirectly to the previous shortage. In a more personal reply to an application for aid sent by fellow conservative Whig William Baker, after taking the unusual step of communicating ‘its contents to’ his ‘colleagues in administration’, Portland openly confessed that ‘the experience of the year 1796 so fully confirms the policy of Government’s abstaining from all manner of interference in providing the Public with any of the articles of daily consumption.’²⁴ As John Bohstedt has argued, this laissez-faire attitude appears to have a beneficial effect; there were fewer outbreaks of riot and disturbance in 1800-1 than in 1795-6. Greater net imports and regional productivity ensured the agricultural and coastal counties of Devon and Cornwall, which commonly experienced food-related disturbances during national shortages, were better supplied. Local authorities and charitable organisations had also learned lessons from the 1795 and avoided replicating their mistakes. Notably militia and voluntary forces were better fed and therefore did not foment disturbance as they had done previously, and local charity efforts in

²⁰ HO31/15, William Fawkener to King, 20th December 1799; HO43/11 p. 385, King to Fawkener, 3rd March 1800.

²¹ Wells, *Insurrection*, p. 180.

²² HO43/11 pp. 365-6, Portland to Lord Viscount Kirkwall, 17th February 1800.

²³ HO43/12 ff. 78-82, Portland to William Baker, 24th August 1800; HO43/11 pp. 365-6, Portland to Lord Viscount Kirkwall, 17th February 1800; HO43/12 pp. 485-7, Portland to Haden, 14th May 1800.

²⁴ HO43/12 pp. 78-82, Portland to Baker, 24th August 1800.

industrial centres pre-empted distress in the winter months.²⁵ However, despite the lessons learned by local and central governments, the country still experienced a significant number of food-related disturbances, as is shown in Figure 5.1. Wheat prices reached their highest price to date, suspicions of market manipulation were heightened, and ultimately the disaffected resorted to a disruption of normal market activity and unleashed their frustrations on those they believed were the cause, or at least a contributor, to their destitution.

²⁵ Bohstedt, *Politics of Provisions*, p. 206; Steve Poole, 'Scarcity and Civic Tradition', in *Markets, Market Culture and Popular Protest in Eighteenth-Century Britain and Ireland*, ed. by Adrian Randall and Andrew Charlesworth (Liverpool: Liverpool University Press, 1996), pp. 91-114 (pp. 94-6).

Figure 5.1 – Wheat Prices, Imports and Riots, 1781-1820

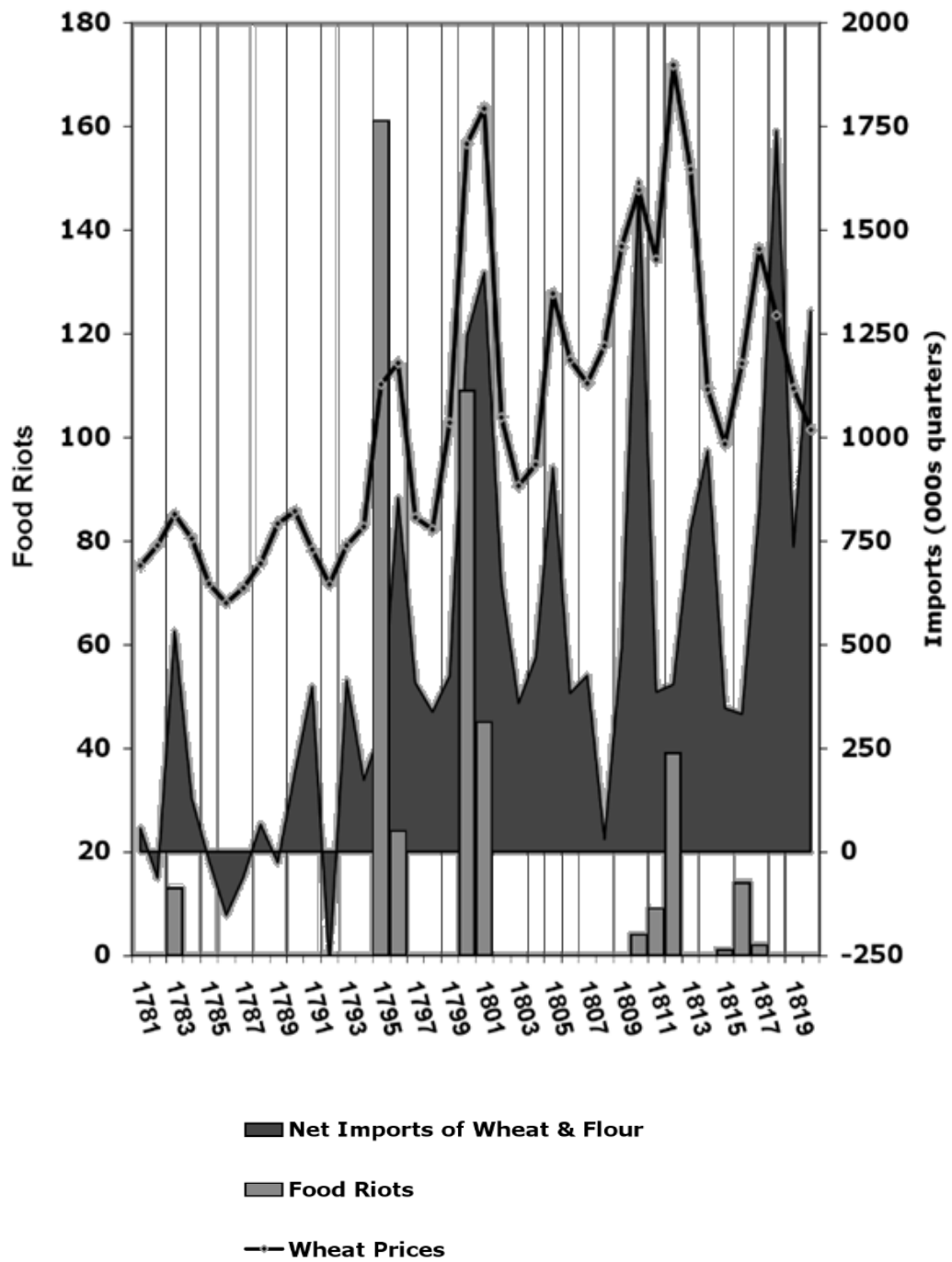


Figure reproduced from Bohstedt, *Politics of Provisions*, p. 90, figure 5.1.

For the most part, Home Office intervention in containing food disturbances was minimal. Local magistrates and military authorities who notified the home secretary of the successful protection of normal market procedure were praised, whilst those who were found to have neglected their duties, or had compromised the integrity of the free market doctrine by conceding to the demands of the crowd were firmly reprimanded. Assemblies were to be swiftly dispersed, immediate recourse to military aid was advised if problems arose, and ringleaders were to be prosecuted to the full extent of the law.²⁶ When this standard procedure was adopted in the event of a disturbance no Home Office intervention was required, and news of it may never have reached London. However, as Roger Wells has argued, the Home Office may not have been notified for another reason. Disturbances were not automatically reported to Whitehall by provincial justices as central government intervention, triggered by reports to the Home Office, could cause considerable embarrassment to justices and compromise their reputation. Reports which were sent to the Home Office were typically those which requested assistance, and not those which publicised justice's contravention of *laissez-faire*.²⁷ For example, during the September hypercrisis, the Nottingham and Sheffield authorities reported the outbreak of disturbances immediately, whereas Oxford authorities did not report the renewal of rioting, and the Home Office was only informed when the county jailer reported that the county gaol had been attacked by rioters.²⁸ The Oxford case will be revisited later, but the example exposes the fact that many riots occurred, and many justices yielded to the will of the crowd, without the Home Office ever being aware. Consequently, the Home Office was always on the backfoot; it never had a complete picture of ongoing disturbances and was therefore unable to produce the firm and immediate response it desired. The home secretary could only attempt to persuade civil authorities who conceded to the will of the crowd of the potential

²⁶ HO43/12 p. 11, Home Office to Reverend J. Bate, 17th June 1800; pp. 90-101, Portland to W. Watson, 4th September 1800; p. 104; Portland to Earl Fitzwilliam, 8th September 1800; p. 133, John King to Daniel Williams, R. Davies, 16th September 1800.

²⁷ Wells, *Wretched Faces*, pp. 92-3.

²⁸ Wells, *Wretched Faces*, p. 96.

dangers when he was made aware of it and to assist those cooperative magistrates in combatting the disruptive, and destructive, expressions of discontentment.

Anonymous Crimes and the Local Machinery of Order

When public notices issued by civil authorities failed to deter disorderly assemblies, the attendance of a magistrate was necessary. With the wording of the Riot Act proclamation close at hand, magistrates were assisted at a scene of disturbance by constables and if necessary by volunteer or regular military forces. If the crowd could not be persuaded to disperse peaceably the Riot Act was read and, if they still refused to disperse after an hour, or initiated or continued to conduct themselves in a tumultuous or seditious manner, they were forcibly dispersed. This was the procedure to deal with overt contention, but such responses were wholly impracticable against anonymous acts by an individual or collective, which was a core feature of food-related disturbances. Overt collective action to control the distribution and retail of grain was coupled with covert and often nocturnal threats of or actual injury to a person or their property. These anonymous actions served as a dialogue between the famished and those accused of exploiting their monopoly of the grain trade, or the justices of the peace who defended them. The cover of darkness and the mask of an alias empowered the perpetrators to issue publications calling for popular action against monopolists, to distribute letters which threatened arson or violence against them, or to carry them out and achieve retributive justice on behalf of the famished community.²⁹

An anonymous threat, published in the *London Gazette* in June 1800, to Major Dudley Ackland of the Pembrokehire Yeomanry and local landowner is an apt example:

let us intreat of you by fair means once more to endeavour to lower the price of the corn
this is all we want if you will do that will settle the business (we cannot starve) or you may
depend we shall follow our strokes you see what we can do and we can do greater things

²⁹ Charlesworth, 'Moral Economy of Devon', p. 208.

than this it you may depend if you do not pay attention to this we shall pay you a nocturnal visit we fear not a Discovery what is your constables we will run of one of them gentlemen some night to shew what we can do we fear nothing we are a undismayed phalanx them can face any thing you say we are set of Ruffians you shall see sown that we are Britons sons of Liberty altho we are now of the night we will appear soon in the face of the sun a terribel army to your confusion when you shall fly before us as clouds before the morning sun...³⁰

The letter outlines the intended objective and future ambitions of the writer and his co-writers, if there were any. The author's boastful confidence and the suggestion he was supported by a collective was designed to intimidate, but this may have been a lone individual trying any and all means to secure lower prices. They targeted Ackland because in the previous food shortage of 1795-6 he was sympathetic to the plight of the poor and had been actively involved in price setting at the market. Ackland's position of authority, previous sympathetic action and apparent adoption of a less conciliatory stance towards the crowd made him an opportune target for intimidation.³¹

Anonymous threats of personal harm and damage property appear to have been common, but it is impossible to estimate how many threats were sent. Many recipients likely ignored them or forwarded them to a local justice who came to the same conclusion. Some were, however, forwarded to the Home Office as part of a report of conditions in the area, or at the behest of their anxious recipients. When threatening letters followed an act of arson or other outrage the Home Office expressed concern but the response varied little from notifications of taxation populaire. The Bench was instructed to remain vigilant and were informed of the nearest military force should they be needed, with the addendum that special constables should be sworn in.³² Notably, however, magistrates were actively encouraged to employ 'discreet and confidential agents, to observe,

³⁰ *London Gazette*, 7th June 1800.

³¹ J.E. Thomas, *Social Disorder in Britain, 1750-1850: The Power of the Gentry, Radicalism and Religion in Wales* (London: I.B. Tauris, 2011), pp. 87-8.

³² HO42/49 ff. 351-2, Reverend John Watson Beadon to Home Office, 7th March 1800; HO43/11 pp. 393-4, Portland to Beadon, 8th March 1800.

during the night time, in the most suspicious places' to detect repeat offenders publishing and distributing threatening letters or papers calling for popular action.³³ Portland also recommended that the corporation offer rewards to accomplices of authors, arsonists, and maimers to induce them to come forward with incriminating information in order to prosecute the principal offender. Upon the prosecuting party, which was usually the targeted individual, company, or parish, offering a reward for information against the author, the Home Office would publish an advertisement in the *London Gazette*, one of the official publications of the British government.

The Home Office had no clear and effective plan to deal with arson or threatening letters, and thus publications in the *London Gazette* became a standard practice. In 1800 more notices were published by the Home Office in the *London Gazette* than in any other year between 1790-1820 and the vast majority in that year relate to arson (20), threatening letters (28), a combination of the two (4), or inflammatory publications (15).

³³ HO43/12 pp. 78-82, Portland to William Baker, 24th August 1800; HO43/11 p. 374, King to Magistrates of Birmingham, 25th February 1800.

Table 5.1 - Number of Home Office Notices Published in the London Gazette, 1790-1820

Year	Number of Home Office Notices	Year	Number of Home Office Notices
1790	10	1806	20
1791	11	1807	17
1792	13	1808	13
1793	19	1809	12
1794	19	1810	18
1795	24	1811	19
1796	25	1812	23
1797	17	1813	8
1798	14	1814	7
1799	18	1815	18
1800	77	1816	23
1801	23	1817	20
1802	30	1818	25
1803	12	1819	17
1804	15	1820	28
1805	15		

Data was extracted from publications of the *London Gazette* but only those notices which offered a reward and/or a pardon were noted.

As the rewards offered were local ones, any claims to rewards were dealt with by the locality, and as such we have no accurate record of how successful this policy was. However, it does not appear to have been particularly effective as Portland noted he could not ‘recollect an instance of any discovery having been effected by the offer of reward and pardon, any more than the threats contained in incendiary letters having been carried into effect.’³⁴ Even with the encouragement of a reward, discovering an anonymous author was a troublesome task, as letters could be written in a feigned hand and signed with a false name. Furthermore, whether an accomplice who was located in the rural areas of the country would have ever seen the publication of the offer is debatable.³⁵ Yet the intended purpose of the offer was not a direct attempt to apprehend, but ‘merely to show the falsehood of the mischievous insinuation...contained in the letter.’³⁶ Over a decade later Home Secretary Richard Ryder was similarly pessimistic in the potential of the *London Gazette* to lead to a

³⁴ HO43/11 p. 450, Portland to J. Phillips, 26th April 1800.

³⁵ HO43/12 p. 59, King to Mayor of Portsmouth, 29th July 1800; HO43/20 p. 89, Beckett to J.H. Kirby, 9th March 1812.

³⁶ HO43/11 p. 450, Portland to J. Phillips, 26th April 1800.

successful apprehension, but believed it would protect the victim against ‘similar unjustifiable insults’ and deter ‘others from the commission of similar offences.’³⁷ This deterrent effect may explain Portland’s offer to finance some of the rewards, an act which was contrary to established precedent as private property owners were typically required to foot the bill. On one occasion, for example, Portland offered to provide the necessary funds for a reward when the magistrates of Birmingham claimed they were unable to afford it. Actual success was improbable, and it was therefore not likely to incur any actual cost.³⁸

The September Hypercrisis and the Oxford Affair

Price rises in foodstuffs in late August and early September 1800 resulted in widespread rioting as suspicions of market malpractice were heightened. Riots ‘spread across the nation’s entire midsection, from the Thames Valley in the South to the Trent in the North and the Severn in the West and along the southern tier of counties.’³⁹ During the September hypercrisis the Home Office was inundated with requests for access to government grain stocks and military support. In reply civil authorities charged with protecting the operation of the free market received brief bespoke responses to their applications for aid accompanied by an extract of a letter written to the town clerk of Nottingham:

It cannot have escaped their (the magistrates) observation that wherever any reduction has been effected by intimidation it has never been of any duration, and, besides, by throwing things out of their natural and orderly course, it almost necessarily happens that the evil, instead of being remedied, returns with increased violence.

...I am satisfied that whenever a scarcity of Provisions exists, or is seriously to be apprehended, the only means which can tend effectually to obviate it, and to prevent the

³⁷ HO43/19 pp. 19-21, Ryder to Earl of Shrewsbury, 11th March 1811.

³⁸ HO43/12 pp. 192-3, Portland to the Magistrates of Birmingham, 30th September 1800.

³⁹ Bohstedt, *Politics of Provisions*, p. 208.

Grain from rising to an excessive price, consist in holding out full security and indemnity to all farmers and other lawful dealers, who shall bring their corn, or other commodities, regularly to market, and in giving early notice of a determined resolution to suppress at once...every attempt to impede by open acts of violence, or by intimidation, the regular business of the markets.⁴⁰

Portland desired such a commitment should be framed in the resolutions of the civil authorities, with the aim to give confidence to the suppliers and to discourage any attempts to seize their commodities.⁴¹ This central message was to be delivered by local authorities in their own words, a method which appealed to the autonomy of local jurisdiction and hoped to avoid the denigration of local authorities as mere messengers or even puppets of Whitehall. However, some local authorities were resistant to receiving any kind of advice or support from government in what they deemed a purely local affair. The application of government resources to preserve order could cause conflict between the very people responsible for maintaining it, as was the case with Oxford authorities.

In early September 1800, Reverend David Hughes of Jesus College, Oxford, notified the Home Office that pamphlets were distributed which incited the poor to take steps to lower the price of goods at the Oxford market.⁴² When a detachment of the 11th Light Dragoons was sent to Oxford with a view to assist the civil power in case a riot should occur, the town clerk wrote a letter on behalf of the mayor and magistrates protesting against their arrival to the secretary at war, a letter which was then forwarded to Portland who had authorised the move. They perceived the arrival of the dragoons to be an attack on the reputation of the local volunteer corps, of which the mayor was

⁴⁰ HO43/12 pp. 110-1, Portland to Coldham, 10th September 1800. Extracts from this letter were enclosed to several others, see for example HO43/12 p. 121, Portland to Mayor of Banbury, 13th September 1800; p. 123, Portland to Mayor of Hastings, 13th September 1800; p. 135, Portland to the Bailiff and Justice of Kidderminster, 17th September 1800.

⁴¹ HO43/12 pp. 110-111, Portland to Coldham, 10th September 1800.

⁴² HO42/51 ff. 36-7, Reverend David Hughes to Home Office, 4th September 1800.

an officer, by insinuating they were incapable of suppressing a riot should one arise, and also by placing them in a subordinate position to the regulars.⁴³

Portland's hasty despatch of troops had bypassed the typical procedure for providing military aid. He had not consulted the authorities charged with keeping the peace, to inquire whether Reverend Hughes' alarming letter was the misrepresentation of a panicked and self-interested small farmer. In similar cases the Home Office verified with the Bench that volunteer corps on the spot were unable to preserve the peace.⁴⁴ A consultation with mayors, magistrates and lord lieutenants intimated deference to their authority, respecting the knowledge they possessed of the landscape, people, trade, the strength and capability of volunteer forces, and ultimately left the decision to them. Portland's decision to ignore this procedure was perceived to be a transgression of central government into local matters, a contest which was played out in the civil authorities' stalwart defence of the local volunteer corps upon the arrival of the centrally co-ordinated regular dragoons.

Portland received a similar backlash from Birmingham magistrates after troops were sent to the town without consulting them in a similar case in November. Portland's instructions were the result of information received from the lord lieutenants and other influential persons in Warwickshire and adjoining counties who stated 'that a most daring and dangerous spirit of disaffection very generally prevailed amongst the lower orders of the people in that Quarter of the Kingdom, and was on the point of bursting forth.' Portland had neglected to communicate with the Birmingham magistrates for want of time and assumed that the lord lieutenant, who had been instructed to inform the magistrates, was in active correspondence with them. The magistrates thus

⁴³ HO50/388, William Elias Taunton to Secretary at War, 6th September 1800.

⁴⁴ HO43/12 p. 21, Portland to Edward Greathead, 20th June 1800.

viewed the actions of the Home Office as an insult to their competency to contain and suppress any riot that might have taken place.⁴⁵

Customary procedure was ignored at pressing periods in favour of timeliness; the home secretary could not always rely on the speed of the postal system, nor the haste of one of the most trusted King's Messengers, to inquire whether support was needed. It was expected another disturbance would take place on the next market day, and in order for the troops to arrive at Oxford in time, immediate despatch was necessary. Procedure was also disregarded when the enthusiasm and diligence of military forces and justices of the peace were brought into question. In his letter, Reverend Hughes confessed the magistrates had 'not much energy', they were seemingly convinced, as Town Clerk William Elias Taunton was, that they were already tackling the principal causes of the dearness of provisions, 'the offences of forestalling, ingrossing and regrating.' In blissful ignorance of the consequences of their inaction, military aid was deemed unnecessary since the people had 'shewn no disposition to be riotous, except the bringing into market some hampers of butter, and selling it for a shilling a pound, and accounting for the money to the owners of the Butter.'⁴⁶ Portland reprimanded the magistrates for viewing this 'violent and unjustifiable attack on property, pregnant with the most fatal consequences' in a 'trivial light.'⁴⁷ The Bench's paternal sympathy was coupled with complaints against the rank and file of the volunteers, who 'would scarcely exert themselves against a mob, whose cry was for lowering the Price of Provisions.'⁴⁸ Local forces were well known to tolerate or even participate in price-setting schemes. Drawn from communities exposed to equal hardship, their families and neighbours suffered from the scarcity as much as those they were instructed to repress. In April 1795 four hundred men belonging to the Oxfordshire Militia mutinied at Seaford; pub-owners and retailers of foodstuffs at Newhaven were forcibly

⁴⁵ HO43/12 pp. 313-6, Portland to William Villers, 30th November 1800; HO42/53 ff. 404-5, Heneage Legge to Home Office, 23rd November 1800.

⁴⁶ HO50/388, Taunton to Secretary at War, 6th September 1800.

⁴⁷ HO43/12 pp. 106-7, King to Taunton, 8th September 1800.

⁴⁸ HO42/51 ff. 36-7, David Hughes to Portland, 4th September 1800; ff. 59-60, 7th September 1800.

compelled to reduce their prices, which degraded into looting and culminated in a confrontation with the Royal Horse Artillery and yeomanry forces.⁴⁹ However the Newhaven case is an exceptional one; food scarcity was more likely to result in tolerance of crowd behaviour on the part of the militia than it was to produce a violent outburst, and no such mutiny occurred near Oxford.

In a lengthy and firm response to the Oxford magistrates' rejection of central aid, Portland assured them that their conclusions were 'nothing short of a complete misconception', and that the purpose of sending the dragoons was for them to cooperate with the volunteer corps to assist the mayor and magistrates. Portland was sure to take the opportunity of removing any doubts the magistrates had of his authority to interfere when necessary:

His...official situation enables him...to appreciate the extent of the publick mischief which must inevitably ensue from a continuance of the riotous proceedings which have taken place in several parts of the Kingdom, in consequence of the present scarcity of Provisions, so he considers himself to be more immediately called upon to exercise his own judgment and discretion in directing adequate measures to be taken for the immediate and effectual suppression of such dangerous proceedings, for greatly as His Grace laments the cause of these Riots, nothing is more certain than that they can be productive of no other effect than to increase the evil beyond all power of calculation.⁵⁰

In compliance with the wishes of the local authorities, the dragoons were instructed to remove themselves from Oxford upon confirming with the vice chancellor or pro-vice chancellor that this was desired. It was reported however that they conversely wished for the forces to remain 'sometime longer.'⁵¹ This difference of judgement stemmed from what Wendy Thwaites terms a

⁴⁹ HO42/61 ff. 583-4, Mayor of Weymouth and Melcombe Regis to Portland, 15th April 1801; Randall, *Riotous Assemblies*, p. 230; Wells, *Wretched Faces*, pp. 100-4.

⁵⁰ HO43/12 pp. 106-7, King to Taunton, 8th September 1800.

⁵¹ HO50/388, M. Lewis to King, 12th September 1800; HO50/388, Report of Captain J.W. Sleight, 11th Light Dragoons, 11th September 1800.

‘rivalry between town and gown’, between civil and university authorities, which existed ‘over the government of the Oxford market’, but also extended to matters of public order.⁵² The suffering crowd were naturally predisposed to support the sympathetic and idle corporation, as testified by an anonymous letter sent to Portland which attributed his intervention to his desire to keep up the incomes of members of the university.⁵³ The complex nature of Oxford’s civil administration added another layer of complexity; local contests for power disrupted the function of the machinery of public order, a contest which the Home Office had no jurisdiction to interfere.

Within a few days the Chairman of Oxfordshire Quarter Sessions Sir Christopher Willoughby notified the Home Office of continued seizures of foodstuffs in Oxford and at nearby Witney, stating that ‘every night of last week a mob of 50 to 200 assembled’ organised under a leader demanding farmers and millers bring wheat to market at £20 a load, when it was selling as high as £34 a load. The magistrates remained inactive despite the existence of what Willoughby called ‘a general spirit of riot and discontent’, and the ability to contain them with the force of the dragoons was to be lost with their scheduled removal. Willoughby also notified Portland that three rioters were brought from Banbury to be lodged at the Gaol at Oxford ‘when a rescue was attempted by the mob at Oxford; and tho’ they remained two hours before the Gates in riot & tumult...no means were taken to disperse them by the magistrates.’⁵⁴

Portland had made crystal clear the need to protect the free circulation upon further seizures of grain bound for the West Midlands at the canal wharf.⁵⁵ The improvement of trade infrastructure, particularly the canal for places like Oxford, were particularly problematic in times of dearth. The Oxford civil authorities had a tradition of regulating the Oxford market, a continuous

⁵² Wendy Thwaites, ‘Oxford Food Riots: A Community and its Markets’, in *Markets, Market Culture and Popular Protest in Eighteenth-Century Britain and Ireland*, ed. by Adrian Randall and Andrew Charlesworth (Liverpool: Liverpool University Press, 1996), pp. 137-162 (p. 144).

⁵³ UNL, Pw V 111 ff. 151v-152r, Portland to Dr. M. Marlow, 12th September 1800; UNL, Pw V 111 ff. 152v-153r, Portland to Dr. David Hughes, 12th September 1800.

⁵⁴ HO42/51 ff. 338-41, Christopher Willoughby to Portland, 21st September 1800.

⁵⁵ HO43/12 ff. 144-5, Portland to D. Durell, 19th September 1800.

fulfilment of their paternal duty to sustain a moral economy by ensuring food stuffs were kept at an accessible level. Previous food crises in the region, before the canal network connected to Oxford, had been attributed to the immorality and greed of regraters and forestallers. In 1800 the actions of the crowd were not simply founded on suspicions of dealings behind closed doors, but visible activity of grain trade on the canal wharf. Action based on ill-founded suspicions continued however, as retailers and millers were targeted because of supposedly concealed stocks.⁵⁶ As Wendy Thwaites has shown, the response of the magistrates, mayor, and a council appointed to regulate the local market appears to have been to appease rather than repress. Central government's insistence that the freedom of the market must be preserved, to allow the grain trade to operate unhindered by regulation, was not always shared by the authorities of principalities with a tradition of market regulation, and who were under pressure from a tumultuous crowd.⁵⁷ Indeed, as historians have identified riotous and non-riotous traditions within communities, we must also consider traditions of containment.⁵⁸ Continuously confronted with the familiar complaint of high food prices, the Oxford local elite devised the best means to protect property and their relationships with the community, albeit at the expense of their authority. Furthermore, some justices shared the belief that scarcities were the result of forestalling, ingrossing, and regrating. Town Clerk William Elias Taunton, for example, had substantial shares in the canal company and would have benefitted financially if grain supply remained unmolested. It was he, however, that wrote the original letter to the War Office dismissing the need for troops and emphasised the significance of price fixing.⁵⁹

Despite an unorthodox initiation of repression proceedings, Portland had used the usual powers at his disposal to provide advice and military aid but disturbances continued. Portland predicted a confrontation would follow. In a reply to Reverend Hughes' initial letter notifying of the

⁵⁶ HO48/9 ff. 264-5, Taunton to King, 23rd September 1800.

⁵⁷ Thwaites, 'Oxford Food Riots', p. 152.

⁵⁸ Wells, *Wretched Faces*, p. 91; Bohstedt, *Riots and Community Politics*, pp. 20-1.

⁵⁹ Thwaites, 'Oxford Food Riots', p. 157.

inaction of civil and military authorities, Portland confessed he would ‘never be afraid of incurring unpopularity in the protection of private property’, a remark directed not at the suffering crowd subject to military repression, but at key members of the Oxford corporation.⁶⁰ What appears to have struck a particular nerve were Taunton’s letters which rejected the necessity of military support in the first instance, a rejection which was inferred as an attack on his authority as secretary of state. The home secretary did not have the power to remove Taunton from office but had the influence to initiate proceedings. In a lengthy letter to the Lord Lieutenant of Oxfordshire the Duke of Marlborough, and supported by evidence of Taunton’s misdeeds, Portland, in the guise of ministerial officialese, reminded Marlborough in a postscript that as *custodes rotulorum* he could remove Taunton from the commission of the peace upon a representation from the magistrates.⁶¹ The need to hold someone accountable was decidedly political; inaction would tarnish Portland’s reputation as home secretary and the credibility of central government’s insistence on the preservation of the free market. Yet Taunton was not to be the scapegoat; the suggestion was not followed through.⁶²

Next on Portland’s list was the outgoing mayor Richard Cox who was to be held accountable for the Oxford gaol riot. Upon Portland’s request for an investigation, depositions were taken and forwarded to the Office which were then referred to the attorney and solicitor general, and finally to the lord chancellor who believed the available evidence was insufficient. Although many of the depositions confirm Cox’s inaction, an alibi penned by Taunton stated he was engaged in protecting the property of a city corn dealer at the time of the riot and that the riot had subsided by the time his servant had investigated the state of affairs. In an attempt to redirect attention, Taunton claimed the governor of the Oxford gaol, Daniel Harris, should have made direct applications to resident magistrates and added that Harris thought the prosecution of the ringleaders of the riot

⁶⁰ UNL, Pw V 111 ff. 152v-153r, Portland to Dr. David Hughes, 12th September 1800.

⁶¹ HO43/12 pp. 197-204, Portland to Duke of Marlborough, 29th September 1800.

⁶² Thwaites, ‘Oxford Food Riots’, p. 161.

imprudent. The Duke of Marlborough came to the same conclusion after Portland finally recommended action against the rioters almost two months after the event; legal proceedings would unhappily 'engage the Public mind and Conversation' upon the events once again.⁶³

Portland's endeavours were a complete blunder, not only had he failed to achieve any notable change in the inactive Oxford commission by an unprecedented extension of his authority and influence, but the ringleaders of Oxford gaol riot were also able to escape punishment.

The machinery of order depended on a mutual understanding between government ministers and justices of the peace, an understanding which over time fostered a relatively harmonious relationship between centre and locality. However, the complexities of local governance and tradition could, as we have seen, conflict with central doctrine. The Oxford case proved particularly problematic. The inactive civil authorities were convinced of the prevalence of self-interested farmers and millers holding a monopoly of the grain trade, and the resident volunteer force were, despite their loyalist intentions upon enlisting, swayed by their own financial circumstances and the desperate efforts of their suffering neighbours. This conflict of conscience, between loyalism and humanitarianism, presented a fundamental problem to the preservation of the free market and to the maintenance of order. Magistrates such as Reverend Alexander Haden of Bilston near Wolverhampton were convinced of the labouring poor's oppression by the farmer and miller. Haden expressed that he could not attempt to preserve the peace 'at the hazard of' his 'Life, for the enriching of one part of the Community & supporting them in the most glaring Act of oppression at the Expence...of the other.' He believed the price of corn would continue to rise, as some of the farmers stated they would deliberately withhold their corn from the market to cause an artificial scarcity, causing inhabitants to starve 'in the midst of plenty.'⁶⁴ The Home Office could only

⁶³ HO49/3 p. 368, Portland to the Attorney and Solicitor General, 17th October 1800; HO43/12 pp. 295-6, Portland to Duke of Marlborough, 18th November 1800; HO42/53 ff. 408-11, Marlborough to Portland, 24th November 1800; HO48/9 ff. 238-58, Examinations and Depositions; HO48/9 ff. 264-5, Taunton to King, 23rd September 1800.

⁶⁴ HO42/50 ff. 48-9, Haden to Portland, 10th May 1800.

do its best to persuade these magistrates that the scarcity was real, but at the same time was cautious to not damage their relationship with them by pressing too hard, for these were the people it depended on to confront more sophisticated forms of public contention.

Cross-County Communication and Insurrectionary Designs

Offering to gazette rewards, coordinating military aid, and attempting to persuade correspondents of the reality of the scarcity occupied much of the Home Office's time during the shortage, but amongst those letters which informed the Office of local proceedings were those which reported rumours of more sophisticated cross-county organisation and the collection of arms by the disaffected. This final section moves on from localised food disturbances to consider how the Home Office investigated rumours of cross-county communication and insurrectionary designs. In the winter of 1800-1 politics was connected with misery. In the north, a mass petitioning movement for universal suffrage was led by veteran radical Major Cartwright with links to Nottingham, Birmingham, and London.⁶⁵ The revolutionary movements of the 1790s, notably the United Irishmen and United Englishmen also exploited the economic climate to source new recruits for their revolutionary cause. Justices of the peace were all too familiar with the radical societies of the 1790s, and in the aftermath of the Irish rebellion in 1798, were fearful of an attempt at insurrection on English soil. The United societies and the pro-reform London Corresponding Society had been banned by a 1799 act of parliament, but some justices saw the desperate acts of famished crowds as the sinister designs of the Irish or 'Jacobins'.⁶⁶ It was with this in mind that justices forwarded any and all information they received relating to arms, gatherings, and seditious conspiracies. Though many of these rumours had little credit attached to them or were the acts of an insignificant

⁶⁵ Wells, *Insurrection*, chapter 10.

⁶⁶ Clive Emsley, *British Society and the French Wars, 1793-1815* (London: Macmillan, 1979), pp. 85-8; HO42/53 ff. 324-5, Major Clayton to Home Office, 16th November 1800; HO42/51 ff. 172-4, Samuel Smith to Home Office, 16th September 1800.

minority, the Home Office was willing to entertain the paranoia of provincial justices, until the rumours could be discredited through a want of evidence.

During the September hypercrisis the Earl of Berkeley, Lord Lieutenant of Gloucester, informed the Home Office that correspondence was being exchanged between the manufacturing people of Gloucestershire 'with Birmingham, Nottingham, Manchester, Liverpool &c...regularly, as to the mode & method they intend to pursue to lower the price of wheat & flour.' The gentlemen and the Earl were by no means alarmists, the same letter informs of their restraint in calling for military aid in dispersing the meeting held at Berkeley 'till...absolutely necessary as we do not desire to create any alarm by sending for soldiers.'⁶⁷ Suspicions of a cross-county network of communication required corroboration, for if proved true, communication could easily have increased the size and fervour of what were relatively small and local disturbances. In this instance the secretary of state was able to offer the use of another of the powers vested in him, the interception of letters transmitted by post. Portland requested he be supplied with the names and addresses of the suspects so that their letters could be intercepted.⁶⁸ Whether this network of communication existed is unclear as Berkeley makes no further mention of these suspicions, nor did the rumoured network of communication produce any coordinated action. However, in the same month, under the authority of Chief Magistrate Richard Ford, Bow Street Officers Amsden and Mayhew were instructed to infiltrate political radical groups at Nottingham and its adjacent industrial villages.⁶⁹ Not even the magistrates were informed on their despatch; Portland, seemingly utilising his hierarchical superiority to the magistrates of Nottingham as lord lieutenant of Nottinghamshire, kept the arrangement secret. The Bow Street officers disproved there was any communication between these radicals in Nottingham 'at any distance as Birmingham & Manchester.'⁷⁰ The despatch of Bow

⁶⁷ HO42/51 ff. 168-9, Earl of Berkeley to Portland, 16th September 1800.

⁶⁸ HO43/12 pp. 137-8, Portland to Earl of Berkeley, 17th September 1800.

⁶⁹ Roger Wells, *Riot and Political Disaffection in Nottinghamshire in the Age of Revolutions, 1776-1803: The Origins of Nottinghamshire Radicalism* (Nottingham: Department of Adult Education, University of Nottingham, 1983), pp. 1-2.

⁷⁰ Wells, *Riot and Political Disaffection*, p. 33; HO42/55 ff. 40-3, Deposition of Thomas Amsden, 9th December 1800.

Street officers enabled Portland to separate fact from speculation, to filter the skewed reports of informers from the actual acts and intentions of the famished crowds.

Of equal alarm were acts which incited sedition. Throughout the disturbances the Home Office was inundated with reports of the publication and distribution of seditious and inflammatory pamphlets. As we have seen, inflammatory papers were also published in the *London Gazette* in an attempt to trace their authors, but correspondents were also advised to employ agents throughout the night to apprehend those responsible for distributing them.⁷¹ Local authorities were required to foot the bill for any reward offered for the apprehension of authors, but Portland extended the offer of a government reward when a distinction could be made that it was not the product of distress, but was 'written with seditious and treasonable design.' The insurrectionary potential of such publications made them a matter of the state rather than a mere local affair and warranted 'using all possible efforts' in response.⁷² Seditious expressions against the King or those which incited collective action were also dealt with firmly if a good case could be made against the perpetrators.⁷³

What were more of a concern were those expressions which manifested themselves in material preparation for a contest with the state. In late November 1800, the Home Office pressed for investigations when rumours circulated that pike-heads were being transported from Birmingham to Manchester, and similar enquiries were made near Sheffield the following month.⁷⁴ Suspicions of the collection of arms were all the more concerning with the resurgence of the United Englishmen with strongholds in the north-west and in London. From the winter of 1800-1, the Home Office received reports of oath-swearing amongst the disaffected, some of which were linked to rumours of preparations for an insurrection led by Colonel Despard of the United Englishmen.

⁷¹ See for example HO43/12 pp. 30-2, Portland to Thomas [Ruggles], 27th June 1800; p. 207, Portland to Mayor of Worcester, 2nd October 1800; pp. 235-6, Portland to Mr. Robert, 15th October 1800.

⁷² HO43/12 pp. 261-2, Portland to George Simcoe and William Hicks, 30th October 1800.

⁷³ HO43/12 p. 266, Portland to Mayor of Bath, 31st October 1800; pp. 327-8, Portland to Reverend J. Lowe, 6th December 1800; pp. 334-5, King to J. Sparrow, 13th December 1800; pp. 345-6, Portland to Haden, 19th December 1800.

⁷⁴ HO43/12 pp. 318-24, Portland to Earl Gower, 29th November 1800; HO43/12 pp. 327-8, Portland to Reverend J. Lowe, 6th December 1800.

Portland kept justices in the affected areas informed of preparations made in other towns against any attempts at insurrection, and recommended similar preparations be made; namely that investigations should be made to corroborate rumours of oath-swearing, that special constables should be sworn in, and that contact should be made with the district officer if a disturbance was expected.⁷⁵ At the same time Portland ensured these areas were reinforced, and magistrates were provided with funds to cover the expenses of any spies or informers they employed.⁷⁶ Portland consistently pressed for further information, particularly in Lancashire where there was more credible evidence of secretive meetings and oath-swearing. Information trumped example by prosecution; Bolton magistrate Reverend Thomas Bancroft was reprimanded for revealing the identity of his informer to charge four individuals with swearing illegal oaths.⁷⁷ However, magistrates such as Ralph Fletcher were put on their guard as paid informers were all too willing to exaggerate or falsify their reports and confirm their suspicions of sinister conspiracies.⁷⁸

Political activity surged when the Seditious Meetings Act and the Habeas Corpus Suspension Act expired in March 1801, but both were promptly renewed after a committee of secrecy, which reviewed the alarming reports produced by provincial spies, concluded that a renewal of both acts was necessary.⁷⁹ The renewal of the acts and the encouragement of a vigorous response to the United Englishmen led to the arrest of forty-eight men for political offences from March to November. During these months the price of provisions gradually decreased which removed the

⁷⁵ HO43/12 pp. 392-3, Portland to William Robert Hay and John Hayes Petit, 16th January 1801

⁷⁶ HO43/12 pp. 448-9, Edward Finch Hatton to Reverend Thomas Bancroft, 9th March 1801; HO43/12 pp. 404-5, Portland to Viscount Bulkeley, 27th January 1801; HO43/13 pp. 129-30, Thomas Pelham to Earl Fitzwilliam, 7th August 1801.

⁷⁷ HO43/12 pp. 462-4, Portland to Reverend Thomas Bancroft, 17th March 1801; HO42/61 ff. 222-3, Bancroft to Home Office, 14th March 1801.

⁷⁸ HO43/13 pp. 97-8, Portland to Bancroft, 7th July 1801; pp. 102-3, Portland to Fletcher, 14th July 1801.

⁷⁹ HO43/12 pp. 392-3, Portland to William Robert Hay and John Hayes Petit, 16th January 1801; Alan Booth, 'The United Englishmen and Radical Politics in the Industrial North-West of England, 1795-1803', *International Review of Social History*, 31:3 (1986), 271-297 (p. 291); HO43/13 pp. 130-1, Pelham to Mayor of Leeds, 8th August 1801; Booth, 'Food Riots in the North-West', pp. 101-7; *PP*, 1801, X, First Report from the Committee of Secrecy, to whom it was referred to consider of several Papers presented to the house, containing secret information received, by His Majesty's Government, relative to the State of Ireland, and to the Proceedings of certain disaffected persons in both parts of the United Kingdom.

object of contention for food rioters, and in turn broke the link between economics and politics which the United Englishmen had exploited to persuade the disaffected to join their cause. With the price of provisions at an accessible level, the threat the United Englishmen posed diminished. A bold attempt to take the Tower of London and the Bank of England was decided upon in July 1802 but never took place, and any hopes of a successful insurrection were quashed with Despard's eventual arrest in November 1802.⁸⁰

Conclusion

For government the food riots were a waiting game; the problem could not be resolved by repressive laws or the intimidation of a military force, but with the relief of a good harvest and substantial imports of foreign produce. Until that time arose the Home Office could only use its powers as best it could to discourage the disaffected from open contest and to instil confidence in the forces of order. The familiar issue of food riots was nothing new for the Home Office to be confronted with, yet no real solution had been devised to combat many of its destructive characteristics. Private property continued to be destroyed, threatening letters were written and inflammatory publications were distributed. Nonetheless, there were attempts at a new response after government backtracked from its interventionist stance in the shortage of 1795-6. As historians have concentrated on the more effective means to combat food disturbances, Portland's use of the *London Gazette* has not received the attention it deserves. By quantifying the Home Office's use of the *Gazette*, this chapter has argued that although the notices failed in their proclaimed objective to secure convictions against those named in the public notices, they were an unquantifiable success in reinforcing the relationships between state and province. It was essential that these relationships were maintained there and then, for if they should deteriorate during a mere food disturbance then how would the justice of the peace respond to more sinister forms of

⁸⁰ Booth, 'The United Englishmen', pp. 293-6.

public contention? Portland recognised that much more was at stake than a burnt down barn, a maimed sheep, or an assaulted grain merchant, as had been the case 1795-6 shortage and again in 1800-1, misery and politics were all too easily connected. Each notice was intended to bolster the confidence of the provincial justice, to keep them onside and to discourage the temptation to let the crowd procure the grain they so desperately needed. With some county justices acting directly contrary to the firm stance that was espoused by Portland, such as those in Oxford, keeping dutiful justices onside was vital. The current analysis of the Home Office's response to the food riots has not produced findings which contradict the general acknowledgement of Portland's firm stance against food rioters but complements it by showing that Portland was using additional powers at his disposal as part of his repressive strategy.

The evidence from the Home Office supports Randall's argument that moral economy was still very much alive at the turn of the century, and that it had a decisive influence upon the response of authorities charged with the protection of free trade.⁸¹ Justices of the peace were torn on the one hand to submit to pressure from the state to protect private property and the free market, and on the other to yield to the moral economic expectations of the crowd. The mistakes of 1795-6 and the conversion to political economy convinced the Pitt ministry that laissez-faire should be embraced and enforced, even though it was compelled to intervene in the market to stave off starvation. In his free market sermons to magistrates guilty of concession, Portland was ignorant to the fact that these negotiations were pragmatic mechanisms to preserve order, and were founded on established customs and precedents. In these cases the despatch of military served to erode, not reinforce, the authority of justices of the peace. Furthermore, as Randall has argued, Portland's interference in local affairs, like during the Oxford affair, was a clear departure from the non-interventionist stance taken since the Hanoverian succession.⁸² Government's response to the food

⁸¹ Randall, *Riotous Assemblies*, p. 320.

⁸² Randall, *Riotous Assemblies*, pp. 229-30.

riots reveals that at times of crisis it was less willing to rely entirely on the alacrity of provincial justices of the peace.

Chapter 6 – The Luddite Disturbances, 1811-1816

During the time that had elapsed since the termination of the food riots, the Duke of Portland had left the Home Office, and had been replaced by a series of short-term home secretaries.¹ In November 1809 the formation of the Perceval Ministry saw Richard Ryder appointed to the position of home secretary (November 1809-June 1812). It was during the terms of Ryder and his successor Viscount Sidmouth (June 1812-January 1822), that the Home Office received reports of Luddite attacks on frames, threatening letters, violence towards and the intimidation of manufacturers and justices of the peace, and the swearing of unlawful oaths amongst the disaffected. A peculiar set of circumstances had encouraged such a drastic resort to violence and intimidation. In 1807 Orders in Council effectively closed American markets to British trade. The effects proved disastrous for Lancashire cottons, Yorkshire woollens, and more immediately the hosiery trade of the East Midlands. Personal pleas, petitions and public protests against the Orders in Council fell on deaf ears as government refused to either repeal the Orders in Council or to regulate textile machinery through a tax on frames. Parliamentary committees from April-June 1812 eventually repealed the Orders but its effects were limited by the war with the United States which began that same month.²

The affected textile trades were already under strain from the introduction of new labour-saving technologies. In the stocking trade wider frames, in the woollen trade shearing frames, and in the cotton trade early power loom factories deskilled trades and reduced average incomes for those involved. To make things worse the country experienced two successive poor harvests in 1810 and 1811 which drove up the price of food and reduced domestic demand for textiles due to lower

¹ Thomas Pelham (July 1801-August 1803), Charles Philip Yorke (August 1803-May 1804), Baron Hawkesbury (May 1804-February 1806), Earl Spencer (February 1806-March 1807), Earl of Liverpool (March 1807-November 1809).

² Rule, *Labouring Classes*, p. 367.

incomes.³ It was under these conditions that the country experienced the first outbreak of Luddite attacks on frames in March 1811 at Arnold in Nottinghamshire. Cases of destruction increased in scale and extent through the winter and were coupled with attempts to negotiate for higher piece rates, though with limited success. By February 1812 West Yorkshire shearmen had also begun to target machinery which affected their trade. The Yorkshire disturbances were marked by an assault on the mill of William Cartwright at Rawfolds on 12th April 1812 which led to the death of two of the assailants, and the murder of manufacturer William Horsfall of Marsden less than a week later.⁴ By that month disturbances were also noted in Lancashire and Cheshire where power looms were destroyed. In the north-west, the destruction of looms was accompanied by a wider range of expressions of discontentment than in other regions. It manifested itself in food riots, political demonstrations, and by late April arming, drilling, and insurrectionary plots.⁵ Luddism was far from being a simple movement in which labour-saving technology was targeted in defence of personal, collective and community livelihoods, it was 'a complex amalgam of protests shaped by their local industrial, political and historical contexts.'⁶ In response to the disturbances the Home Office utilised all the resources at its disposal to investigate rumours of seditious conspiracies and to reinforce provincial forces, and when these powers were deemed inadequate the home secretary took to parliament to seek new repressive laws.

The chapter begins with a brief assessment of the current historiography of Luddism, highlighting that the waning of the holistic approach and the emergence of more local and regional studies. Next, the chapter considers the Home Office's initial response to Luddism under Home Secretary Richard Ryder and clarifies some misunderstandings amongst historians about how the machinery of order functioned, and the place of the Home Office within it. This section also looks at

³ Rule, *Labouring Classes*, pp. 366-7; Randall, *Riotous Assemblies*, p. 275; Binfield, *Writings of the Luddites*, pp. 16-7.

⁴ Randall, *Riotous Assemblies*, p. 284-87.

⁵ *Ibid.*, pp. 288-93; Chase, *Early Trade Unionism*, pp. 73-4.

⁶ Randall, *Riotous Assemblies*, p. 274.

how Home Office resources were applied to combat Luddism, and how Ryder, and his successor Viscount Sidmouth, took to parliament to seek repressive legislation. Lastly, the latter months and years of Luddism will be discussed, showing how government exerted its influence in the juridical process by despatching the treasury solicitor to oversee prosecutions and appointing Special Commissions to counteract both the inactivity and overzealousness of provincial justices of the peace. In this analysis particular attention will be paid to Nottinghamshire. The county was at the heart of the disturbances throughout; it saw the earliest cases and it continued to experience sporadic Luddite attacks as late as 1816. Home Office intervention began and ended with Nottinghamshire and many of the precedents which were established and bills which were drafted were based on events which occurred in that county.

An Insurrectionary Movement?

In research on Luddism there has been a decisive move away from a holistic approach in which the proceedings and repression of Luddism were given equal footing, to one which concentrates on the instigators of disturbance. Recent publications have, for example, highlighted the importance of communities and regional differences in affecting the characteristics and direction of Luddite disturbances.⁷ Much of the debate on Luddism, and not unrelated to the findings of regional studies, has centred on the relationship between Luddism and political radicalism, a suggestion rejected in earlier histories but emphasised in Thompson's *The Making of the English Working Class*.⁸ Thompson sees Luddism as transitional, as it looked back to older rights and customs in textile

⁷ For a more holistic approach see Darvall, *Popular Disturbances*; Thomis, *The Luddites*. For local and regional approaches see for example Randall, *Riotous Assemblies*, Chapter 11; Navickas, *Loyalism and Radicalism*, pp. 192-204; Hammond and Hammond, *Skilled Labourer*; P. Foster, 'The Spread of Luddism in Nottinghamshire and its Surrounding Villages', *Nottinghamshire Historian*, 42 (1989), 18-22; C. Weir, 'The Nottinghamshire Luddites: "Men meagre with famine, sullen with despair"', *Local Historian*, 28:1 (1998), 24-35; Matthew Roberts, 'Rural Luddism and the makeshift economy of the Nottinghamshire framework knitters', *Social History*, 42:3 (2017), 365-398.

⁸ Hammond and Hammond, *The Skilled Labourer*; Darvall, *Popular Disturbances*, pp. 174-5, Rudé, *Crowd in History*, p. 90; E.P. Thompson, *The Making of the English Working Class*, revised edn (Harmondsworth: Penguin, 1968), p. 594.

employment such as apprenticeship restrictions and legal minimum wages, whilst simultaneously demanding the right to combine in trade unions, 'which prefigured a political economy and morality wholly opposed to the ideology of laissez-faire.'⁹ Just as the food rioters attempted to justify their actions with an alternative interpretation of the law, some Luddite literature cited the seventeenth-century Framework Knitters Charter, which permitted the destruction of frames which were being used 'dishonestly'. Thompson further suggested that the 'limited industrial interpretation' had failed to acknowledge that Luddism was a '*quasi-insurrectionary movement* which continually trembled on the edge of ulterior revolutionary objectives', a manifestation of growing maturity of 'a working-class culture of greater independence and complexity than any known to the eighteenth century.'¹⁰ Not all historians, though accepting of the limitations of earlier interpretations which rejected or explained away the violence within Luddism, are willing to subscribe to Thompson's emphasis on insurrectionary potential.¹¹ The specifics of this debate are aptly outlined by John Dinwiddy, and will not be replicated here, suffice to say that it is difficult to ascertain how far political radicalism and industrial protest were concurrent or intertwined across the affected counties.¹² The key point is that the sources are problematic; what survives are reports and correspondence from financially incentivised spies and informers who might have influenced the direction of Luddism, and letters from panic-stricken magistrates and self-interested manufacturers. All of these people wished to acquire the attention of government, making it difficult for the Home Office to distinguish fact from fabrication.

With the range of expressions of discontentment in different regions at different times, confronting Luddism was no simple task. Reports of attacks on machinery were accompanied by those which informed the Home Office of political meetings calling for reform, and those which

⁹ Thompson, *The Making* (1968), p. 603.

¹⁰ Thompson, *The Making* (1968), pp. 604-5, 642, 648, 658.

¹¹ Rule, *Labouring Classes*, p. 371; C. Calhoun, *The Question of Class Struggle: Social Foundations of Popular Radicalism during the Industrial Revolution* (Oxford: Blackwell, 1982), pp. 60-1; Edward Royle, *Revolutionary Britannia?: Reflections on the Threat of Revolution in Britain, 1789-1848* (Manchester: Manchester University Press, 2000), p. 39.

¹² John Dinwiddy, 'Luddism and Politics in the Northern Counties', *Social History*, 4:1 (1979), 33-63.

forwarded rumours of cross-county communication and seditious conspiracies. The Home Office's perception of what Luddism *was* changed over time as disturbances extended into the northern counties. In the first parliamentary debates on the Luddite disturbances in February 1812 Home Secretary Richard Ryder assured parliament that the disturbances were 'not connected with any circumstances beyond the disputes of the masters and journeymen...' and was attributed to 'the high price of Provisions, and the diminution of wages in some Branches of Trade.'¹³ Ryder's successor, Viscount Sidmouth, was less convinced. In June 1812 he confessed to parliament that although 'the conduct of the rioters might be, in some degree, traced to the high price of provisions and the reduction of work, still there was no doubt that these outrages were fomented by persons who had views and objects in thus fomenting disturbances.'¹⁴ Of course we cannot assume that the aims and character of the disturbances remained static throughout the disturbances, but new strategies were adopted when others had failed. Linking back to the insurrectionary debate, we cannot draw a sharp line between industrial and political action, for as Dinwiddy concludes 'activities of the industrial type – or rather their failure – might lead on quite logically to the adoption of...political strategies.'¹⁵

Parliament and the Machinery of Order

In the period of the food riots, we saw how government commitment to laissez-faire economics guided the home secretary's intervention. This commitment, though not shared by all government ministers, was unwaveringly enforced by the Duke of Portland. The objective was quite simple, to protect the supply of grain from producer to retailer to consumer. The type of actions that food rioters would take were familiar and relatively predictable, and existing statutes were sufficient to afford magistrates the necessary tools for the protection of trade. Comparatively the Luddite

¹³ This conclusion was based on information received from the Duke of Newcastle, see HO42/117 ff. 533-6, Newcastle to Ryder, 16th November 1811; *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 804-824.

¹⁴ *HPD*, 1st series, vol. 23, House of Commons, 29th June 1812, cols. 796-800.

¹⁵ Dinwiddy, 'Luddism', p. 35.

disturbances were far more difficult to contain. The commitment to laissez-faire and the protection of property was replicated and suggestions for protective legislation, such as a proposal by Lancashire magistrates to revive a minimum wage statute for Lancashire weavers, were met with dismay.¹⁶ Though deeply regretted and with sympathy, conditions in the affected counties could not be relieved with the aid of government. The industrial downturn was lumped with the concurrent food shortages, and linked not to the Orders in Council of 1807, but to an act of God: '[M]an cannot create abundance where Providence has inflicted scarcity.'¹⁷

The resort to the destruction of machinery by Luddites was by no means a new tactic in response to the advance of industrial machinery, as attacks on machinery date back to the Restoration.¹⁸ Nor were such attacks confined to the distant past, as less than a decade before the Luddite disturbances West Country shearmen targeted gig mills and adopted similar strategies of destruction and intimidation.¹⁹ Yet these attacks are incomparable in scale, longevity and severity to the Luddism's legacy of destruction. As Malcolm Thomis concludes: 'Luddism was something new...there had never been such wide-scale industrial riots occurring simultaneously with food riots...where the problems of three major industries reached crisis point.'²⁰ In comparison with the food disturbances in the previous chapter, the predominant feature of overt demonstrations, seizures of grain and intimidation were replaced with more covert, often nocturnal attacks in isolated areas. By the time magistrates had been informed of an intended attack it was already over and the offenders had dispersed in the cover of night. As was confessed to parliament, the attacks had been carried out with a 'greater degree of secrecy and management than had ever been known in any similar proceedings.'²¹ For the machinery of order the Luddite disturbances presented a unique threat, one which could not be contained effectively by legal advice and the intimidation of

¹⁶ Ziegler, *Addington*, p. 313; Hammond and Hammond, *Skilled Labourer*, p. 91.

¹⁷ DHC 152M/C/1812/OH28, Sidmouth to Thomas Babington, 13th November 1812.

¹⁸ Binfield, *Writings of the Luddites*, p. 14.

¹⁹ Rule, *Labouring Classes*, pp. 364-5.

²⁰ Thomis, *The Luddites*, p. 145.

²¹ *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 804-824.

military force. What was required was vigilance on the part of both the civil authorities and the victims themselves to preserve order. To aid them Home Secretaries Richard Ryder and Viscount Sidmouth took to parliament to grant provincial authorities the necessary repressive tools.

The fact that not one but four parliamentary acts were deemed necessary is evidence enough that the machinery of order was ill-equipped to deal with such a threat. First and foremost were the two acts brought before the House in February 1812 by Richard Ryder. The Framebreaking Act (March 1812, 52 Geo. III c. 16) was a development from Protection of Stocking Frames Act of 1788 (28 Geo. III c. 55), which had never been successfully used to prosecute offenders.²² Under the new Act the penalty for the destruction of mechanised looms or entering a property with the intent to do so was increased from transportation to capital punishment. The Nottingham Peace Act (March 1812, 52 Geo. III c. 17) established a proper procedure for the speedy adoption of the provisions of the Watch and Ward, which directed that poor rate payers over the age of 17 were liable to 'watching' by day or 'warding' by night their neighbourhood. The legislation was another failed attempt to reinforce existing statutes which encouraged self-dependency, it was as Darvall notes 'only made use of to the extent of taking names of persons who might be called upon for service.'²³ The first of these two bills was more contentious and drew an ample amount of scepticism among members of parliament. Whilst it was hoped the Framebreaking Act would be used to its full extent to prosecute enough Luddites to provide a firm example, its initial object was to deter. Ryder was perfectly aware that by increasing the penalty of the offence, lines of communication from potential informants would be cut as juries and informers would be condemning their neighbours to the gallows under the new Act.²⁴ Ryder believed the deterrent effect outweighed the cost, as a Luddite was forced to reconsider whether it was 'worth his while to

²² Randall, *Riotous Assemblies*, p. 282; Palmer, *Police and Protest*, pp. 182-4.

²³ The act was renewed in 1813 and remained in force until 1815. Darvall, *Popular Disturbances*, p. 224; Palmer, *Police and Protest*, pp. 182-4.

²⁴ Randall, *Riotous Assemblies*, p. 282

run the risk of losing his life in gratifying his feelings of hatred or resentment...and would be deterred, by the fear of death, from pursuing such illegal courses.'²⁵

The debates on the Framebreaking Bill, which was brought before parliament in February 1812, quickly turned from finding a solution to attributing blame for the continuance of disturbances; the master manufacturers, the county magistrates, and even the home secretary were accused of indolence. This was by no means the first instance Ryder found himself accused of inactivity. An anxious Lord Middleton corresponded with the home secretary in January but was unable, as all others were, to provide any suggestions as to appropriate measures which would effectively quell the disturbances.²⁶ Ryder defended himself by accounting for the measures he had adopted since the initial outbreak:

The first intelligence received by government of those transactions was on the 14th of November...On that day a squadron of dragoons...was ordered to march to Nottingham...About the beginning of December, the riots assumed a more alarming appearance. Between the 14th of November and the 9th of December, no less than 900 cavalry and 1,000 infantry were sent into Nottingham, which was a larger force than had ever been found necessary in any period of our history to be employed in the quelling of any local disturbance. Towards the latter end of December, the heat of the riots seemed to be a little abated, but unfortunately, on the 8th of January, those promising appearances terminated; two additional regiments were sent to that district...²⁷

The problematic nature of anonymous crimes in sparsely inhabited areas, as noted above, reduced the overall efficacy of regular troops. No matter how large the force, apprehending perpetrators remained difficult. Aware as the home secretary was of the need for a responsive force, the

²⁵ *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 811-2.

²⁶ HO43/19 pp. 504-6, Ryder to Lord Middleton, 16th January 1812.

²⁷ *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 807-24.

distribution of troops was left to military personnel since the 'great and rapid alteration from day to day' of circumstances on the spot required a more immediate response than the Home Office could provide.²⁸ However, stretched military forces could not protect all of the scattered manufactories across the affected regions. Letters from the Home Office stressed the necessity for vigilance and self-dependency amongst the manufacturers, for they were 'the best means of Defence, and of Resistance.' 'The combination to destroy property' Ryder believed, could 'only be successfully met by a combination of equal energy to resist its destruction.'²⁹

Regardless, the Home Office utilised more of its resources to assist in this early response to the outbreak of unrest. Ryder informed parliament:

the attention of government was not confined to this single mode of assistance; for they had received depositions from several active and meritorious individuals, who requested that the opinion of the law officers of the crown might be taken relative to appointing a Special Commission. In consequence of this, the Attorney and Solicitor-General were both consulted as to the probable advantage of such a step, as soon as a sufficient number of individuals should be apprehended. In the mean time, the necessity of exerting all the means of local knowledge and experience was impressed on the magistrates and gentlemen. Mr. Conant, and another intelligent magistrate, were also dispatched to Nottingham, to ascertain the best way of proceeding, and to procure all the information in their power.³⁰

An earlier request in November 1811 for the assistance of six Bow Street officers was promptly rejected by Ryder, but by December the persistence of the Luddite threat demanded not only Bow Street officers, but two magistrates from metropolitan police offices.³¹ Nathaniel Conant was at that time at the Marlborough Office, which was perceived to be one of the more prestigious

²⁸ HO43/20 pp. 310-6, Ryder to Maitland, 7th May 1812.

²⁹ HO43/20 pp. 338-48, Ryder to Earls Fitzwilliam, Stamford, and Derby, 12th May 1812.

³⁰ *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 807-24.

³¹ HO43/19 pp. 348-50, Beckett to J. Elliot, 29th November 1811.

metropolitan police offices, and the other 'intelligent magistrate', Robert Baker, was at Hatton Garden.³² Like the Office's clerkship, the ties of patronage ensured the London magistracy were both a willing and able tool; the secretary of state was in charge of their appointment, and a relationship was maintained as magistrates were to visit at least once a month to report the condition of their respective districts.³³ Conant and Baker's services during and after the disturbances did not go unrewarded, both were later promoted to the position of chief magistrate of Bow Street by Ryder's successor Viscount Sidmouth.³⁴

It was through Conant and Baker that the Home Office came to realise the inferiority of policing in the county of Nottinghamshire. The division of authority between town and county and the isolationist stance of county magistrates crippled early efforts at containment.³⁵ Efforts were further hindered by the prevalence of destruction in the county rather than town, where Luddites were more able to avoid military patrols and attack isolated habitations and disperse without being identified. While in Nottinghamshire Conant and Baker acted both as magistrates and as central representatives, to assist and advise the local authorities with 'suggestions which [their] long experience qualified [them] to make with a view to the collecting [of] evidence against the rioters, and who being upon the spot might be referred to without the loss of time which a communication' with the home secretary 'would occasion.'³⁶ Having metropolitan magistrates in the region provided the Home Office with diligent correspondents to report of any developments, which was a response to the infrequency of correspondence received from the disturbed areas of Nottingham.³⁷ As

³² Ruth Paley, 'Conant, Sir Nathaniel (1745–1822)', *Oxford Dictionary of National Biography* (2010) <https://doi.org/10.1093/ref:odnb/100486>; Cox, *Low Cunning*, p. 28; Babington, *Bow Street*, p. 206; HO43/19 pp. 474-6, Ryder to Nathaniel Conant and Robert Baker, 24th January 1812; pp. 357-9, Ryder to [William] Sherbrooke, 2nd December 1811; *Gentleman's Magazine* (1840), pp. 322-4.

³³ Beattie, *English Detectives*, p. 168.

³⁴ Vogler, *Riot Act*, pp. 22-3.

³⁵ Carolyn Steedman, *An Everyday Life of the English Working Class* (Cambridge: Cambridge University Press, 2013), p. 235.

³⁶ HO43/19 pp. 413-4, Ryder to Newcastle, 9th December 1811.

³⁷ HO43/19 pp. 333-5, Ryder to Newcastle, 22nd November 1811; pp. 341-4, Ryder to Newcastle, 26th November 1811.

magistrates from outside the district Conant and Baker were unaffected by the potential influence of community sympathies or vested interests in local trade. They were also able to fully scrutinise the diligence and efficacy of the extraordinary force sent to the county, and were entrusted to oversee requests for government funds for their accommodation.³⁸ Their presence was also to ensure against any want of confidence on the part of the justices of the peace, who when presented with a new and formidable form of popular contention might have shrunk from their sworn duty.

To assist them in their attempts to identify Luddites Conant and Baker were, along with established spymasters such as Ralph Fletcher, assured any money advanced 'in a private way for the purpose of procuring information' would be reimbursed by government.³⁹ They were also provided with a list of names of members of the Framework Knitters Company who came to Nottingham in 1808 to act against a person who had infringed the bye-laws of the company. The Company had attempted to prevent the de-skilling of their trade through constitutional petitions which pleaded for state regulation but were also suspected of resorting to the destruction of machinery.⁴⁰ Though Ryder had 'no reason to impute anything improper' to the people mentioned, it provided the magistrates with a list of suspects in disturbances clouded by anonymity.⁴¹ Despite the benefits of having a central representative on the spot, care had to be taken not to assume total control. Conant and Baker were instructed to obtain permission from the county magistrates before attending their private meetings and any examinations; even in such tumultuous times the independent authority of the county magistrates had to be respected by their metropolitan colleagues.⁴² Conant and Baker remained in the county until the disturbances began to subside in

³⁸ Issues with inactive officers were dealt with discreetly but promptly, see HO79/1 p. 118, Beckett to Colonel Torrens, 27th January 1812; HO43/19 pp. 514-6, Beckett to Conant and Baker, 10th February 1812.

³⁹ HO43/19 pp. 492-4, Beckett to Conant and Baker, 31st January 1812; HO43/12 pp. 424-5, King to Reverend Bancroft, 14th February 1801.

⁴⁰ Chase, *Early Trade Unionism*, pp. 74-5.

⁴¹ The names, location and if possible the description of suspects were recorded. HO40/2/5, Notebook of Names and Suspected Luddites; HO43/19 pp. 526-9, Beckett to Baker and Conant, 12th February 1812.

⁴² HO43/19 pp. 492-4, Beckett to Conant and Baker, 31st January 1812.

the county in February 1812, but it appears that several Bow Street personnel remained in the Nottinghamshire and Derbyshire region to search for ringleaders.⁴³

The search for Luddites was aided by another unusual measure. On 18th December a royal proclamation was issued which offered a royal pardon and a reward of £50 for every Luddite who was apprehended and convicted. The efficacy of this strategy was doubtful and had not been resorted to since 1776, but the urgency of the case persuaded Ryder that any and all means must be tried.⁴⁴ On the day that the proclamation was issued communications were immediately relayed to the lord lieutenants and mayors of the affected towns and counties, informing them they would be provided with copies to distribute in their respective neighbourhoods.⁴⁵ Offering rewards for the apprehension of anonymous offenders was by no means anything new. As we saw in the previous chapter, rewards were offered by the victim or locality to the accomplices of arsonists and other offenders in local notices and published in the *London Gazette*, and this response was a typical procedure founded on decades of established precedent. What made the royal proclamation unusual was the application of government money for the payment of rewards in defence of private property. This was contradictory to established precedent as the Home Office frequently rejected applications for government subsidies to local rewards and stressed the need for local inhabitants to be the primary force in subduing disturbances in their county. However, as we saw in the previous chapter, the Duke of Portland had also subscribed government money in his attempts to combat anonymous crimes during the food riots of 1800-1. There was, however, a significant difference. Portland's subscriptions were selected on a case by case basis, whereas the royal proclamation opened government's coffers to anyone eligible. Both cases reveal the ability of the home secretary

⁴³ Cox, *Low Cunning*, p. 122; HO43/20 pp. 9-11, Beckett to Conant and Baker, 15th February 1812.

⁴⁴ The royal proclamation of 1776 offered a reward for the discovery of 'natural-born' seamen serving foreign nations. *The Remembrancer, or Impartial Repository of Public Events for the Year 1776* (London, 1777), p. 151; *Nottingham Review*, 20th December 1811; *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 807-824.

⁴⁵ HO43/19 p. 405, Beckett to Mayors of Nottingham, Loughborough, Derby and Leicester, 18th December 1811; pp. 409-10, Ryder to Lord Lieutenants of Counties of Leicester, Derby, Nottingham, and Town of Nottingham, 18th December 1811.

to deviate from established precedent when the case required it, though Ryder's deviation was much greater and more public. These cases also reveal how the home secretary ultimately had to yield to external pressure from provincial authorities and victims as traditional methods of repression failed. The royal proclamation was one necessitated by desperation, and one underappreciated in the narrative of the suppression of Luddism. The proclamation was the final attempt on the part of government to address the underlying problem in the prosecution of Luddites: the identification of offenders.⁴⁶ Though endorsed by Ryder he believed the proclamation to be of 'doubtful policy'; it relied entirely on the self-interest and conscience of an accomplice to the crime in question, and potential informers had to suffer any resulting backlash from their neighbours if they provided evidence.⁴⁷

By January 1812 the powers of the home secretary had been used to their fullest extent: the largest military force ever used to quell a national disturbance had been sent to the region; legal advice had been given from the law officers of the crown and the attorney and solicitor generals; experienced London magistrates had been sent; and the Prince Regent had been advised to issue a royal proclamation. All these measures had proved to be ineffectual, and thus Ryder sought the legislative power of parliament in February.⁴⁸ That parliament was not addressed until this time, and that so few attended parliament on the introduction of the Framebreaking Bill in the House of Commons is surprising to historian Malcolm Thomis, who states that 'official reaction...revealed a surprising sang-froid.'⁴⁹ This is not as surprising as Thomis suggests. The disturbances had not yet earned the notoriety they would in the following months, and by the time Ryder presented the Bill the disturbances in Nottinghamshire had begun to subside. They had not, furthermore, demonstrated any clear insurrectionary or political elements, and were as such perceived as an isolated (though spreading) case of industrial protest. Though with the addition of the unusual

⁴⁶ Thomis, *The Luddites*, p. 145.

⁴⁷ HO43/19 pp. 478-80, Beckett to Conant and Baker, 27th January 1812.

⁴⁸ *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 807-824.

⁴⁹ Thomis, *The Luddites*, p. 144.

eponym of Ned Ludd, these industrial disturbances were not entirely unpredictable given the combination of a trade depression and successive poor harvests. In short, Luddism in February 1812 was not a crisis that warranted the attention of members of parliament from the far reaches of the country. Furthermore, we must appreciate the place which parliament was situated within the machinery of order; informing parliament of every instance of central intervention would have been laborious and pointless.⁵⁰ Parliament was not typically concerned with the routine procedures of repression and was only resorted to only when emergency powers were required or the penalties of the law needed to be increased. When it reached this level it became the home secretary's duty to inform parliament of the severity of the case at hand, and to allow the Houses to judge the merit of the bills brought before them.

F.O. Darvall and Robert Reid have also made questionable claims about government's response to Luddism. To Darvall parliament, the 'supreme organ of government' was uninformed, and the Cabinet, 'the real national authority', was neglectful and cites evidence which suggests they first met to discuss Luddism but a fortnight before parliamentary action was requested.⁵¹ Robert Reid adds that Cabinet may have been too focussed on the war effort to fully realise the severity of the situation at home.⁵² Cabinet may not have been so inattentive as is suggested. Unfortunately, we are not privy to the entirety of correspondence between Ryder and his ministerial colleagues, nor can we be certain that there were not numerous other Cabinet meetings or informal conversations in the offices of Whitehall prior to the January 1812 meeting. What we do know, however, is that a meeting of senior ministers in the Privy Council culminated in advising the Prince Regent to issue the royal proclamation of December 1811. Formal meetings of Cabinet were not the only forum for discussion on the suppression of domestic disturbance; the secretary of state's

⁵⁰ Thomis, *The Luddites*, p. 145.

⁵¹ Darvall, *Popular Disturbances*, pp. 218-9; HO79/1 ff. 119-21, Beckett to Conant, 29th January 1812; *HPD*, 1st series, vol. 21, House of Commons, 6th February 1812, cols. 671-2; *HPD*, 1st series, vol. 21, House of Commons, 14th February 1812, cols. 807-824.

⁵² Reid, *Land of Lost Content*, p. 104.

personal office within the Home Department's premises, for example, were sufficiently large enough for key members of Cabinet or the Privy Council to attend a private meeting individually or collectively. This would have been practical as all the relevant disturbance correspondence would have been within arm's reach. Since Cabinet did not have any formal premises of its own, this would not have been an unusual arrangement. In February 1817, in October 1819, and in February 1820 for example, evidence shows that Cabinet met at the Home Office. In arranging the October meeting, Sidmouth suggested to Prime Minister Lord Liverpool that it would be ideal as they would have all 'the Documents at hand to which' they 'might wish to refer.'⁵³ For the early months of the Luddite disturbances this is suppositional. Home Office records rarely mention meetings which took place and ministers, officials, and members of the public visited the Office but their attendance was not recorded. Written summons were sometimes delivered by messengers, but they rarely survive. The only indications we have that meetings took place are subsequent correspondence which mentions them. The January meeting of Cabinet, for example, only leaves a trace because it was necessary to inform the metropolitan magistrates sent to Nottingham that they might be granted further powers if the two bills in contemplation received royal assent.⁵⁴

To focus on Cabinet undervalues the independent capabilities of the secretary of state to repress disturbances, for it was he who read the daily reports of Luddite destruction and decided upon the immediate response. Parliament would be called on as the legislature to pass new laws, and Cabinet meetings would assess the efficacy of repressive strategies in an ongoing crisis, but it was the home secretary who dealt with the everyday challenges. To some degree parliament and Cabinet were kept out of the loop, particularly when it came to uncorroborated rumours. For example, whilst Ryder was preparing for his parliamentary speech which denied Luddism had any

⁵³ *Diary of Henry Hobhouse*, p. 14; *The Morning Post*, 11th February 1817; DHC 152M/C/1819/OH95, Sidmouth to Liverpool, 2nd October 1819.

⁵⁴ There are no surviving Cabinet papers for this period. HO79/1 ff. 119-21, Beckett to Conant, 29th January 1812.

political links, he was also attempting to uncover the details of a possible sinister conspiracy in the disturbed counties.⁵⁵ As with the food riots, any prolonged period of disturbance accelerated fears of cross-county communication and inspired rumours of simultaneous risings in populous towns across the country.

To investigate these claims the Home Office typically intercepted the mail of suspects. Both Ryder and Sidmouth feared that Luddism could become something much more sinister. As was noted in chapter 4, more warrants were issued to intercept letters in 1812 than in any other year. On 2nd February 1812, Ryder had a personal interview with Secretary of the General Post Office Francis Freeling to coordinate the interception of letters from Nottingham to other populous towns in the country. A confidential agent of the Post Office, Gratian Hart, was also despatched to Nottingham to collaborate with the metropolitan magistrates.⁵⁶ At the same time Beckett requested Birmingham magistrates to inform him of any proposed measures designed to interrupt communications 'between the disaffected persons in Birmingham & the Rioters in Nottinghamshire or other places' should such communication exist.⁵⁷ Letters suspected of being transmitted between rioters in Tewksbury and Derby were also intercepted and sent to local authorities to enable them to pursue clues contained within.⁵⁸ Later in April Manchester magistrates forwarded to Ryder information which suggested a general rising was to take place on 1st May. This was the first time Ryder had heard such news and instantly dismissed it. Under-Secretary of State John Beckett believed it was 'more for the purpose of creating Alarm than with the real view of carrying a plan of this diabolical nature into effect.' Precautions were still taken however; the Manchester magistrates were advised to remain vigilant and transmit any further information that should come to light.⁵⁹

⁵⁵ HO79/1 ff. 124-6, Beckett to Conant, 2nd February 1812; HO43/19 pp. 498-9, Beckett to William Villers, William Hicks and William Hamper, 3rd February 1812.

⁵⁶ HO79/1 ff. 124-6, Beckett to Conant, 2nd February 1812.

⁵⁷ HO43/19 pp. 498-9, Beckett to Villers, Hicks and Hamper, 3rd February 1812.

⁵⁸ HO43/19 pp. 509-10, Beckett to Henry Fowkes, 5th February 1812.

⁵⁹ HO43/20 pp. 233-4, Beckett to R. Wright, 21st April 1812.

Similarly in July, by which time Viscount Sidmouth had assumed the position of home secretary, the attention of John Lloyd, a trusted and active solicitor in Stockport, was drawn to a 'House of extremely bad character', the Blue Anchor. Beckett desired Lloyd discover who frequented it, 'whether they are strangers coming from a distance, what appears to be their object if there any such, and what are either the real or assumed names of any such persons.'⁶⁰ No evidence could be acquired that was able to corroborate the suspicions of a sinister plot, which was not surprising to the home secretary. Throughout the Luddite disturbances the Office was inundated with reports of employed spies and self-interested magistrates and manufacturers which contained rumours of risings, assassinations and collaboration between counties within Great Britain, with insurrectionists in Ireland or with the French. It was the Home Office's laborious duty to filter these reports for truth and corroborate them with reports from trustworthy authors. Most of the alarming reports were from spies and informers who continued to be the principal source of important information, and though the accuracy of their reports was questionable, they remained the most effective and tested means of obtaining information.

The same exaggerated reports and uncorroborated rumours were included in the selection of correspondence sent to an appointed committee of secrecy in July 1812. The objective was to inform parliament of the details of the disturbances to counter the conflicting reports various members shared of the current state of the country, and to decide upon an appropriate response. Given that the majority of the elected members of the committee were unacquainted with the individuals concerned and the validity of their statements, the committee were exposed to the uncorroborated rumour and suspicion contained in many of the letters. The picture painted was one of a sinister conspiracy; Luddites had been seen to use signals, signs and countersigns, and binding oaths. They had established secretive committees which were in communication with one another, and which were financially supported by their members and by wealthier sponsors in

⁶⁰ HO79/2, Beckett to Lloyd, 27th July 1812.

London and Ireland.⁶¹ And most alarmingly, they had been seen drilling with the arms they had obtained from their victims. As noted above, historians now doubt how many were involved and how far Luddites were actually willing to go to obtain their ends. Secretive associations bound by ties of trade rather than strictly politics were notoriously difficult to penetrate, and thus the information provided by informers was undoubtedly exaggerated. As Thompson notes: 'political societies were gathered from a wide region and from different social groups; illegal unions or Luddite bodies grew out of workshops and communities in which each man was known.'⁶² Some parliamentarians were naturally critical of the committee's report, believing the details of the case had been 'prodigiously magnified' because of the submitted evidence.⁶³ The documentation filtered by Sidmouth for the perusal of the committee might not have been entirely representative of the true characteristics of Luddism and exaggerated its most alarming but least popular objectives, but it certainly worked in his favour. Indeed, as Roger Wells has noted for the committees of secrecy in the 1790s, deliberate misrepresentation served political ends.⁶⁴

For Sidmouth, the conclusions of the committee were undoubtedly favourable. Their report was sufficient to persuade parliamentarians that more repressive legislation was needed, and thus the most worrisome attributes that Luddism had demonstrated were made punishable by law. Under Ryder, the Unlawful Oaths Act (May 1812, 52 Geo. III c. 104) had passed, which expanded a similar act of 1797 to punish those who swore oaths for seditious and mutinous ends to include various other capital offences.⁶⁵ The Act included a clause which offered a pardon to anyone who approached a justice of the peace within three months and swore an oath of allegiance to the King. By its expiration solicitor John Lloyd was able to report a total of 400 had taken the oath at his office

⁶¹ *PP*, 1812 (335), II, Report of the Committee of Secrecy on certain Violent Proceedings in Defiance of Laws in several Counties in England, pp. 4-5.

⁶² Thompson, *The Making* (2013), p. 537.

⁶³ *HPD*, 1st series, vol. 21, House of Lords, 23rd July 1812, cols. 1187-1196.

⁶⁴ Wells, *Insurrection*, pp. 40-3.

⁶⁵ James Fitzjames Stephen, *A History of the Criminal Law in England*, 3 vols (London: Macmillan, 1883), II, pp. 294-5

alone.⁶⁶ By the end of July, the Preservation of the Public Peace Act (July, 52 Geo. III c. 162) had also passed, which directly targeted the more worrisome features of Luddite activity. The Act enabled magistrates to search houses for arms; to seize arms from those suspected of being unable to adequately defend them; prohibited drilling; further empowered justices of the peace to disperse meetings; and introduced penalties to those who permitted unlawful meetings on their premises. The Act was but one of many statutes first tried in Ireland, it bears a noticeable resemblance to the 1807 Arms Act. This legislation was either partially implemented by provincial authorities or was implemented when the severity of the disturbances was already in a state of decline, thus making it difficult to claim that the acts had any real effect.⁶⁷ Yet the final two acts of May and July were precautionary measures to combat the Luddites' most worrisome attributes: allegiance to a cause sworn to by an oath, their ability to gather in large numbers, and arms which could be used to escalate the disturbances. The legislation also sent the message to local authorities that the Home Office and government more broadly would not sit idly by whilst private property became the target of popular disaffection.

Assizes, Special Commissions, and the Gallows

As a further reassurance to provincial authorities, the Home Office did its best to ensure that the provincial judiciary was able to carry out their duties without interruption. Though no actual attempt was made to interfere with the course of justice, at the Nottingham Assizes in March 1812 preparations were made to defend against any malicious interference by Luddites. The usual procedure of removing troops from the town during the assizes was not adopted, nor was it done with any degree of secrecy. Ryder believed that it would be better for a military guard to be deployed 'openly and avowedly' in the town, rather than be discreet about their presence, or to

⁶⁶ HO79/2, Beckett to Maitland, 29th August 1812.

⁶⁷ Darvall, *Popular Disturbances*, p. 224.

station them in a nearby town. The presence of the state was not to be concealed for this would counteract the intended purpose, which was to deter in the first instance against any riotous outbursts, rather than to put them down when they occurred. They were present, more importantly, to prevent any challenge to the machinery of order, to 'prevent as far as may be the system of intimidation' from affecting witness testimonies, which proved vital in the seven successful prosecutions.⁶⁸

Given the importance of these initial trials against the Luddites, and given the fact that their success would, it was hoped, deter others from following in their footsteps, Ryder once again required a central representative on the spot. To replace the diligent correspondents he lost in February with the departure of Conant and Baker, Ryder desired the future Under-Secretary Henry Hobhouse, then solicitor to the Treasury, to assist the magistrates during the assizes. Hobhouse was given the discretionary power to cover the prosecution's expenses in trials relating to framebreaking.⁶⁹ The future under-secretary was a trained barrister and who, by his profession, was well-known to Sidmouth and best suited to the task. He was also a man not afraid to speak his mind, his insightful letters speak with government's interests at heart and analyse what he believed to be the underlying problems in the provinces. With the assistance of the treasury solicitor, dozens were sent to the Hulks and the gallows.

At the Lancashire Assizes in April eight were sentenced to death and thirteen transported. The following month at the Cheshire Assizes a further fifteen were sentenced to death (only two of which were carried out) and eight to transportation. However, despite these examples disturbances continued throughout the summer and into the autumn.⁷⁰ During these months there were considerable setbacks in demonstrating the power of the law. In August much embarrassment was caused by the attempt to charge and prosecute thirty-eight men for administering an illegal oath to

⁶⁸ HO79/2 pp. 6-7, Ryder to Justice Bailey, 6th March 1812; pp. 9-10, Ryder to Bailey, 9th March 1812; HO42/121 ff. 482-3, George Coldham to Beckett, 4th March 1812; *Gentleman's Magazine* (1812), p. 285

⁶⁹ HO79/2 pp. 14-7, Beckett to Hobhouse, 12th March 1812; pp. 17-19, Beckett to Hobhouse, 13th March 1812.

⁷⁰ Bailey, *Luddite Rebellion*, p. 73.

Samuel Fleming under the Unlawful Oaths Act. The prosecution only had the evidence of Fleming himself, and he was an employed informer working under the instructions of Manchester Deputy Constable Joseph Nadin. The trial collapsed and all thirty-eight were acquitted.⁷¹ Similar problems were encountered in September when the overzealousness of trusted correspondent and solicitor John Lloyd got the better of him. Under-Secretary of State John Beckett relayed his frustrations to Maitland: 'He [Lloyd] embarrasses me much by his over zealous conduct in taking people up whose cases are either too flimsy to be attended to or which leave little hope of obtaining convictions upon. He has sent me several of this sort from Huddersfield, which will turn out to be more of drunkenness than anything else.'⁷²

The continuance of Luddite attacks, the failures of even the most diligent justices, and the enduring issue of securing sufficient evidence for prosecutions prompted further state intervention. In November 1812 Hobhouse was again despatched to Huddersfield and then to Wakefield assist at the Special Commission that was to be appointed to try the cases of those imprisoned at York Castle.⁷³ At the Commission three were sentenced to death for the murder of manufacturer William Horsfall, five for an attack on the mill of William Cartwright, and a further six for other grievous offences.⁷⁴ Seven others were sentenced to transportation. The fourteen sentenced to death were executed near York Castle on the 16th January. To ensure that the disaffected in the neighbouring counties were aware of the perilous consequences of Luddite activity, the Home Office ordered accounts of the trials and their outcomes to be published, which were then sent to the affected regions to be circulated.⁷⁵ Two royal proclamations were also issued; the first again offered Luddite offenders a pardon if they swore an oath of allegiance. The second, reflecting on the executions,

⁷¹ Bailey, *Luddite Rebellion*, p. 80.

⁷² HO79/2, Beckett to Maitland, 14th September 1812.

⁷³ DHC 152M/C/1812/OH33, Sidmouth to Lord Chancellor, 13th November 1812; DHC 152M/C/1812/OH34, Sidmouth to Maitland, 14th November 1812; DHC 152M/C/1812/OH34, Sidmouth to Maitland, 14th November 1812.

⁷⁴ Bailey *Luddite Rebellion*, pp. 101-4.

⁷⁵ HO79/2, Beckett to Major General Acland, 11th February 1813.

warned against the perilous consequences of involvement in attacks on property and taking illegal oaths, and clearly placed the responsibility of preserving order back on the shoulders of provincial justices and manufacturers.⁷⁶

The success of the Special Commission signalled a withdrawal of state resources from the provinces. On the day of the executions Sidmouth was confident that order would be restored, and that government could now step back having done its part to assist provincial authorities.⁷⁷ Beckett later reflected that after the 'awful example' at York, government withdrew from taking up any further prosecutions 'lest an impression should be created that instead of the merciful disposition which it was hoped had been sufficiently manifested towards many misguided individuals a charge might be reasonably made against the Government of acting with more severity than the occasion called for.'⁷⁸ The state could not, furthermore, intervene in the juridical process for a prolonged period, lest it set an unwanted precedent at considerable cost and inconvenience. As such, the localities were to rely on their own resources. On the day of the executions Sidmouth informed Maitland 'I am satisfied that the time is arrived, when the Experiment ought to be tried of leaving the Country to itself & suspending...all Military Activity & Interference.'⁷⁹ Sidmouth's experiment was a success and by March he was able to report 'A most material & happy change...has taken Place in their Temper, & Disposition within the last few months; of which almost every Post brings Proof even from those Quarters, where the spirit of Insubordination & Tumult was most prevalent.'⁸⁰

Ned Ludd did not meet his fate at the gallows in January but gradually faded into obscurity in the coming years. The remainder of 1813 was relatively peaceful, and later attacks on frames were more often responses to events than a renewed commitment to framebreaking and intimidation. In April 1814 the partial repeal of the Statute of Artificers (5 Eliz. 1 c. 4) further de-skilled the textile

⁷⁶ *London Gazette*, 19th January 1813; *London Gazette*, 2nd February 1813.

⁷⁷ DHC 152M/C/1813/OH3, Sidmouth to Maitland, 16th January 1813.

⁷⁸ HO43/22 pp. 82-6, Beckett to Radcliffe, 8th June 1813.

⁷⁹ DHC 152M/C/1813/OH3, Sidmouth to Maitland, 16th January 1813.

⁸⁰ DHC 152M/C/1813/OZ, Sidmouth to [Unknown], 17th March 1813.

trades as labourers were no longer required to serve a compulsory term of seven years as an apprentice before practising a trade.⁸¹ As a result, Nottingham witnessed the first resurgence of Luddite attacks and fears were expressed of a new 'organised system of combination' as frames were attacked into the summer.⁸² In April 1815 Beckett hoped the acquittal of active Luddite James Towle, who was charged with burglary and framebreaking, would not lead to further attacks on property, but Beckett was notified three weeks later that the Luddites had 'again manifested symptoms of irritation.'⁸³ During these sporadic attacks the Home Office did not intervene on the same scale it had done in 1812 as the onus was once again placed on the locality. Reflecting on the strains of 1812, Sidmouth informed Major General Sir John Byng of the policies decided upon with his predecessor Thomas Maitland when he assumed command of the Northern Districts:

During the Riots a few years ago...it was found that as long as the inhabitants of districts could procure a soldier to protect them, so long they refused to take any measures of exertion for protecting themselves. At last it became necessary to give them notice that the military patrols would be withdrawn...and when this was actually done...measures of self defence were adopted.⁸⁴

Letters were intercepted and military aid was provided in serious cases, but Home Office support of its spy network was reduced, no further modification of the law was discussed, nor any special commission contemplated.⁸⁵ It was only in December 1816 that the Home Office could with confidence announce that: 'the system of framebreaking is nearly extinguished...without probability of its revival.' Provincial justices were not to be at ease however, as Luddism was 'likely to be succeeded by combinations with a view to objects of a more extensive and formidable operation.'⁸⁶

⁸¹ See the Apprentices Act 1814 (54 Geo. III, c. 96).

⁸² HO43/22 pp. 469-70, Beckett to Coldham, 6th April 1814; HO43/22 pp. 477-9, Beckett to William Fletcher Norton Norton, 12th April 1814.

⁸³ HO43/23 pp. 373-4, Beckett to Coldham, 3rd April 1815; p. 391, Beckett to Coldham, 26th April 1815.

⁸⁴ HO41/1 ff. 45-6, Sidmouth to Maitland, 1st June 1816

⁸⁵ HO79/2, Beckett to Ralph Fletcher, 25th December 1813.

⁸⁶ HO41/2 f. 57, Addington to John Wheatley, 21st December 1816.

Conclusion

The repression of machine-breaking was a battle to empower civil authorities with the confidence and additional powers necessary. However, the disturbances revealed how vulnerable existing policing arrangements were to covert tactics, and how naïve government could be in believing harsher laws would stimulate a more active and ultimately more successful magistracy.

Nonetheless, the full use of the Home Office's repertoire of repression was ultimately effective; spies produced crucial information, thousands swore the oath of allegiance, the necessary advice and expertise were applied to produce a firm example, and with this the state could once again withdraw its resources from the disturbed districts.

A return to the perspective of the government, which has not been the primary focus of historians in recent decades, has revealed some misunderstandings about the relationship of the Home Office with Cabinet and parliament. To clarify the relationships, this chapter has shown through the analysis of the Home Office's response to Luddism that although the home secretary's response to public order could be assessed by parliament, as was the case for Ryder, the Home Office had greater autonomy to direct repressive strategy than has been fully appreciated. The dialogue between the Home Office and parliament was not constant during periods of unrest but often initiated by the Home Office or Cabinet when additional legislation was sought. Thus parliament was only involved at the latter stages of the repression process, and unless called upon by parliament to inform it of the state of the country, it was, as Darvall recognises, uninformed.⁸⁷ When additional powers were deemed necessary it was then that the home secretary was required to play the political game; to condone and support some of the unrepresentative and exaggerated reports he had received from the provinces to persuade panicked parliamentarians to support repressive bills. Furthermore, by understanding the Office's internal procedures this chapter has been able to counter suggestions that Cabinet, or indeed the state, was inattentive to the Luddite

⁸⁷ Darvall, *Popular Disturbances*, pp. 218-9.

threat or distracted by the war with France. The application of state recourses, notably military, to combat Luddism was extraordinary, the fact that this was an ineffective approach to counter covert tactics is another point entirely.

This revisit of the state's response to Luddism has also shown that established precedent was not an unsurmountable obstacle; the home secretary was not obliged to rigidly adhere to it when traditional methods of containment failed, when the state's response to an extraordinary threat was required to be equally extraordinary. In such cases the home secretary, and the state on a broader level, were able to deviate at will, which in this case led the Royal Proclamation of December 1811. Legislation became increasingly repressive as the disturbances began to demonstrate more worrisome characteristics, but never crossed the line from repression to oppression. Though historians have come to doubt the efficacy of legislation passed, we must also consider how effective it would have been if Luddism continued to spread. Meetings would have been interrupted, arms would have been denied, and magistrates would have been empowered with the military support necessary to contain any attempts at escalation. In short, the response to the Luddite disturbances exemplifies the use of legislation as a precaution, rather than a reaction.

Chapter 7 – Parliamentary Reform, 1816-1820

The Home Office was continuously bombarded with reports of secretive meetings, riots, and rumours of seditious conspiracies in the final years of the Regency period. This chapter concentrates on the central points of Home Office intervention during these years, which saw the Home Office reach new heights in its use of domestic espionage and the recourse to repressive legislation. Firstly, the employment of a government spy named Oliver in the months leading up Pentrich Rising in June 1817 will be considered within the Home Office's principles and precedents when employing spies. Secondly, the middling year of 1818, which is situated between two years of popular outbursts, has been largely neglected by historians. The year saw the advance of trade unionism and the attempted politicisation of it by veteran radicals, which served to continue the sense of crisis seen in 1817. Thirdly, the climax of the Peterloo Massacre, the forcible dispersion of a mass gathering at Manchester in August 1819, will be revisited by placing the debate of whether the Home Office instructed magistrates to intervene within the context of the Home Office's approach to popular radicalism in the preceding months. Finally, the months after Peterloo will be examined, looking closely at how Sidmouth's attempts to put repressive legislation through parliament were hindered by an uncooperative Cabinet. The chapter argues that historians have failed to contextualise government activity during this period within the Home Office's principles and precedents, and have underappreciated the struggles the Home Office faced with Cabinet and parliament to repress public disorder.

1816

From the summer of 1816 local authorities relayed rumours of the Luddites and political radicals moving towards more violent and possibly seditious objectives. Seditious speeches, secretive

gatherings, and talks of arming were coupled with warnings of the insecurity of local arms depots.¹ Accompanying these reports were notices of the formation of reform societies known as Hampden Clubs in the northern counties and Midlands, including those areas recently affected by the Luddite disturbances.² Sidmouth and Hobhouse questioned the true objective of these societies, and advised correspondents such as spymaster Ralph Fletcher to 'get to the bottom of their plans.'³ However, it was not the provincial Hampden Clubs but the metropolitan ultra-radical Spenceans that were the authors of an insurrectionary conspiracy. In December 1816 at Spa Fields in London, a rising was attempted by Spenceans led by Arthur Thistlewood and father and son James Watson, who believed that capturing London was the key to successfully sparking a national revolution. Rioting in London was quickly put down, and the Spencean leaders were apprehended.⁴

The failure of the Spenceans did not deter the disaffected in the northern counties. Throughout the winter and following spring Sidmouth continued to receive rumours of a planned rising. Sidmouth had always greeted reports of risings and plots of assassination contained in threatening letters (some of which were addressed to him) with scepticism. He did not doubt that such sinister schemes existed but believed their popularity to be 'grossly exaggerated' by unreliable spies and informers, all of whom were eager to maintain their financial relationship with their spymasters.⁵ Regardless, Sidmouth readily provided justices of the peace with the necessary finances to support the spy network; they provided him with information he would otherwise be unable to obtain.⁶ The information Sidmouth received enabled him to make necessary preparations to preserve order in case any attempt should be made to disrupt the King's peace.

¹ These are particularly common throughout HO41/1.

² PP 1817 (34), IV, Committee of Secrecy on Papers presented to House by Command of Prince Regent. Report (on Secret Societies and Clubs), pp. 1-8.

³ HO41/1 ff. 226-7, Addington to Fletcher, 7th November 1816.

⁴ Royle, *Revolutionary Britannia?*, p. 46.

⁵ DHC 152M/C/1817/OH26, Enfield to Sidmouth, 8th June 1817; HO41/2 ff. 220-1, Sidmouth to Duke of Northumberland, 14th March 1817; DHC 152M/C/1817/OH40, Sidmouth to Duke of Northumberland, 23rd March 1817.

⁶ HO79/3 p. 6, Beckett to J. Mansfield, 14th January 1817; pp. 10-11, Addington to Ethelston, 1st February 1817

In January 1817 Sidmouth distributed a circular to counties across the north, Midlands, and Wales, recommending that special constables be sworn in for no less than three months, and that yeomanry forces should be held in readiness to assist the magistracy.⁷ This was expanded by the end of the month to include the counties of Scotland.⁸ Sidmouth's preparations were not unwarranted. On 28th January a projectile broke the window of the Prince Regent's carriage, and within a week a committee of secrecy was appointed to review Home Office correspondence and assess the threat of radical societies. Their emphasis was on the events at Spa Fields, the spread of Spencean doctrines throughout the country, and the sophisticated system of communication which existed between the pro-reform Hampden Clubs who had by that time extended their reach to the counties of Lancashire, Leicestershire, Nottinghamshire, Derbyshire, Birmingham, Norwich and the West Riding of Yorkshire.⁹ The committee reported the existing laws were woefully inadequate for the times, a conclusion which added momentum to the bill for the suspension of Habeas Corpus Act which was making its way through parliament.¹⁰ A suspension was an especially unpopular measure as it was deemed unconstitutional and was only used at the most desperate of times. It had last been suspended between 1798-1801 to arrest leaders of the United Irishmen, who had collaborated with the French and were the authors of the Irish rebellion in 1798. The bill passed with a majority of 162 in the House of Commons and 115 in the House of Lords, and came into force on the 4th March.¹¹

A few days later on 7th March Sidmouth informed Manchester magistrate William David Evans that warrants were to be drawn up for the arrest of the Manchester region's most notable

⁷ HO41/2 ff. 85-7, Sidmouth to Lord Lieutenants of Counties of Westmoreland, Northumberland, Durham, North, West, and East Ridings of Yorkshire, Lancashire, Cheshire, Nottingham, Derby, Leicester, Stafford, Shropshire, Warwickshire, Lincolnshire, Glamorgan, and to the Vice Lieutenants of Monmouth, Brecon, Cambridge, Suffolk, Norfolk, and Newcastle upon Tyne, 11th January 1817.

⁸ HO41/2 ff. 111-2, Sidmouth to Lord Lieutenants of Scotland, 27th January 1817.

⁹ Thompson, *The Making* (2013), pp. 671, 678.

¹⁰ *PP* 1817 (34), IV, Committee of Secrecy on Papers presented to House by Command of Prince Regent. Report (on Secret Societies and Clubs), pp. 1-8; Ziegler, *Addington*, p. 348.

¹¹ *HPD*, 1st series, vol. 35, House of Lords, 24th February 1817, cols. 551-588; *HPD*, 1st series, vol. 35, House of Commons, 28th February 1817, cols. 795-825.

radicals upon suspicion of high treason. The warrants were to be delivered by the King's Messenger John Proudman with the assistance of the Manchester constabulary. To reinforce the Manchester magistracy the Home Office once again despatched the experienced metropolitan magistrate Robert Baker to assist.¹² Though deprived of their previous leadership, an open meeting on 10th March in Manchester went ahead as scheduled and attracted an audience of around 25,000. The meeting was the culmination of a series of previous assemblies held throughout January and February, at which the radicals had resolved to deliver a petition for constitutional reform directly to the Prince Regent. Notably, this was an attempt to avoid parliament which had rejected some 718 petitions, which Robert Poole estimates contained around 750,000 signatures, in the preceding months because they were printed or because they contained insulting language.¹³ It was not the petitions themselves that the Home Office and civil authorities were particularly concerned about, but the effect of the arrival of possibly thousands of petitioners in London with organisation and precision, and the effects that the inevitable rejection of their demands would have. As George Pellew sums it, the march of the so-called Blanketeers was a reminder of the 'march of the Marseillois [sic] to Paris, at the commencement of the French revolution.'¹⁴ Their fears were not unjustified as provincial informers had reported that leaders John Johnston and John Bagguley had suggested taking up arms and that the Prince Regent should be seized or even killed if the petitions were rejected.¹⁵ As R.J. White concludes the Blanketeers combined 'the advantages of legality with all the opportunities for developing into something else.'¹⁶ Though, as Poole argues, the combination of 'extravagant claims of legitimacy with dire threats of disaster, were part of the political currency of the age.'¹⁷ It is

¹² HO41/2 ff. 201-2, Sidmouth to William David Evans, Manchester, 7th March 1817.

¹³ Robert Poole, 'French Revolution or Peasants' Revolt? Petitioners and Rebels in England from the Blanketeers to the Chartists', *Labour History Review*, 74:1 (2009), 6-26 (pp. 6-7); Robert Poole, 'Petitioners and Rebels: Petitioning for Parliamentary Reform in Regency England', *Social Science History* (forthcoming, 2018).

¹⁴ Northumberland to Sidmouth, 21st March 1817, cited in George Pellew, *The Life and Correspondence of the Right Honble Henry Addington, first Viscount Sidmouth*, 3 vols (London: John Murray, 1847), III, pp. 177-8.

¹⁵ James Epstein, *Radical Expression: Political Language, Ritual, and Symbol in England, 1790-1850* (Oxford: Oxford University Press, 1994), pp. 14-15.

¹⁶ R.J. White, *Waterloo to Peterloo* (Harmondsworth: Penguin, 1968), p. 164.

¹⁷ Poole, 'French Revolution or Peasants' Revolt?', pp. 18-9.

difficult to know how far the passionate leadership, let alone their followers, seriously entertained the idea of insurrection.

The meeting was promptly broken up by the magistracy, but several hundred began their march to London. Civil and military authorities were immediately alerted to the advance of the Blanketeers, who intercepted them on the route to London.¹⁸ Bagguley, Johnston and fellow leader Samuel Drummond were soon arrested and the project was aborted.¹⁹ The remainder of the Blanketeers, 'deluded' as they were by 'persons more artful than themselves', were dealt with leniently, and were released upon their recognizances to keep the peace.²⁰ The arrest of key leaders had evidently proved ineffective in curbing popular assemblies, and reports had convinced Sidmouth that 'an extensive plan' of insurrection existed.²¹ To prevent a similar, and perhaps more successful meeting and march by the disaffected the legislature next targeted the reformers' ability to gather and organise in large numbers. The Seditious Meetings Act (57 Geo. III c. 19) received royal assent on 31st March 1817. The Act was a revival of one of the same name passed in 1795; meetings of fifty or more individuals which deliberated matters of church and state required official sanction, justices of the peace could attend the meetings, and the places where meetings could take place were regulated. Additional clauses were added to the 1817 Act to relate it to the immediate threats; public meetings within a mile of Westminster Hall were prohibited, and a clause outlawed Spencean societies and any other societies which called for a division of the land. Exemptions were given to Freemasons, Quakers, charitable societies and to any society whose declaration had been approved by two justices of the peace. This proscription clause was modelled on a similar one attached to the 1799 Unlawful Societies Act (39 Geo. III c. 79) which had prohibited the radical London

¹⁸ HO41/2 f. 204, Beckett to Major General Sir Henry Lyon, 12th March 1817; f. 205, Sidmouth to Duke of Rutland, High Sheriff of the County of Leicester, Earl Talbot, Magistrates at Birmingham, Mayor of Leicester, High Sheriff of the County of Stafford, 12th March 1817.

¹⁹ Epstein, *Radical Expression*, p. 16; Hammond and Hammond, *The Skilled Labourer*, pp. 352-3; Northumberland to Sidmouth, 21st March 1817, cited in Pellew, *Henry Addington*, III, pp. 177-8.

²⁰ HO79/3 pp. 16-8, Beckett to Lloyd, 15th March 1817.

²¹ DHC 152M/C/1817/OH40, Sidmouth to Northumberland, 23rd March 1817.

Corresponding Society and the United societies. However, government was not in possession of sufficient evidence of seditious intent to proscribe Hampden Clubs, the Regency equivalent of the Corresponding Societies. Aware of the possibility of repressive legislation, the clubs were careful to hold public meetings and emphasised that their goal was to achieve constitutional reform.²²

Government therefore resorted to crippling the clubs' operation by restricting their ability to meet, a core component of the extra-parliamentary political machine which it used to garner and sustain support for the reform cause. Of course, the Act does not state this outright, but instead states that reform meetings had been exploited to 'serve the Ends of factious and seditious Persons, to the great Danger and Disturbance of the public Peace' which may 'become the Means of producing Confusion and Calamities in the Nation.'²³ It was therefore for the benefit of the radicals, or so is insinuated, that such meetings should be restricted.

Further legislative measures were contemplated just over a week later in response to continued action against mill-owners in the Midlands. The Grand Jury at the Leicestershire Assizes called for the renewal of the Framebreaking Act, which had been repealed in 1813 and restored in 1814 with a lesser sentence of life transportation. Sidmouth, unlike Ryder, did not look to the Act's potential as a mere deterrent, but to how effective the magistracy had been in securing convictions under it. Enquiries were made to the clerks of the assize of the Midland circuit, to the gaolers of Nottingham, Leicester and Derby county gaols, and discussions took place within Cabinet.²⁴ Although the destruction of frames was less of a concern than a possible revolutionary conspiracy, firm examples against the most active of the disaffected would go some way in demonstrating the repressive power of the law. This might explain why there was no debate on the subsequent bill introduced by Sidmouth and the attorney and solicitor generals; on 11th July 1817, the Destroying

²² Thompson, *The Making* (2013), pp. 619-6.

²³ 57 Geo. III c. 19.

²⁴ HO41/2 f. 265, Sidmouth to George Anthony Legh Keck, 10th April 1817; HO41/3 pp. 70-1, Addington to Clerk of the Assize for the Midland Circuit, 26th May 1817; ff. 70-1, Addington to Gaolers of Nottingham, Leicester and Derby, 30th June 1817.

Stocking Frames Act (57 Geo. 3 c. 126) was passed without contest, reviving capital punishments for the destruction of frames.²⁵

The response of the forces of law and order had been similar to that of the 1790s. The suspension of habeas corpus had deprived radicals of their leadership, legislation had forbidden gathering in large numbers, and executions of Luddites had taken place at Leicestershire in April 1817 to provide a firm example.²⁶ Indeed, in putting the bills for the suspension of habeas corpus and for the restriction of public meetings before parliament, Sidmouth and his Cabinet colleagues drew parallels with 1795 and 1798-9, when government passed similar legislation to repress the radical Corresponding Societies.²⁷ Sidmouth and his colleagues were cautious not to proceed any further than these acts, for there was insufficient ground for doing so. Outlawing the constitutional Hampden Clubs, for example, would have made government the target of popular indignation. The recourse to historic legislation was also political. In drawing comparisons the bills were less likely to be rejected or subject to rigorous parliamentary scrutiny which would delay the royal assent, during which time public meetings would have continued unabated. Sidmouth's calculated response was effective, and reports were encouraging enough for him to inform the Prince Regent at the beginning of April that the disturbed towns of Manchester, Birmingham, Leicester, Nottingham and Sheffield were no longer projected for simultaneous risings.²⁸ However, the actions of government did not cause radicals to scatter into the winds as had been hoped but drove them underground away from the eyes and ears of the magistracy. In order to procure information relating to the proceedings of these secretive meetings, the Home Office had advised provincial authorities to employ spies and informers and had also employed its own spy to despatch into the northern counties.

²⁵ The act remained in force until 1st August 1820. Journals of the House of Commons, 1st July 1817, p. 433; Journals of the House of Lords, 11th July 1817, p. 412.

²⁶ *Leicester Chronicle*, 25th April 1817.

²⁷ *HPD*, 1st Series, vol. 35, House of Lords, 24th February 1917, cols. 551-88; House of Commons, 3rd March 1817, cols. 850-9.

²⁸ DHC 152M/C/1817/OH58, Sidmouth to Prince Regent, 1st April 1817.

Oliver and the Pentrich Rising

William J. Oliver, W.J. Richards, or W.O. Jones, more widely known as Oliver the spy, first offered his services to Sidmouth on 28th March 1817. Less than a month later on 23rd April, he began touring the disaffected areas of the Midlands, Lancashire and Yorkshire. During his tour Oliver provided Sidmouth with reports of provincial proceedings, all the while inspiring the radicals by falsely assuring them that London was ready to cooperate in a simultaneous rising but placing the onus on the northern radicals to initiate proceedings.²⁹ Ultimately two risings were attempted; one at Huddersfield on 8th June, and the other in the Derbyshire villages near to Pentrich on the night of the 9th/10th. Both were swiftly put down and their leaders apprehended. Oliver's peculiar relationship with Sidmouth - being employed by him directly following an interview at the Home Office - his role in encouraging violent activity, and his consequent unmasking in the *Leeds Mercury* have made him a person of significant historical curiosity. The bottom-up approach of historians of protest has led them to focus on Oliver's activity; what meetings he attended and how he was involved, and have speculated as to whether he was an *agent provocateur* by his own design, or whether he was instructed to incite a rising by government.³⁰ There is no new evidence to add to this debate, only to note that it would not be entirely unprecedented for government to authorise such activity since, as was discussed in chapter 4, hints had been given on two occasions for spies to perform far more intrusive tasks than to observe and report. It is this line of enquiry, the employment of Oliver within the context of the Home Office's principles and precedents, which historians have not considered. By placing the employment of Oliver within the context of the Home Office's financing and endorsement of domestic espionage, much is revealed about how the Home Office managed Oliver's activity.

²⁹ The provocative activities of Oliver were reported by a provincial spy Thomas Bradley, see Hammond and Hammond, *Skilled Labourer*, pp. 355-6.

³⁰ Thompson, *The Making* (2013), pp. 715-34; Hammond, *Skilled Labourer*, pp. 354-76; Malcolm Thomis and Peter Holt, *Threats of Revolution in Britain, 1798-1848* (London: Macmillan, 1977), pp. 43-4.

Hitherto the Home Office had always discouraged the use of spies who were not local to the disaffected area and had shied away from direct communication with them, and instead relied on the local magistracy or a trustworthy correspondent to supervise their activity.³¹ The employment of Oliver would seem to indicate the abandonment of this principle but can be explained by two unique circumstances. First, in his previous employment as an accountant, Oliver became associated with the radical Charles Pendrill, and through him the doors to secretive meetings were opened. Thus Sidmouth sought to exploit Oliver's existing links to the radical underground, as he could obtain information an unaffiliated spy could not. Second, unlike other spies Oliver had no principal spymaster to report to and instead reported to trusted nominated contacts such as Lewis Allsopp and Sir John Byng.³² This was largely due to Sidmouth's trust in the discretion, zeal and diligence of these individuals, and avoided relying on inactive county magistrates with such delicate matters. Lewis Allsopp, for example, was not part of the Nottingham town or county magistracy but was a common councillor and solicitor who had proven himself as a discreet and trusted correspondent during the Luddite disturbances.³³ The Home Office kept its communication with Allsopp discrete, as the Nottingham magistrate Reverend John Becher was not informed of their exchanges. The deterioration in the relationship between the Home Office and Nottingham magistrates due to their resistance to state interference in early Luddite disturbances obliged the Home Office to find a more cooperative contact. As Hobhouse remarked in 1819, 'The Truth is, that there is no efficient County Magistrate resident there [in Nottinghamshire], and when Mr. Allsopp...is from home, we are under the necessity of depending mainly on the Town Magistrates, whose Politics read them to be always adverse, unless their Fear overcomes their Prejudices.'³⁴

³¹ Wells, *Insurrection*, p. 37.

³² Hammond and Hammond, *Skilled Labourer*, p. 355; Thompson, *The Making* (2013), p. 721.

³³ DHC 152M/C/1817/OH52, Allsopp to Sidmouth, 8th June 1817; DHC 152M/C/1814/OH9, Sidmouth to Allsopp, 1st May 1814; HO79/4 ff. 19-20, Hobhouse to Byng, 20th November 1819.

³⁴ HO79/4 ff. 34-5, Hobhouse to William Hulton, 14th December 1819; DHC 152M/C/1814/OH10, Allsopp to Sidmouth, 5th May 1814; Darvall, *Popular Disturbances*, pp. 80, 236, 267.

The unique relationship established between Oliver and Sidmouth certainly raises the question as to whether verbal instructions were given by Sidmouth for Oliver to encourage incriminatory activity. Direct verbal contact in his initial interview and subsequent meetings provided an opportunity for Sidmouth and Hobhouse to instruct Oliver without leaving a trace in official records for the scrutiny of a parliamentary enquiry. The peculiarities of the time necessitated unprecedented actions, but whether the threat of insurrection persuaded Sidmouth and Hobhouse interventionist strategies will never be fully known. Immediately following Oliver's unmasking as a government spy Sidmouth was forced to defend his employment in parliament and discredit rumours circulated by the press of other extraordinary activity by spies.³⁵ The Oliver scandal made the covert system of domestic espionage the subject of public and parliamentary debate and was used by critics as a symbol of government endorsement of clandestine unconstitutional activity. In 1818 a motion was put forward in parliament for an enquiry into the conduct of spies and informers, which could then be used as evidence to regulate the Home Office's domestic espionage system. Ultimately the motion was rejected as the parliamentary majority resolved that the inquiry would likely serve no beneficial purpose, that the threat posed by insurrectionists justified the need for a spy system, and that there was insufficient evidence to suggest the government had openly endorsed, or deliberately employed, *agent provocateurs*.³⁶ Neither the public outrage at the Oliver scandal nor the threatened parliamentary enquiry altered Sidmouth's attitude to the direct employment of spies when necessary. A year later Sidmouth reflected: 'I am not conscious of having taken any step...which, under similar circumstances, I would not take again.'³⁷ He would again

³⁵ *HPD*, 1st series, vol. 36, House of Lords, 19th June 1817, cols. 1044-63.

³⁶ *HPD*, 1st series, vol. 36, House of Commons, 11th July 1817, cols. 1412-46; *HPD*, 1st series, vol. 37, House of Commons, 5th March 1818, cols. 815-62.

³⁷ DHC 152M/C/1817/OH50, Sidmouth to Byng, 13th March 1818.

employ a spy like Oliver; in 1820 *agent provocateur* George Edwards was essential in organising the Cato Street conspiracy.³⁸

The Pentrich insurrectionists were tried in the autumn of 1817, which was precisely calculated by government to reduce the potential for attempts at popular retribution upon successful capital verdicts. By that time the harvest was complete, and thus distress was reduced through lower food prices.³⁹ Three were eventually hanged, fourteen were transported, and six imprisoned, but many others were eventually released without charge, more on an account of insufficient evidence than an act of mercy.⁴⁰ As enthusiasm for political change waned with the failures of 1817, new leaders emerged to unify the causes of independent trades against their exploitative masters.⁴¹ At the same time however, the veteran radical leaders of 1817 attempted to connect the issues of trade with those of politics. By viewing the Home Office disturbance papers holistically, we can see how the sense of crisis created by the attempted risings did not dissipate and re-emerge with the rise of popular radicalism in 1819 but continued throughout.

1818

In 1818 attention shifted to the north-west of England towards Manchester and its vicinity.

Quiescence in the middling counties at the beginning of the year removed the need for a district commander of those areas.⁴² Industrial conflict in the north-west came to a head in the summer

³⁸ R.M. Healey, 'Edwards, George (1787?–1843)', *Oxford Dictionary of National Biography* (2004, online edn. 2008) <https://doi.org/10.1093/ref:odnb/38374>.

³⁹ HO41/3 p. 385, Hobhouse to Major General Torrens, 26th August 1817; pp. 334-6, Sidmouth to Earl Fitzwilliam, 3rd August 1817.

⁴⁰ HO41/3 pp. 467-8 Keepers of the Gaols at Surrey, Exeter, Hertford, Oxford, Chelmsford, Cold Bath Fields, Tothill Fields, 12th November 1817; pp. 469-71, Addington to Thomas Scholes Withington, 12th November 1817; pp. 510-2, Hobhouse to B. Haigh Allen, 3rd December 1817; p. 512, Hobhouse to Boroughreeve and Constables of Manchester, 3rd December 1817; pp. 512-3, Hobhouse to Hugh Parker, 3rd December 1817; pp. 543-4, Hobhouse to Keepers of the Gaol, Exeter, Horsham, Cambridge, Worcester, Winchester, Cold Bath Fields, 30th December 1817; A. F. Fremantle, 'The Truth about Oliver the Spy', *The English Historical Review*, 47:188 (1932), 601-616 (p. 602).

⁴¹ Iorwerth Prothero, *Artisans and Politics in Early Nineteenth Century London* (Folkestone: Dawson, 1979), chapter 6.

⁴² HO41/4 pp. 59-60, Sidmouth to Commander in Chief, 28th February 1818.

when four cotton trades struck: jenny spinners and power loom weavers at Stockport, mule spinners at Manchester, and a widespread strike by handloom weavers. The strikes were in response to pay disputes as the Manchester spinners, for example, had accepted a large wage reduction in 1816 but attempted to restore these rates in 1818 when food prices rose and with an upturn in trade.⁴³ The strikes themselves were highly organised as delegates were drawn from the mills and were despatched to neighbouring towns such as Bolton and Stalybridge and populated centres further afield to gather support from other trades. The strikes received support from as far as London in the south and Scotland in the north.⁴⁴ This supplied the spinners with the finances they needed to sustain prolonged strike action without the concerns of daily subsistence. In response the masters unified in defiance of the spinners demands, and employed the same strategy as they had done in 1810, to simply wait until the strikers' funds were exhausted and were forced back to work.

Conflict developed two worrying aspects for the Home Office, a movement towards a general union of all trades, and collaboration between political radicals and trade unions.⁴⁵ Worrying as it might have been the dispute was ultimately a private one between master and workman, and thus the Home Office was reluctant to interfere, let alone encourage a heavy-handed approach. As Hobhouse stated to Byng: 'It is most certain that they would not submit to government the Decision of their Dispute with the journeymen; and if they were willing to do so, it is clear that Government neither could nor ought to interfere in the Business, which is [a] matter of contract between the master and his labourer.'⁴⁶ The Home Office could only advise recourse to the military in cases of violence and the law where applicable, notably the Combination Acts of 1799-1800 (39 Geo. III, c. 81 and 39 & 40 Geo. III c. 106) which prohibited trade unions and disruptive activity such as picketing.

⁴³ Rule, *Labouring Classes*, pp. 270-1.

⁴⁴ R.G. Kirkby and A.E. Musson, *The Voice of the People: John Doherty, 1798-1854: Trade Unionist, Radical and Factory Reformer* (Manchester: Manchester University Press, 1975), p. 19; HO79/3 pp. 264-6, Hobhouse to Lloyd, 24th August 1818.

⁴⁵ Kirkby and Musson, *Voice of the People*, pp. 18-9.

⁴⁶ HO79/3 pp. 295-6, Hobhouse to Byng, 31st August 1818.

The masters' passive response to the strike placed greater strain on the central forces who were relied upon to protect property and to ensure the safety of workers who refused to strike. On 14th August Hobhouse shared his frustrations with Byng, 'The Doctrine I have inculcated is that the first object is to shew to the Workmen that the Law is strong enough, if it be but properly enforced. But this principle has not been acted upon in Manchester where the manufacturer seems to rely more on your Sword than on any other Weapon.'⁴⁷ The magistrates pointed the finger at the masters by claiming they were not collaborating with the magistracy to indict strikers under the Combination Acts. The masters in turn blamed the magistracy, claiming a want of support.⁴⁸ The Home Office took the side of the civil authorities, for the Home Office was only too familiar with the demands it had received from manufacturers for the protection of private property. Sharing in the frustrations of the Manchester magistracy, Hobhouse denigrated the 'Backwardness' of the masters: 'How is it possible for any Government to protect men, who will not protect themselves?'⁴⁹ They expected 'the protection of Government without incurring either Expence, Danger or Inconvenience in defence of their property.'⁵⁰

Direct intervention may have been off the cards, but the home secretary was able to use his influence to encourage the masters to use the power of the law to their advantage. At the beginning of August Hobhouse encouraged the magistrates to issue an address reassuring the masters that they would be protected, and encouraging recourse to the law.⁵¹ Furthermore, as the masters began to reopen their factories towards the end of August, Sidmouth implored the Chief Justice of Chester to add his influence to ensure sufficient evidence was provided by the masters:

I am persuaded that a luminous exposition of the Law...such as would come with effect from you could not fail to be useful to the Public: and if you should feel it right to add a word or

⁴⁷ HO79/3 pp. 237-40, Hobhouse to Byng, 14th August 1818.

⁴⁸ HO79/3 pp. 269-270, Hobhouse to Ethelston, 24th August 1818.

⁴⁹ HO79/3 pp. 229-30, Hobhouse to Hay, 11th August 1818.

⁵⁰ HO79/3 pp. 295-6, Hobhouse to Byng, 31st August 1818.

⁵¹ Kirkby and Musson, *Voice of the People*, p. 20.

two on the Duty of detecting and counteracting such conspiracies, they would be well applied to the existing circumstances; for the Magistrates are placed under the greatest Difficulty in acting, for want of evidence being brought before them through the Timidity of the masters.⁵²

In late August the spinners' funds were suddenly depleted when the treasurer of the spinners' committee John Medcalfe absconded with between £150 to £160. A few days later the spinner's committee were apprehended in a raid led by Manchester Boroughreeve Thomas Scholes Withington. Other leaders, notably "Captain of the Pickets" John Brough, were seized soon after. The spinners, without finances, leadership, nor unity, gradually returned to work.⁵³ Those who were still committed to their contest with the masters unleashed their frustrations on the mill of Benjamin Gray on 1st and 2nd September but were on the second day repelled with firearms, killing one of the spinners. Other mills continued to be harassed but resulted in no further fatalities. Sidmouth perceived these events not to be the death throes of the spinners' contest but a move towards sustained violence. Two additional regiments were despatched to the region, a royal pardon was offered to anyone who gave evidence against the attackers of Gray's mill, and the expertise of two or three metropolitan police officers was promised if found requisite.⁵⁴ Yet the same day they were despatched the strikes were reported to be over.⁵⁵

The Home Office had watched these events unfold with great anxiety, as at the same time political radicals John Bagguley, Samuel Drummond, and John Johnston attempted to, as Robert Hall puts it, connect 'the misery and oppression of the working class and the selfish actions of the

⁵² To ensure the maximum impact of the words of the Chief Justice, they were published in the periodical papers. HO79/3 pp. 275-6, Hobhouse to Chief Justice of Chester, 25th August 1818; pp. 277-8, Hobhouse to Lloyd, 26th August 1818.

⁵³ Robert G. Hall, 'Tyranny, Work and Politics: The 1818 Strike Wave in the English Cotton District', *International Review of Social History*, 34:3 (1989), 433-470 (pp. 458-9).

⁵⁴ HO41/4 pp. 157-8, Sidmouth to Norris, 6th September 1818; pp. 159-160, Clive to Norris, 8th September 1818.

⁵⁵ Kirkby and Musson, *Voice of the People*, p. 21.

corrupt, unrepresentative government at Westminster.⁵⁶ In late July Hobhouse warned Manchester magistrate William Hay that it was ‘too much to expect’ that the issues of trade and politics would remain distinct when the workmen were ‘daily and highly exposed to the Harangues of such men as Drummond, Bagguley &c.’⁵⁷ Just over a week later Hobhouse believed the issues of trade and politics in Lancashire to be intertwined.⁵⁸ Furthermore, in August nineteen Manchester trades had formed into a union of trades called the ‘PHILANTHROPIC SOCIETY’, and spies had reported military training and ambitions for a general strike by all trades.⁵⁹ If a general union was accomplished and the ambitions of the ultra-radicals realised, the Home Office would have been presented with a formidable, and potentially violent, reform movement. Fortunately for Sidmouth such grand ambitions were never realised and Bagguley, Drummond, and Johnston were arrested by Manchester Deputy Constable Joseph Nadin for violent speeches at Stockport on 1st September 1818.⁶⁰ Though deprived of much of its leadership a scheduled meeting of the Union of Trades was held at Todmorden in the West Riding of Yorkshire on 8th September to discuss extending the Union of Trades. Delegates from Lancashire, Yorkshire, Birmingham, Nottingham and Somerset attended, but progress halted.⁶¹ Had it succeeded in its ambitions, the Home Office might have recommended more interventionist action. In late August Hobhouse had hinted to Withington that it ‘would not be amiss that the seeds of schism and jealousy should be sewn amongst the parties who have adverse interests’ in the Union of Trades.⁶²

The struggle of the spinners was ultimately a failure; the Combination Acts were eventually enforced, and three of the leaders were sentenced in February 1819.⁶³ Though Sidmouth and Hobhouse took some comfort in the fact that spinners who returned to work had been forced to

⁵⁶ Hall, ‘Tyranny, Work and Politics’, p. 437.

⁵⁷ HO79/3 pp. 195-7, Hobhouse to Hay, 30th July 1818.

⁵⁸ HO79/3 pp. 223-4, Hobhouse to Byng, 10th August 1818.

⁵⁹ Chase, *Early Trade Unionism*, p. 84; Kirkby and Musson, *Voice of the People*, p. 20.

⁶⁰ Donald Read, *Peterloo: The ‘Massacre’ and Its Background* (Manchester: Manchester University Press, 1958), p. 39.

⁶¹ Chase, *Early Trade Unionism*, p. 84.

⁶² HO79/3 pp. 283-4, Hobhouse to Thomas Scholes Withington, 26th August 1818.

⁶³ Chase, *Early Trade Unionism*, p. 85.

sign a declaration prohibiting their involvement in union activity, the strikes had demonstrated the potential for collaborative protest amongst different trades across the north, and the potential of trade issues to become political. The sophisticated organisation and mostly peaceable disposition of the strikers was particularly worrisome, as it demonstrated a level of organisation and discipline never accomplished before. To Sir John Byng, who was managing the distribution of forces during the strikes, the conduct of the strikers was simply 'not natural.'⁶⁴ Strikers found commonality in what were localised grievances and sought a solution either through industrial protest or political reform.

Peterloo

At the beginning of 1819 the movement for reform gained substantial momentum, particularly in the Lancashire and the West Riding of Yorkshire. Reform meetings took place across both these counties, with notably well-attended meetings at Stockport, Royton and Oldham in January and February, again at Stockport in June, and at Nottingham, Hunslet Moor, and Rochdale in July.⁶⁵ The reports of these meetings sent to the Home Office throughout winter and spring also reported arming, drilling, and rumours of preparations for an insurrection.⁶⁶ Magistrates were clearly alarmed and were intent on disrupting the designs of reformers when possible. On 15th February 1819 at Sandy Brow, Stockport, constables and yeomanry were instructed by the magistracy to seize a cap of liberty at a reform meeting. To loyalists, as James Epstein has argued, the cap of liberty was the 'symbol of revolution' and believed the display of it alone warranted intervention. A conflict ensued as the reformers successfully protected the cap, and disturbances continued into the night.⁶⁷ The

⁶⁴ HO42/178, Byng to Hobhouse, 26th July 1818; HO41/4 p. 145, Hobhouse to Norris, 6th August 1818.

⁶⁵ Prothero, *Artisans*, pp. 108-11.

⁶⁶ Epstein, *Radical Expression*, p. 73.

⁶⁷ Epstein, *Radical Expression*, p. 73; Robert Poole, 'By the Law or the Sword': Peterloo Revisited', *History*, 91:2 (2006), 254-76 (p. 267 fn 50); HO41/4 p. 257, Home Office to Earl of Derby, 24th February 1819.

use of force by the Stockport magistracy at the 'Sandy Brow fight', as Katrina Navickas argues, was a 'foreshadowing of tactics and attitudes of their colleagues in Manchester' on 16th August.⁶⁸

The meeting at St Peter's Fields, Manchester, attracted 50,000-60,000 spectators and was the climax of the summer's mass platform campaign for radical reform.⁶⁹ The magistrates resolved to disrupt the meeting and instructed yeomanry to arrest Henry Hunt, a well-known radical orator, who was scheduled to deliver a speech to the crowd. The yeomanry quickly became overwhelmed, regular hussars were sent in to rescue and disperse the crowd, and a panicked yeomanry swung their sabres. These actions caused a stampede and in the chaos fifteen people were killed and hundreds more were injured.⁷⁰ Historians have long attempted to attribute blame in the affair, to the potentially armed and belligerent reformers, to the magistrates at Manchester for their sanction of forcible dispersion, to the yeomanry who were responsible for many of the injuries, to the Hussars who caused the crowd to disperse causing a devastating stampede, and/or to the Home Office who had advised the magistrates on the use of physical force to disperse reform meetings. The debate surrounding the actions of the parties present at St Peter's Fields has already been outlined by Robert Poole, and there is no room to discuss them here.⁷¹ What will be discussed is the influence of the Home Office. Peterloo will be placed in the context of the Home Office's response to the advance of the mass platform in the months preceding Peterloo to show that the Home Office, by August 1819 had devised no practical solution to the mass platform problem. Furthermore, historians have neglected to consider the political situation in the aftermath of Peterloo, and thus this section of the chapter also considers the problems that Sidmouth encountered in repressing popular radicalism.

⁶⁸ Navickas, *Politics of Space and Place*, p. 85.

⁶⁹ Robert Poole, 'The March to Peterloo: Politics and Festivity in Late Georgian England', *Past & Present*, 192:1 (2006), 109-153 (p. 146).

⁷⁰ M.L. Bush, *The Casualties of Peterloo* (Lancaster: Manchester Centre for Regional History, 2005).

⁷¹ Poole, 'March to Peterloo'.

In *The Making of the English Working Class*, E.P. Thompson makes an extraordinary and unsubstantiated claim. He suggests that the Home Secretary Viscount Sidmouth assented to the arrest of Hunt at St Peter's Fields, but did this privately and away from Home Office records leaving no trace of ever doing so.⁷² Donald Read, on the other hand, believes the Home Office neither 'desired or precipitated' the events of Peterloo.⁷³ Between these two arguments lies that of Robert Poole, who though rejecting the idea that a direct instruction was given, claims the Manchester magistrates received mixed messages from the Home Office during the months that reform meetings were taking place in and around Manchester. He states that Sidmouth was 'anxious to encourage the magistrates to use their legal powers to avert trouble while Hobhouse subtly emphasized the more extreme circumstances in which military force and government indemnity might be relied upon.'⁷⁴ To engage with all three of these arguments the Home Office's approach to political radicalism more broadly must be considered. Peterloo is quite understandably a focal point for historians, but it features in a longer narrative of radical activity.

Insurrection?

In 1819, the growth of political meetings in disaffected towns, notably the populated towns of Manchester, Nottingham, and later Glasgow, was an increasing concern. Industrial conflict, principally but not exclusively in the textile industry, had formed the basis of much of the correspondence between the Home Office and civil authorities in those areas for more than a decade. In 1819 however, energy was redirected from industrial contest toward a political solution. Agitation was channelled into mass open meetings calling for political reform, which were not only incredibly intimidating to the drastically outnumbered authorities, but were perfectly legal. Unaccustomed to this size and peaceable nature of popular agitation, the Home Office was treading on unfamiliar territory without precedent to guide them. Hobhouse made his uneasiness clear in a

⁷² Thompson, *The Making* (2013), pp. 749-750.

⁷³ Read, *Peterloo*, p. 207.

⁷⁴ Poole, "By the Law or the Sword", p. 271.

letter to magistrate Thomas Horton; 'the peaceable conduct which prevails at the meetings is not the mode in which the English character usually exhibits Discontent.'⁷⁵ Hobhouse's suspicions were not unfounded, the Home Office had received reports (though often uncorroborated) of the open sale of pikes, deposits of arms and nightly drills, organised and encouraged by 'persons of respectability.'⁷⁶ To this was added evidence of a general defiance of law and order when in July constables were assaulted at Manchester and Constable William Birch was gravely injured in an attempted murder at Stockport.⁷⁷ Hobhouse became convinced that the ultimate objective of the reform movement was a revolution: 'Reform is a mere Pretext' he concluded.⁷⁸

Persuaded as the authorities were that an insurrection was imminent, the difficulty was in anticipating when and where the rising would take place. The sizeable meetings at Manchester made it a focal point, and a possible starting point for a simultaneous rising. The temperament of reformers in other populated towns, including the capital, could be directly affected by the perceived success or failure of popular meetings elsewhere. Warning the Manchester magistracy in early August, Hobhouse stated that if a Manchester meeting ended turbulently, the next scheduled London reform meeting would likewise be turbulent.⁷⁹ In turn, Hobhouse kept the Home Office's key correspondents in Lancashire informed of events in the metropolis.⁸⁰ By the summer of 1819 the increasing popularity of pro-reform meetings and the newfound militancy of its supporters suggested the forecasted climax would soon occur. In July Hobhouse, reassuring the Manchester magistracy, stated: 'The day is approaching when the question at issue in your neighbourhood, may require to be decided by other Weapons than those of the Law' and 'those Weapons will be

⁷⁵ HO41/4 p. 468, Hobhouse to Thomas Horton, 13th August 1819.

⁷⁶ HO79/3 p. 357, Hobhouse to Byng, 2nd March 1819; pp. 370-1, Hobhouse to Norris, 3rd May 1819; HO41/4 pp. 405-6, Hobhouse to Horton, 27th July 1819; HO42/190 ff. 216-7, Horton to Sidmouth, 25th July 1819.

⁷⁷ HO41/4 p. 366, Hobhouse to Ethelston, 17th July 1819.

⁷⁸ HO79/3 pp. 426-7, Hobhouse to Chippendale, 9th July 1819; HO41/4 p. 334, Hobhouse to Captain & Adjutant Thornhill, 8th July 1819; pp. 349-350, Hobhouse to Norris, 15th July 1819.

⁷⁹ HO79/3 pp. 488-490, Hobhouse to Norris, 5th August 1819.

⁸⁰ HO41/5 p. 5, Hobhouse to Reverend Hay, Lewis Allsopp, Thomas Horton, John Lloyd, William Chippendale, Ralph Fletcher, 2nd September 1819.

adequately provided.⁸¹ A couple of weeks later he remarked that the 'disaffected in the North...may be too far committed to recede without a struggle.'⁸² As Poole recognises, Hobhouse was clearly preparing the magistracy for a violent confrontation with the reformers.⁸³

What is less clear through official correspondence is the opinion of Sidmouth and how far it can be said to have contrasted with Hobhouse's, resulting in what Poole identifies as the mixed signals received by the Manchester magistracy. However, Hobhouse's belief, noted in official correspondence, that the radical threat could only be defeated when blood had been shed 'by the law or the sword' is replicated by Sidmouth in his personal correspondence.⁸⁴ The mixed signals received by the Manchester magistracy is more a product of the system of letter writing than a difference of opinion. Because of the sheer number of letters being processed at the Office in 1819, most of the replies are signed by Hobhouse, as Sidmouth was otherwise occupied. Those few letters which Sidmouth did draft and sign tended to be those directed to individuals of higher social ranking, for example the lord lieutenant, the commander-in-chief, and the attorney and solicitor generals, who would be offended if they did not receive the personal attention of the secretary of state. As such, letters from Sidmouth tended not to be directed to those individuals, primarily the magistrates, who being on the ground needed to be informed of the precise circumstances upon which physical force could be applied. The systems and processes of the Home Office were too well established and well-rehearsed to allow for a difference of opinion (at least one communicated in official correspondence), between the secretary of state and his under-secretaries. By combining official and personal correspondence it becomes clear that Sidmouth and Hobhouse did not differ in their opinion, but simply that Hobhouse took the helm whilst Sidmouth was occupied. In the

⁸¹ HO41/4 pp. 354-5, Hobhouse to Ethelston, 16th July 1819.

⁸² HO41/4 pp. 408-9, Hobhouse to Norris, 27th July 1819.

⁸³ Poole, "By the Law or the Sword".

⁸⁴ DHC 152M/C/1819/OH55, Sidmouth to Lord Lonsdale, 4th August 1819; HO79/3 p. 356, Hobhouse to Fletcher, 2nd March 1819.

summer of 1819 much of Sidmouth's time was likely dedicated to collaborating with the law officers of the crown to devise a legal solution to the advance of the reform movement.

The Law

The principal issues in combatting the reform movement were the enforcement of existing law in the provinces by justices of the peace and procuring cooperative witnesses which could be used in a court of law to prosecute radicals. As Hobhouse put in a letter to the clerical magistrate William Robert Hay in July 1819 in response to a meeting at nearby Stockport:

The Point, in which the greatest deficiency is betrayed there, is the want whether of arrangement or of Firmness I do not know, which deprives us of all produceable [sic] Evidence of the seditious Harangues, which have been made by so many Persons and at so many Places in the face of Day. While the meetings were held clandestinely, as they were in 1817, we were necessarily contented with such accounts as we could obtain from persons attending them secretly, whose names could not be disclosed. But the case is now far different. Sedition (not to call it Treason) is publicly proclaimed; and it is scarcely credible that some competent Persons should not be found who would attend these Public Meetings, and bring away a sufficient memory of what is said, to convict the orators of sedition. Yet it is true, that we are not in possession of producible evidence of any one of the speeches recently made, notwithstanding our earnest exhortations.⁸⁵

Equally, at those meetings which the Home Office was in possession of adequate evidence, it was obtained through a spy whose anonymity it wished to preserve, and the admissibility of his evidence would be immediately questioned by a jury and, in the aftermath of the Oliver scandal, would likely be discredited.⁸⁶

⁸⁵ HO79/3 pp. 434-9, Hobhouse to Hay, 14th July 1819; pp. 416-8, Hobhouse to Norris, 6th July 1819; *Manchester Observer*, 3rd July 1819.

⁸⁶ HO41/4 pp. 323-5, Hobhouse to Fletcher, 3rd July 1819.

The magistracy, frustrated as they were with their inability to apprehend seditious orators, called for the legislature to empower them further. But just as there was not enough evidence to prosecute radical offenders, there was insufficient evidence to strengthen the law:

If the Law were strengthened the same Difficulties would recur; for no Law can be enforced without Evidence and the omission to do what might be done under the existing Law, creates a great Impediment to the Enactment of a stronger Law; for those who would oppose such an Enactment, derive a most powerful argument from the question, why nothing has been done under the existing Law.⁸⁷

The apparent hopeless situation in using the law must have been infuriating to former barrister Under-Secretary Henry Hobhouse. Though never a friend to reformers, from July 1819 in private correspondence with Byng he began to openly denounce them as revolutionists, the ‘very scum of the earth’, or bluntly referred to them as ‘the Enemy.’⁸⁸

From July we see a move towards the methods of two years earlier; the employment of spies was once again encouraged, and the post master general instructed to intercept the letters of key radicals, with the hope that evidence would be procured which confirmed their suspicions of an impending rising.⁸⁹ It was with this expectation of violent confrontation in mind that the Home Office, or rather Hobhouse, reassured the Manchester magistracy that arms would be provided in defence of private property. However, the failure of the law to provide an adequate answer to the mass platform question forced the Home Office to contemplate the sword. On 3rd August Sidmouth questioned the attorney general whether the Manchester magistrates would be justified in dispersing radical meetings in the town by force. The answer to this question would shape the

⁸⁷ HO41/4 pp. 318-20, Hobhouse to Norris, 2nd July 1819.

⁸⁸ HO79/3 pp. 453-5, Hobhouse to Byng, 26th July 1819; pp. 532-3, Hobhouse to Byng, 26th August 1819.

⁸⁹ The warrant was cancelled on 13th September 1819. HO79/3 p. 410, Sidmouth to Post Master General, 1st July 1819; pp. 504-7, Hobhouse to Norris, 14th August 1819.

Home Office's approach to public meetings across the country.⁹⁰ The reply, communicated through Sidmouth to the Manchester magistrates, was that 'it will be the wisest course to abstain from any endeavour to disperse the mob, unless they should proceed to Acts of Felony or Riot.' The meeting was anticipated to be peaceful, with Hunt presiding and discouraging disorder, and therefore the magistrates were advised to act 'strictly within the Law' as the radicals would be ready to 'take advantage of any error which may be committed.' Instead they were advised to collect evidence for a prosecution.⁹¹

The enquiry sent to the attorney general ensured the 'correctness of decision' of not only the magistracy but also of the secretary of state, who at this time had no clear counter-radical strategy.⁹² The sword could not be applied, and the laws of the country were either inadequately enforced, or defective. The magistracy needed to be granted powers which circumvented the issue of evidence; drillings could not be stopped without evidence of a seditious purpose, evidence was wanting against seditious orators because witnesses were either uncooperative or intimidated, and the country was flooded with artfully worded inflammatory publications. To bolster the civil authorities against these threats Home Office assets had been utilised to their absolute maximum; reinforcements had been provided, advice had been relayed from the law officers of the crown, post had been intercepted and the employment of spies had been encouraged. All of these measures had proved ineffective, forcing the Home Office, as it had done during the Luddite disturbances, to approach parliament for an effectual remedy.

There was insufficient ground to implement sweeping legislation against most of the inflammatory and seditious aspects of political radicalism. Hobhouse was aware that the radicals were cautious in their proceedings, and warned provincial magistrates against hasty action, as the

⁹⁰ HO41/4 p. 432, Sidmouth to Attorney General, 3rd August 1819; HO79/3 pp. 482-4, Hobhouse to Byng, 4th August 1819.

⁹¹ HO41/4 pp. 434-5, Hobhouse to Norris, 4th August 1819.

⁹² HO43/21 pp. 238-9, Addington to Radcliffe, 3rd October 1812.

radicals operated on 'the extreme verge of the Law without overstepping it.'⁹³ The meeting at St Peter's Fields, for example, had originally been scheduled for the 9th August but was adjourned when the Manchester magistrates issued a notice declaring it illegal.⁹⁴ The Manchester magistrates believed the meeting would mimic that of a meeting at Birmingham held on 12th July, where Sir Charles Wolseley was elected as a 'Legislatorial Attorney' to claim a seat in the House of Commons on behalf of the Birmingham people. Hobhouse noticed shortly after the notice was published that the meeting had only intended 'to consider the question' of electing a representative, and therefore the magistrates' notice was unjustified.⁹⁵ Nonetheless, to ensure that the meeting was legal, and to avoid any confrontation between the crowd and the forces of law and order, the meeting was postponed until the 16th August.

In August 1819 the Home Office did not have sufficient evidence of seditious intent to put forward legislation which would tackle the mass platform. What the Home Office did have evidence of was cases of the disaffected drilling with arms, which could be clearly interpreted as a threat to the King's peace. If the Home Office could secure sufficient evidence to argue that it was prevalent, repressive legislation would be supported by parliament. In the days before Peterloo Hobhouse informed Byng that if the system of drilling extended further 'it may become necessary to call Parliament together'.⁹⁶ Correspondence in Sidmouth's private papers, which are not considered by Thompson or Read, furthers the argument that the Home Office was preparing for a parliamentary enquiry which would be used to support repressive legislation. On 12th August Sidmouth briefed the Prince Regent on the spread of drilling in Lancashire and the current inadequacy of the law. If parliament was reconvened the Prince Regent would, as was custom, deliver an opening speech to

⁹³ HO41/5 pp. 7-9, Hobhouse to Norris, 2nd September 1819.

⁹⁴ *The Trial of Henry Hunt Esq, John Knight, Joseph Johnson and others for conspiracy* (London, 1820), pp. 123, 128.

⁹⁵ Lobban, 'Seditious Libel to Unlawful Assembly', pp. 335-6; HO41/4, Hobhouse to Attorney General, 2nd August 1819.

⁹⁶ HO79/3 pp. 504-7, Hobhouse to Norris, 14th August 1819; pp. 494-7, Hobhouse to Byng, 9th August 1819.

parliament. A supportive statement in parliament would go some way in persuading the Opposition to support or at least not directly contest repressive legislation.⁹⁷ However, even if the Home Office was in possession of sufficient evidence there was a necessary delay in collecting evidence, preparing bills, reconvening parliament, putting the bills through both houses and receiving royal assent. For the summer of 1819, as Sidmouth confessed to the Earl of Exmouth, 'The laws are not strong enough...but they must be made so.' In August Sidmouth and Hobhouse could only continue their efforts to give all their encouragement to the creation of armed associations and yeomanry corps and stress the vigilance of the magistracy. They looked with optimism at the improvement in trade in and around Manchester, and the prospects of a fruitful harvest improving the living conditions of the lower orders. On the 15th August 1819, the day before Peterloo, Sidmouth looked to the autumn with hope: 'The season is...unfavourable for sedition.'⁹⁸

Was a Peterloo decision made by Sidmouth and Hobhouse as Thompson suggests? Likely not, the evidence suggests a move towards legislative intervention rather than forceful repression. Did the Home Office desire Peterloo, or a case like it? More so than Read gives them credit for. The radical repertoire was much more varied than mass meetings; drilling, seditious publications, and the possession of arms could not be tackled without the interference of parliament, and more evidence was required to persuade them to support repressive legislation. Lastly, did the Manchester magistrates receive mixed messages? Whilst this might have been so, it was not because of a difference of opinion but was the product of Home Office process. Hobhouse's clear and firm guidance to the magistracy was based on the perception that a rising was imminent, and also on a belief that forceful dispersion may eventually become necessary.

⁹⁷ DHC 152M/C/1819/OH57, Sidmouth to Prince Regent, 12th August 1819.

⁹⁸ DHC 152M/C/1819/OZ, Sidmouth to Exmouth, 15th August 1819.

The Peterloo Aftermath and the Six Acts

The day after Sidmouth wrote his optimistic letter the fated mass meeting took place at St Peter's Fields, Manchester. Privately Sidmouth hailed the events at Manchester as a great victory: 'Hunt & his Associates are in Custody: their Hustings &c torn to Atoms, their Flags all seized, & either destroy'd on the spot, or carried off by the special constables, & soldiery, all of whom behaved with the greatest spirit, & Temper: but Forbearance became impossible.'⁹⁹ Peterloo was the crisis the Home Office had been anxiously waiting for, and the forces of order had apparently succeeded. Hunt had been apprehended, and the requisite blood had been shed.¹⁰⁰ Initially, it was intended to prosecute Hunt for high treason, but this was quickly reduced to a mere misdemeanour because of the absence of sufficient evidence which suggested the meeting had such an intent.¹⁰¹ Hobhouse and government's legal representative, the Treasury Solicitor Charles Bouchier, were sent to Manchester following Peterloo to examine witnesses.¹⁰²

At the Home Office, despite the public outcry at the deaths and injuries on unarmed civilians, thanks was promptly relayed through the official channels of the lord lieutenants, the Earls of Derby and Stamford, to the magistrates and yeomanry of Lancashire and Cheshire.¹⁰³ As Pellew notes, Sidmouth 'was acting upon what he considered to an essential principle of government, namely, to acquire the confidence of the magistracy, especially in critical times, by showing a readiness to support them in all honest, reasonable, and well-intended acts, without inquiring too minutely.' To question the magistracy at this moment would have undermined their confidence, and 'left those magistrates exposed to the storm of popular indignation.'¹⁰⁴

⁹⁹ DHC 152M/C/1819/F, Sidmouth to Mary Anne Addington, 18th August 1819.

¹⁰⁰ Thompson, *The Making* (2013), p. 751.

¹⁰¹ HO79/3 pp. 543-6, Hobhouse to Fletcher, 4th September 1819; pp. 519-521, Hobhouse to Charles Bouchier, 21st August 1819; pp. 527-9, Hobhouse to Norris, 24th August 1819.

¹⁰² HO79/3 pp. 512-4, Hobhouse to Hay, 18th August 1819; HO41/5 p. 436, Hobhouse to G. Harrison, 22nd December 1819; HO79/3 pp. 525-7, Hobhouse to Bouchier, 29th August 1819.

¹⁰³ HO41/4 pp. 484-5, Sidmouth to Hay, 18th August 1819; p. 486, Sidmouth to Byng, 18th August 1819.

¹⁰⁴ George Pellew, *Henry Addington*, III, pp. 262-3.

After Peterloo the loyal classes of Manchester claimed a want of government support 'had paralysed all their own efforts' to preserve the peace, and the Manchester magistrates believed themselves powerless without government aid.¹⁰⁵ The progress of public disaffection continued unabated, and it became increasingly difficult for government to justify its non-interventionist strategy.¹⁰⁶ Seditious publications continued to be published in great numbers, overt and inflammatory meetings continued to be held, arms continued to be collected and drilled with, all of which the law in its then current form was either unable or ineffective as curbing. 'Can it be supposed' Sidmouth wrote to Lord Eldon:

if...numerous meetings of such a description should be simultaneously held in different parts of the kingdom, that the Civil Authorities, aided by all the Military Force which could be forthcoming, would be sufficient to repress and surmount the danger, which it is in the power of such meetings in the present State and Temper of the Country to produce? The struggle would, at best, be very serious and the result, in some quarters, very doubtful. These considerations have convinced me, tho' they have not convinced others, that the laws ought to be strengthened, and the Military Force of the Country augmented without delay...¹⁰⁷

If immediate action was not taken, Sidmouth predicted, 'the Doom of the Nation will be a Military Government or Anarchy.'¹⁰⁸

The 'law or the sword' question now became a 'law and the sword' one, and the answer could only be provided by parliament. But parliament had adjourned and would not return until the new year. Reconvening parliament for emergency sessions required the approval of Cabinet, who were not all as likeminded as Sidmouth. Prime Minister Lord Liverpool proved to be the most

¹⁰⁵ HO41/5 pp. 7-9, Hobhouse to Norris, 2nd September 1819.

¹⁰⁶ HO41/5 pp. 187-8, Sidmouth to Sir J.B. Liddell, 31st October 1819.

¹⁰⁷ DHC 152M/C/1819/OZ, Sidmouth to Lord Eldon, 26th September 1819.

¹⁰⁸ DHC 152M/C/1819/OH72, Sidmouth to Lord Kenyon, 3rd September 1819.

obstinate obstruction. As if the Peterloo outburst was not enough, Liverpool doubted ‘the Policy of meeting before Christmas unless some new explosion should take place on which the meeting could be founded, or unless it was necessary to add to our Regular Military force’. Liverpool did not disagree that repressive legislation was needed, but believed Sidmouth did not fully appreciate the struggle of passing legislation in a summoned parliament without knowing the sentiments of the House or knowing whether the current evidence would be sufficient to persuade them.¹⁰⁹ In the Houses of Parliament, the Manchester question would become a ‘Party Question’, in which the Whigs would be presented with perfect opportunity to capitalise on the events of August.¹¹⁰

Sidmouth attempted to persuade Liverpool of the severity of the situation, as he believed the danger to be greater ‘than any to which the Country has been exposed since the Accession of the present Royal Family to the Throne’, a strong statement given the attempted risings but two years previous.¹¹¹ In the final days of September Sidmouth attempted to persuade his fellow Cabinet members to put pressure on Liverpool to concede. He relayed to the Lord Chancellor Eldon his frustrations at the outcome of his efforts with Liverpool; ‘it is...determined “to wait and see”! – a determination...wholly unsuited to the exigency of the present moment.’¹¹² And to the Lord of the Admiralty Viscount Melville son of the former Home Secretary Henry Dundas, ‘I wish those Members of the Government, who entertain that opinion, were to pass Seven hours every day, for one Week at this office & read all the correspondence & hear all the communications which are received from various parts of the Kingdom. My firm Conviction is that no further time should be lost.’¹¹³ Though Cabinet was perhaps familiar with Sidmouth’s daily toil, they undervalued the experience he had gained in over seven years in his post. They might have read reports of the state of the country in the press, but they had not been privy to the alarming reports from magistrates, or the first-hand

¹⁰⁹ DHC 152M/C/1819/OH94, Liverpool to Sidmouth, 1st October 1819; Liverpool to George Canning, 23rd September 1819, cited in Charles Duke Yonge, *The Life of Lord Liverpool*, 3 vols (London: Macmillan, 1868), II, pp. 407-11.

¹¹⁰ DHC 152M/C/1819/OZ, Liverpool to Sidmouth, 29th September 1819.

¹¹¹ DHC 152M/C/1819/OZ, Sidmouth to Liverpool, 1st October 1819.

¹¹² DHC 152M/C/1819/OZ, Sidmouth to Lord Eldon, 26th September 1819.

¹¹³ DHC 152M/C/1819/OH88, Sidmouth to Lord Melville, 29th September 1819.

reports of spies. Cabinet, like parliament, were exposed more to the conflicts between Whigs and Tories than justices of the peace and reformers.

Without Liverpool's sanction parliament could not be reconvened, and the laws and military would remain defective against the radical threat. Sidmouth's frustrations were shared by former Under-Secretary of State John Beckett, who knew very well the situation Sidmouth was placed in. 'You will be driven I think by this increasing alarm & discontent to do something...But what can you do without Parliament? I wish the Laws would be strengthened without it.'¹¹⁴ Several Cabinet meetings took place in September and early October, at which Sidmouth attempted to persuade Liverpool that parliament should be reconvened as soon as possible. He relayed to his colleagues the alarming letters he had received from the provincial magistracy which reported public meetings calling for an enquiry into the events of August, as well as mounting general unrest. Despite his best efforts, Liverpool was still not convinced. What appears to have been the turning point was the arrival of a deputation of magistrates from Lancashire and Cheshire at the beginning of October. There is no report of what was said, but it is likely they met with Liverpool, or Cabinet generally, and conveyed the sense of powerlessness that they felt. At a Cabinet meeting on 8th October, Liverpool finally yielded.¹¹⁵ All in all, nearly a month had elapsed since Cabinet first met to discuss the issue before reconvening parliament was agreed upon.¹¹⁶ Sidmouth then had to wait another month, for the originally proposed date of 16th November was pushed back to the 23rd so that President of the Board of Control George Canning could attend.¹¹⁷ Sidmouth's ally Lord Eldon reassuringly commented, 'Better late than never.'¹¹⁸

¹¹⁴ DHC 152M/C/1819/OZ, Beckett to Sidmouth, 28th September 1819.

¹¹⁵ George Pellew, *Henry Addington*, III, pp. 282-3.

¹¹⁶ DHC 152M/C/1819/OZ, Sidmouth to Bathurst, 14th September 1819; Sidmouth to Bathurst, 15th September 1819; Sidmouth to Lord Chancellor, 18th September 1819; Lord Melville to Sidmouth, 8th October 1819; Sidmouth to Bathurst, 4th October 1819; DHC 152M/C/1819/OH6, Sidmouth to Liverpool, 4th October 1819.

¹¹⁷ Liverpool to Canning, 10th October 1819 cited in Yonge, *Liverpool*, II, pp. 411-3; DHC 152M/C/1819/OZ, Sidmouth to Lord Ellenborough, 17th October 1819.

¹¹⁸ DHC 152M/C/1819/OZ, Eldon to Sidmouth, 11th October 1819.

Sidmouth's battle with Liverpool did not end here, however. The military forces of the country still needed to be strengthened to meet the increasingly organised radical threat, and Sidmouth had been persuaded, both from local reports and from other likeminded members of Cabinet such as Lord Melville, that the peace of the country depended upon not the law or the sword but the application of both. As Lord Melville noted, 'I do not suppose that any legislative enactment will be of any avail in remedying the evils which appear to exist...unless you can also accompany it by a military force that will bear down all attempts at tumult or insurrection.'¹¹⁹ With the aid of the Duke of Wellington (Master General of the Ordnance), and Lord Castlereagh (Foreign Secretary), Liverpool was soon swayed.¹²⁰

The increase in regular forces was to supplement local voluntary corps, which the Home Office had attempted to encourage throughout the year with limited success. In July the formation of armed associations was approved by Cabinet, and additions to the yeomanry were encouraged, but uptake was low. Similarly, it was hoped the example of the formation of the Manchester Association would inspire the inhabitants of other heavily populated towns in the disaffected areas to do the same, but as Sidmouth later reflected the uptake was 'very slow and inconsiderable.'¹²¹ Inhabitants were reportedly intimidated from entering into voluntary forces for fear of reprisals from the reformers, in turn causing significant deficits 'in quarters where the greatest efforts ought to be made.'¹²² To compensate for the deficiency in numbers at Manchester, and in preparation for a possible rising in December, inhabitants serving under the Watch and Ward were armed with 2,000 pistols and 1,600 cutlasses.¹²³ This grant of government arms appears to have been isolated to

¹¹⁹ DHC 152M/C/1819/OZ, Lord Melville to Sidmouth, 8th October 1819.

¹²⁰ DHC 152M/C/1819/OZ, Sidmouth to Bathurst, 26th October 1819.

¹²¹ HO41/4 pp. 368-9, Hobhouse to Norris, 19th July 1819; pp. 418-9, Hobhouse to Thomas Horton, 31st July 1819; pp. 495-6, Sidmouth to Lord Advocate, 22nd August 1819; HO41/5 pp. 36-8, Sidmouth to Lt. Gen. Hope, 18th September 1819.

¹²² HO41/5 pp. 155-6, Sidmouth to J. Langster, 24th October 1819; pp. 377-8, Hobhouse to Mayor and Magistrates of Wigan, 14th December 1819.

¹²³ HO41/5 pp. 331-2, Hobhouse to R.H. Crewe, 6th December 1819.

Manchester solely because of its 'very peculiar circumstances'; a similar request to arm the constables in the area of North Shields was rejected.¹²⁴

In addition to these forces, enquiries were made as to the possibility of calling out some of the 64,000 Chelsea Pensioners (4,700 of which were in Manchester), to assist in the preservation of order.¹²⁵ However, government could not instruct them to do so and the resulting backlash from any refusals to assist would not only be a defeat to the forces of order, but might have also discouraged other voluntary forces from forming.¹²⁶ As we saw in chapter 4 however, the number of yeomanry and armed forces generally increased greatly between 1819-1820. Regular forces serving in Great Britain increased by over 2,000 from 1819-1820, and yeomanry increased from 14,274 in 1818, to over 20,000 in 1819, and to 30,791 in 1820.¹²⁷

In the month that remained until parliament would reconvene, the Home Office continued to receive worrying reports of public meetings and general outrage at the events of the 16th August. The absence of a decisive response to the reform movement brought accusations of indolence by civil authorities who felt themselves ill-equipped both through law and sword, and who predicted that another 'outrage' would take place before Sidmouth could collect parliament together.¹²⁸ Their prediction was correct, but it was not an outrage by the reformists, but by one of the country's lord lieutenants. On 14th October the Lord Lieutenant of the West Riding Lord Fitzwilliam was present at a county meeting which called for the right to public assembly, condemned the unlawful interference of it, and demanded an enquiry into the Peterloo Massacre. Malcolm Chase has shown that contrary to the suppositions of historians, Fitzwilliam did not chair the meeting or approve of the resolutions it adopted, but was in fact highly critical, believing their conduct deserved

¹²⁴ HO41/5 pp. 300-1, Hobhouse to Thomas Sharpe, 27th November 1819; p. 430, Sidmouth to Duke of Northumberland, 21st December 1819.

¹²⁵ HO41/5, pp. 36-8, Sidmouth to Lt. Genl. Hope, 18th September 1819.

¹²⁶ HO41/5 pp. 154-5, Sidmouth to Thomas Hopkirk, 24th October 1819; HO79/3 pp. 488-90, Hobhouse to Norris, 5th August 1819; HO41/5 pp. 244-5, Sidmouth to Earl of Cassilis, 14th November 1819.

¹²⁷ See Table 3.1.

¹²⁸ DHC 152M/C/1819/OH21, Beckett to Sidmouth, 13th October 1819.

‘reprobation and punishment.’¹²⁹ Regardless, the presence of a lord lieutenant at a meeting which questioned the actions of government and the magistracy served to undermine the machinery of order. If left unchecked similar meetings could be held across the country, feeding the reform movement, and forcible dispersion would again become necessary.¹³⁰ Fitzwilliam’s actions were the direct opposite of what was expected. Any enquiry into the events of Peterloo was to be avoided, or if not at least delayed until the radical threat had been dealt with, or until such a time that it could be quietly swept under the rug. Fitzwilliam’s actions were beyond warranting a mere reprimand; Sidmouth declared ‘those who are not with us are against us’ and called for his immediate dismissal.¹³¹ A Cabinet meeting at the Home Office on 20th October 1819 resolved that Fitzwilliam was to be removed from office.¹³²

The decisions to reconvene parliament and to dismiss Fitzwilliam marked the transition of government’s response from cautious to resolute. With the magistracy’s confidence in government waning after several months of inaction, Sidmouth did everything in his power to ensure the bills put to parliament were sufficiently strong enough, and more importantly to make sure that parliament would support them. Firstly, he made sure key supporters would be in attendance by writing private letters to supportive MPs and Peers who erroneously believed the bills would not be presented on the first day and did not intend to attend until later in the session.¹³³ Secondly, he heeded the words of Liverpool and took pains to prevent party loyalty superseding state tranquillity in the minds of parliamentarians. He targeted Lord Ellenborough, the son of a chief justice and who lacked any party affiliation, to second the Address to the Prince Regent in the House of Lords: ‘If ever there was

¹²⁹ Chase, *1820*, p. 22.

¹³⁰ Liverpool to Canning, 10th October 1819 cited in Yonge, *Liverpool*, II, pp. 411-3.

¹³¹ DHC 152M/C/1819/OH23, Sidmouth to Lord Castlereagh, 16th October 1819; DHC 152M/C/1819/OH114, Sidmouth to Lord Howden, 31st October 1819.

¹³² 152M/C/1819/OH25, Sidmouth to Lord Bathurst, 19th October 1819; 152M/C/1819/OH26, Sidmouth to Prince Regent, 20th October 1819.

¹³³ Liverpool to Canning, 10th October 1819 cited in Yonge, *Liverpool*, II, pp. 411-3; DHC 152M/C/1819/OZ, Sidmouth to Lord Kenyon, 31st October 1819; Sidmouth to Newcastle, 11th November 1819; Sidmouth to Alexander Boswell, 31st October 1819.

a time when party feelings should be suspended, and above all, when men uninfluenced by them should come forward, it is now.¹³⁴ Thirdly, a collection of eighty-one letters or extracts from Home Office records was sent to parliament to support his case for repressive legislation; it was the closest Sidmouth could get to parliamentarians spending a week reviewing documents at the Home Office.¹³⁵

Despite Sidmouth's best efforts the bills presented to parliament on 29th November, which would later become the Six Acts, did receive some resistance. Anticipating the struggle, Liverpool had secured the support of the independent Grenvillites. The strength of the Whig Opposition was also weakened by the Fitzwilliam affair, which brought the extent of their association with radical reformers into question.¹³⁶ With the Opposition weakened the Tories were able to pass all six of their repressive measures. The least contentious and the first to receive royal assent were those which targeted political radicalism's most militant characteristics, drilling and arming. The Training Prevention Act (60 Geo. III & 1 Geo. IV c. 1), which Sidmouth and Hobhouse had been considering since August, made attending meetings to drill with weapons and receive training punishable by transportation.¹³⁷ The Seizure of Arms Act (60 Geo. III & 1 Geo. IV c. 2), similar to the Preservation of the Public Peace Act (52 Geo. III c. 162) passed during the Luddite disturbances, enabled magistrates to search properties for weapons.¹³⁸ The Misdemeanours Act (60 Geo. III & 1 Geo. IV c. 4) reduced bail opportunities and sped up court processing, preventing radical suspects from abusing due process to postpone trials, as was done by Hunt in 1817.¹³⁹ The Seditious Meetings Prevention Act

¹³⁴ DHC 152M/C/1819/OZ, Sidmouth to Lord Ellenborough, 17th October 1819.

¹³⁵ See chapter 2. HO79/4 ff. 14-5, Hobhouse to Chippendale, 26th October 1819; HO79/4 f. 18, Hobhouse to Naylor, 18th November 1819.

¹³⁶ Chase, 1820, p. 45.

¹³⁷ Received royal assent 11th December and was directed to be immediately enforced by Sidmouth. HO41/5 pp. 369-70, Sidmouth to Lord Bishop of Durham, Earls of Lonsdale, Derby, Stamford, Viscount Lascelles and Duke of Northumberland, 12th December 1819.

¹³⁸ Received royal assent 18th December. HO41/5 p. 397, Hobhouse to Mayor of Newcastle upon Tyne, 16th December 1819; *London Gazette*, 18th December 1819.

¹³⁹ Received royal assent 23rd December. *London Gazette*, 25th December 1819; Jennifer Mori, *Britain in the Age of the French Revolution: 1785-1820* (London: Routledge, 2000), p. 103.

(60 Geo. III & 1 Geo. IV c. 6) required organisers to acquire permission from a sheriff or magistrate to organise public meetings of fifty or more people if the subject related to matters of church or state.¹⁴⁰ Lastly the Blasphemous and Seditious Libels Act (60 Geo. III & 1 Geo. IV c. 8) increased the penalties to authors producing such publications and the Newspaper and Stamp Duties Act (60 Geo. III & 1 Geo. IV c. 9) introduced new taxes on publications, which was a direct response to cheap radical literature which had typically avoided existing duties.¹⁴¹

The Six Acts targeted the most troublesome aspects of the radical problem by equipping justices of the peace with the means they required to apprehend and prosecute with haste and severity. Yet as Jennifer Mori acknowledges, the acts were carefully constructed so as to not infringe on the rights of other Britons.¹⁴² For example, what Liverpool called the ‘root of the evil’, inflammatory and seditious literature, was a persistent and increasingly prevalent issue for which no effectual remedy had been devised which would be deemed constitutional.¹⁴³ As Sidmouth noted in August, ‘the press is at present the most malignant and the most formidable Enemy to the Constitution, to which it owes its Freedom.’¹⁴⁴ Most importantly most of these laws did not require evidence from a witness to be enforced. Searching for arms was done at the magistrates’ discretion, the presence of fifty or more people at a meeting would be witnessed by the magistrate who would disperse it, and a printed paper without a proper stamp was sufficient evidence itself.

During the time that the bills were going through parliament, radicals hastily organised in anticipation of repressive measures. As in 1817, a plan was orchestrated for simultaneous meetings to be held which would petition the Prince Regent for parliamentary reform. If the response was negative, then they would rise simultaneously. Moderate reformers led by Hunt, who had been released on bail, criticised the plans and the scheme was abandoned.¹⁴⁵ Such division amongst the

¹⁴⁰ Received royal assent 24th December. *London Gazette*, 25th December 1819.

¹⁴¹ Both received royal assent 30th December. *London Gazette*, 1st January 1820.

¹⁴² Mori, *French Revolution*, p. 103.

¹⁴³ Liverpool to Grenville, 14th November 1819 cited in Yonge, *Liverpool*, II, pp. 430-34.

¹⁴⁴ DHC 152M/C/1819/OH56, Sidmouth to W.L. Caldecot, 7th August 1819.

¹⁴⁵ Chase, *1820*, pp. 47-8.

radicals persisted in the months after Peterloo. Whilst some continued to believe in peaceful and constitutional agitation, appealing to the notions of order and respectability, others believed government would never relent, evidenced by their rejection of petitions and the violent confrontation at St Peter's Fields. Regardless, Sidmouth continued to look to the northern district with 'great anxiety' as the Home Office continued to receive reports of arming.¹⁴⁶ Meetings continued to take place across the northern districts, and especially violent confrontations took place in and around Newcastle.¹⁴⁷ At Manchester in November, an attempt was made on the life of Deputy Constable Joseph Nadin.¹⁴⁸ At the Home Office, attention was centred on the disturbed towns of Nottingham and Manchester, where the magistrates were instructed to establish and maintain contact, to warn one another of any danger, as an attempted rising in one could easily trigger similar activity in the other.¹⁴⁹

The actions of metropolitan radicals were also watched closely for the same reason. A rising was projected for early December when it was believed ultra-radicals led by Arthur Thistlewood would stop the mail from London, giving a signal to the provinces that the capital had been taken and triggering risings across the country.¹⁵⁰ In preparation a plan was devised with the post master general to despatch express riders to inform towns on the postal route of the truth.¹⁵¹ To improve military response times senior military officials were despatched to two towns of particular concern. Major General Sir James Lyon was appointed to Manchester to serve under Byng, and Major General Richard Hussey Vivian was appointed to command forces near Newcastle, where recent violence signified a propensity for revolutionary conspiracy.¹⁵² The projected rising at the beginning of December was postponed till the 13th, which in turn passed without any disturbance. Rumours

¹⁴⁶ HO41/5 pp. 244-5, Sidmouth to Earl of Cassilis, 14th November 1819.

¹⁴⁷ DHC 152M/C/1819/OH24, Sidmouth to Lord Chancellor, 17th October 1819.

¹⁴⁸ HO79/4 f. 20, Hobhouse to Byng, 21st November 1819.

¹⁴⁹ HO79/4 ff. 33-4, Hobhouse to Alderman Barber, 14th December 1819.

¹⁵⁰ HO79/4 f. 22, Hobhouse to Norris, 27th November 1819; f. 24, Hobhouse to Norris, 1st December 1819.

¹⁵¹ HO79/4 f. 25, Hobhouse to Freeling, 1st December 1819.

¹⁵² HO41/5 p. 374, Sidmouth to Earl of Stamford & Warrington, 13th December 1819; p. 231, Clive to Norris, 11th November 1819; p. 330, Home Office to Duke of Northumberland, 5th December 1819.

emerged of a new project on 1st January, but were swiftly dismissed by Sidmouth as no reports had been received which were in 'such a shape as to induce' him to 'give them credit.'¹⁵³ The reverse was so, the Home Office received more optimistic reports and in the new year Sidmouth expressed with relief 'the loyal are becoming more confident, & the Radicals less so.'¹⁵⁴

With provincial radicals on the backfoot, the Home Office's main concern were the London ultra-radicals, headed by the Spenceans. In February 1820 the Home Office had learnt of a conspiracy masterminded principally by government spy and *agent provocateur* George Edwards, to assassinate Cabinet at one of its scheduled dinners. To bait the would-be assassins a false notice was published announcing that the Lord President of the Council Lord Harrowby was to host a dinner on the 23rd February. The conspirators established a headquarters in Cato Street, which was later surrounded and breached by Bow Street officers assisted by patrolmen. Thistlewood was apprehended, and he, along with fellow conspirators John Thomas Brunt, William Davison, John Ings and Richard Tidd, were later hanged and decapitated for treason. Edwards's role as a provocateur was, like Oliver, denied, and was likewise removed to the Cape; another tool dispensed with when they became a liability.¹⁵⁵ The following month the leaders of the movement for constitutional reform Henry Hunt, Samuel Bamford, Joseph Johnson and Joseph Healey all received prison sentences for their part in the meeting at St Peter's Fields, purportedly for inciting discontent.¹⁵⁶ The confidence of the radicals was irreparably shaken. Even the most militant were unable to muster sufficient support. As Hobhouse informed the Lord Advocate of Scotland: 'the Scottish Radicals expect the first Blow to be struck in England, while the English are willing to give

¹⁵³ HO41/5 pp. 317-9, Hobhouse to Reverend Dr. Whitaker, 1st December 1819; p. 319, Hobhouse to Fletcher, 4th December 1819; p. 444, Hobhouse to Horton, 23rd December 1819; p. 453, Sidmouth to Earl of Derby, 28th December 1819.

¹⁵⁴ DHC 152M/C/1820/OZ, Sidmouth to Bathurst, 2nd January 1820.

¹⁵⁵ Chase, *1820*, pp. 76-84; Prothero, *Artisans*, pp. 128-31; Beattie, *English Detectives*, pp. 222-3; Thompson, *The Making* (2013), pp. 771-3; R.M. Healey, 'Edwards, George'; Peter MacKenzie, *An exposure of the spy system pursued in Glasgow, during the years 1816-17-18-19 and 20 with copies of the original letters, &c. &c. of Andrew Hardie, who was executed for high treason at Stirling, in September, 1820* (Muir, Gowans & Co, 1832), pp. 68-70.

¹⁵⁶ Poole, 'March to Peterloo'.

Precedence to their Scottish Confederates.¹⁵⁷ There were some outbursts of discontent throughout the year, notably surrounding the Queen Caroline affair in which George IV sought a divorce from his estranged wife, but lasting enthusiasm for reform was not rekindled.

Conclusion

This chapter has expanded the Oliver debate to show how his employment must be treated as an atypical example of domestic espionage. No new evidence has emerged to contribute to the debate as to Oliver's provocative activity, but evidence from the Home Office has shown that his employment was not the usual way in which the state approached domestic espionage. The unique relationship between Oliver and the Home Office was the result of his exploitable connections with notable radicals, and the Office's desperation for inside information, convinced as it was that an insurrection was imminent. This chapter has also provided further examples of how the Home Office struggled to exert its authority in the provinces. Trade disputes were, and would remain, private matters outside the control of central government, though Hobhouse and perhaps Sidmouth were tempted to intervene if the ambition of general unionism became a reality.

This chapter has also countered the claim that the Home Office sanctioned Peterloo and has argued that state struggled to find a resolution to the radical problem. In 1817 the Home Office dedicated extraordinary sums to finance informers and pushed for legislation which restricted public assembly and proscribed the most threatening radical societies. In 1819 the situation was far different. The reform movement of 1819 could not be crippled with another suspension of habeas corpus and the Home Office did not have evidence of seditious intent to proscribe reform societies as it had done in the 1790s and in 1817. The caution and preparedness of radicals in 1819 had produced the most popular and sophisticated reform movement to date which, because of the caution of radicals to not infringe the law, government had no means to put down. Thus, as the reform movement had adapted to repressive legislation since the 1790s, so too did government's

¹⁵⁷ HO79/4 ff. 55-7, Hobhouse to Lord Advocate of Scotland, 5th April 1820.

response. Whilst precedent prohibited a revival of proscriptive legislation in 1819, Sidmouth responded with new legislation, to which no precedent had yet been established. However, it was only with the occurrence of a crisis, the presentation of Home Office correspondence, and considerable pressure from Sidmouth that the Cabinet could be confident that parliament would yield to the need for sweeping repressive legislation. The Six Acts again aimed to disarm the reform movement in case of any attempt to compel change through force, but this was the first time that government addressed the 'root of the evil', the radical press. Previous concerns about the unconstitutionality of restricting the press were abandoned, and the press was effectively crushed.¹⁵⁸ By removing from the reform movement both of the tools it used to mobilise the population, the reformers were reminded that government could also adapt. As Hobhouse later commented: 'The Impression made by the Terror of the Law is always the most valuable instrument, by which a disordered state of the public mind is corrected.'¹⁵⁹

¹⁵⁸ Liverpool to Grenville, 14th November 1819 cited in Yonge, *Liverpool*, II, pp. 430-34.

¹⁵⁹ HO41/7 p. 45, Hobhouse to Reverend W. Powell, 31st May 1822.

Chapter 8 – Swing, Reform, and Trade Unions, 1830-1832

In the final years that this thesis covers the Home Office was presented with three not unrelated challenges. First, economic hardship triggered by poor harvests in 1829-30 led to the Swing Riots. In these disturbances agricultural labourers, particularly in southern and eastern England, reacted against a progressive deterioration in wages and the introduction of labour-saving threshing machines. Second, popular agitation for parliamentary reform was revived, which forced conciliation in the form of the Great Reform Act of 1832. Lastly trade unions had become an increasing issue following the repeal of the Combination Acts in 1824-5. The zenith of trade unionism lay outside our time period, but the Home Office's response to trade unions will feature in the analysis of the use of repressive tools. The chapter will examine each of these in turn and will analyse the extraordinary use of Home Office resources. It will be argued that this was not a move towards continuous state intervention in local affairs to preserve the peace, or centralisation more generally, but was a result of the inexperience of the new home secretary, Viscount Melbourne, and an eagerness on the part of the Whigs to demonstrate competence in government. Before this is done however, we must first briefly account for some of the important events during 1820-1830.

Since Cato significant changes had taken place at the Home Office. Most importantly Sidmouth had left the Home Office in 1822, and Hobhouse in 1827. Sidmouth was succeeded by Sir Robert Peel who, after resigning for a short period upon the retirement of Lord Liverpool as prime minister in 1827, returned as home secretary in January 1828 and continued to serve until November 1830.¹ Peel's first term as home secretary was relatively peaceful save for the Lancashire and West Riding industrial disturbances in 1826 which once again targeted labour-saving machinery in the textile industry. Rioters mostly originated from the region's handloom weavers and calico

¹ John Prest, 'Peel, Sir Robert, second baronet (1788-1850)', *Oxford Dictionary of National Biography* (2004, online revised edn. 2009) <https://doi.org/10.1093/ref:odnb/21764>.

printers, though other trades who sympathised with their plight, or equally despised their targets, were also involved. Disturbances began at Enfield near Accrington, and spread rapidly to Blackburn, Clitheroe, Rawtenstall, Bacup, Skipton and toward the larger more industrialised towns of Ashton-under-Lyne, Manchester, Oldham, Stockport, and Rochdale. Less progress was made in the West Riding, where disturbances spread to the vicinity of Wakefield, Bradford, and Leeds, but did not reach the weaving-dominated Spen Valley.² At the height of the disturbances in July, fears were entertained that the country would 'have a renewal of the scenes of 1817 & 1819' as radicals attempted to influence the disaffected. The spread of the disturbances was promptly checked by Peel's characteristic proactivity. He did not rely on potentially inactive magistrates to correspond first and enquired as to the status of larger towns in neighbouring counties ahead of time.³ At the scenes of disturbance rioters were confronted by military forces and by manufacturers with firearms, and during the night ringleaders were arrested in their beds. The disturbances were eventually put down, though not before causing over £14,000 of damage in Lancashire alone.⁴

This firm response was softened with grants of mercy to the Lancashire rioters, pressuring the Exchequer Bill Loans Commission to provide funds for public works to employ the distressed, and by maintaining a close relationship with the Committee for the Relief of Distressed Artisans based at the London Tavern. The latter is both unique and the most significant. Government could not provide relief directly for fear of establishing an unwanted precedent; it would lead to a multitude of other applications for aid, and therefore the Home Office limited itself to redirecting applications for relief directly to the committee. The King could however, and through the committee George IV

² William Turner, *Riot!: The Story of the East Lancashire Loom-Breakers in 1826* (Preston: Lancashire County Books, 1992); David Walsh, 'The Lancashire "Rising" of 1826', *Albion*, 26:4 (1994), 601-621.

³ HO41/7 p. 209, Hobhouse to Reverend C. Clare, Reverend Jerome Dyke, Hugh Parker, Theodore Price, Mayor of Coventry, Mayor of Leicester, Edward Mortimer, Thomas Phillips, Mayor of Derby, 8th May 1826.

⁴ Nathan Ashley Bend, *Poverty and Politics in north-east Lancashire and the West Riding, 1818-1838* (unpublished master's thesis, University of Leeds, 2014), pp. 25-35; Turner, *Riot!*; Walsh, 'The Lancashire "Rising"'; HO79/4 ff. 124-5, Hobhouse to Byng, 1st May 1826; f. 150, Hobhouse to Byng, 15th July 1826; HO 44/16/97 ff. 99-99a, W. Heslop to Hobhouse, enclosing a statement by David Ramsay, 13th July 1826.

donated several thousand pounds to be distributed to distressed areas.⁵ Hitherto, the donation of royal funds for relief was confined to the cities of London, Edinburgh, Dublin, and large towns.⁶ The efficacy of this act of royal generosity in placating the disaffected is difficult to assess, and indeed the 1826 disturbances generally are still in need of a thorough investigation. Peel certainly believed the efforts were beneficial, and noted in July that 'I should not a priori have thought it possible that so much good could have been done and so much evil averted where the number of sufferers has been so great by the expenditure of little more than £60,000.'⁷

The other significant event which took place in Peel's second tenure was the passing of the Metropolitan Police Act in 1829. The creation of the metropolitan police expanded the number of police officers at the Home Office's disposal and brought them under closer supervision. What is important to note within the context of provincial disturbances is that although based in the metropolis the new police force was also used in the provinces in times of crisis. As mentioned in earlier chapters, metropolitan resources had been used on previous occasions, but this was mainly restricted to the despatch of metropolitan magistrates and Bow Street officers. The metropolitan police were added to the Home Office's repertoire of repression and was a welcome addition in confronting Swing rioters, political unions, and trade unions. By the time the Swing riots had begun, however, no clear precedents had been established to guide Melbourne as to how they should be used in the provinces. Melbourne was therefore free to utilise this asset to excess as he did with other government resources.

⁵ Donations were initially used to supplement local efforts, see for example HO41/7 p. 157, Peel to Matthew Wilson, 30th April 1826; pp. 158-9, Peel to J.P. Humphreys, 30th April 1826; p. 165, Peel to W. Hulton, 1st May 1826; p. 279, Hobhouse to Chairman of the Committee for the Relief of Distressed Artisans, 10th July 1826; HO43/34 p. 48, Home Office to Commissioners for Granting Loans of Exchequer Bills on Public Works, 5th May 1826; HO79/4 f. 163, Peel to Byng, 18th August 1826; ff. 164-5, Peel to Byng, 2nd September 1826; ff. 189-190, Peel to Major General Sir Henry Bouverie, 14th May 1829.

⁶ HO43/25, pp. 410-411, Sidmouth to Provost of Dundee, 22nd January 1817.

⁷ HO41/7 pp. 299-302, Peel to Bishop of Chester, 24th July 1826.

Captain Swing

The Swing disturbances were a response to inadequate wages, under and unemployment amongst agricultural labourers.⁸ These issues were exacerbated by the introduction of labour-saving threshing machines in areas where they had not been in use before, notably in Kent in the summer of 1830 where the disturbances began. From Kent disturbances spread to Sussex Weald in November, and westwards into West Sussex, Hampshire, Wiltshire, Gloucester, Worcester, Dorset, Devon and Cornwall, and into Berkshire. They also spread eastwards and northwards into Oxfordshire, Buckingham, Bedford, Huntingdon and Northampton, and by the end of November into Norfolk, Suffolk and Essex, Cambridgeshire, Leicester and Lincoln. Swing related disturbances also occurred in Staffordshire and Shropshire to a much lesser extent, and isolated cases occurred as far north as Carlisle.⁹ Once more, as with Ned Ludd, a mythological eponym headed the disturbances and featured prominently in threatening letters. The name was also used by local authorities as a convenient banner for agricultural unrest and was popularised by a speculative and sensationalist press. As Peter Jones puts it, the creation of Swing was the 'result of a symbiotic relationship between labourers, cranks, crackpots, Radicals, leader writers, frightened farmers, correspondents, and finally the imagination of a public hard-wired in 1830 to find Frenchmen, Free Irishmen, and radical agitators.'¹⁰ Those involved in the Swing disturbances were rioters, arsonists, and vandals, but also peaceful agitators. Whilst much of their activity concerned attacks against farmers and migrant workers, the destruction of threshing machines, anonymous threatening letters and forceful demands for higher wages and relief, the disturbances also inspired peaceful negotiations with employers and even political demonstrations, as agitators sought legislative change.¹¹ The vast

⁸ Jones, 'Finding Captain Swing', p. 432.

⁹ George Rudé, 'English Rural and Urban Disturbances on the Eve of the First Reform Bill, 1830-1831', *Past & Present*, 37:1 (1967), 87-102 (p. 89); Eric Richards, "'Captain Swing" in the West Midlands', *International Review of Social History*, 19:1 (1974), 86-99; Hobsbawm and Rudé, *Captain Swing*, p. 305.

¹⁰ Katrina Navickas, 'Captain Swing in the North: the Carlisle Riots of 1830', *History Workshop Journal*, 71:1 (2011), 5-28; Jones, 'Finding Captain Swing', p. 442.

¹¹ Carl Griffin, 'Swing Redivivus', p. 464; Rudé, 'English Rural and Urban Disturbances', p. 90; Randall, 'Captain Swing: A Retrospect', p. 422.

majority, however, confined their activity to the locality and targeted those whom they perceived authors of their distress.¹² Just as the food rioters at the turn of the century insisted on a fair price for food, the Swing rioters demanded a fair price for their labour, or simply the opportunity to earn.

Historians have generally accepted the argument of Hobsbawm and Rudé that a decisive Home Office response was prompted first by the outburst of disturbances in Kent and Sussex Weald, and second by the change of home secretaries from Peel to Melbourne in November 1830.¹³ Roger Wells has added to this by arguing that the change in governments did not see a 'fundamental policy change' but rather saw the installation of a government 'determined on speedy repression.'¹⁴ In this discussion of government's response historians have concentrated on two focal points. First, Peel's dismay at what he perceived to be lenient sentencing of machine breakers at the Kent assizes in October, and second, the appointment of special commissions which saw over a thousand people convicted of Swing-related offences.¹⁵ This chapter does not aim to contest the arguments but rather seeks to complement them by analysing how the Office's powers and resources were used in pursuit of 'speedy repression.'¹⁶ It seeks to contextualise intervention by exploring the changes in approach to disturbance since the last large scale agricultural disturbances some three decades earlier. Specifically, it examines how the Home Office used government rewards and despatched police forces to disturbed districts in response to Swing and discusses how this differed from established precedent. It also shows how the appointment of special commissions and the despatch of the treasury solicitor to prepare cases for prosecution was not as 'unparalleled' as has been suggested.¹⁷ In analysing the powers which were at the discretion of the home secretary, the

¹² Jones, 'Finding Captain Swing', p. 432.

¹³ Griffin, *Rural War*, pp. 231-2; Griffin, 'Violent Captain Swing?', p. 154 Hobsbawm and Rudé, *Captain Swing*, pp. 254-7.

¹⁴ Roger Wells, 'Mr William Cobbett, Captain Swing, and King William IV', *Agricultural History Review*, 45:1 (1997), 34-48 (p. 37).

¹⁵ Griffin, *Rural War*, pp. 231-66; Carl Griffin, 'Policy on the Hoof': Sir Robert Peel, Sir Edward Knatchbull and the Trial of the Elham Machine Breakers, 1830', *Rural History*, 15:2 (2004), 127-148; Griffin, 'Swing Redivivus', pp. 474-5.

¹⁶ Wells, 'Mr William Cobbett', p. 37.

¹⁷ Wells, 'Mr William Cobbett', p. 47.

influence of the inexperience of Peel's successor, Viscount Melbourne, is exposed. Government's response to Swing, and indeed other disturbances, was as much down to personality as it was to precedent.

Rewards, Pardons, and Police

The Home Office's response to Swing was not surprising and is comparable to the food riots at the beginning of the century. Magistrates were advised to swear in special constables; to form local defence associations; military detachments were despatched to reinforce provincial forces and assisted in the arrest of leaders; royal pardons were offered to supplement local rewards to identify and convict incendiaries; Bow Street officers were despatched to aid in their detection; and inaction or conciliation to the will of the crowd was severely reprimanded.¹⁸ Though the efficacy of some aspects of this repressive strategy were questionable, it had worked before and would do so again so long as civil authorities were active and cooperative. The reality was far different, prompting an unprecedented application of Treasury finances as rewards and to cover prosecution expenses, an extraordinary use of the new Home Office asset, the metropolitan police, and the highest level of Home Office juridical interference to date.

As with the food riots and the Luddite disturbances, from the autumn of 1830 the Home Office received an influx of reports of anonymous attacks on property and the receipt of threatening letters by civil authorities and individuals involved in the grain trade.¹⁹ Even in the 1830s no adequate remedy had been devised to combat anonymous crimes, but the Home Office could not sit idly by, and more importantly could not be seen to be doing so whilst private property was destroyed. An inactive government would lose the confidence of the county justices it depended on

¹⁸ HO41/8 pp. 330-1, Samuel March Phillipps to Thomas Goodlake and Charles Eyston, 3rd December 1830; HO41/9 pp. 89-92, Melbourne to J. Wodehouse, 17th December 1830; pp. 248-9, Phillipps to E.B. Lovell, 1st January 1831; pp. 307-9, Phillipps to Jeremiah Lees, 10th January 1831; pp. 346-7, Phillipps to Winstanley and [Catterell], 17th January 1831.

¹⁹ HO52/8 ff. 285-8, Edward Rice to Home Office, 13th October 1830; pp. 338-9, Reverend James Moneyppenny to Home Office, 15th October 1830; ff. 54-5, Reverend J.S. Hewett to Home Office, 18th November 1830.

to resist the temptation to conciliate to the will of the crowd, and therefore Peel, followed by Melbourne, attempted to devise a solution. Peel spent four to five hours a day at the Home Office attempting to discover the authors of incendiary crimes and suggested to his correspondents that the collection of letters signed with Swing's signature might be useful in detecting offenders, though this met with little success.²⁰ In cases of arson Peel was reluctant to stray from established precedent and rejected requests to supplement local rewards to discover offenders; government rewards would only be offered when a victim was targeted as a result of their actions as a justice of the peace.²¹ However, government's response shifted in November with the appointment of Melbourne and the issue of a royal proclamation. The proclamation spurred justices of the peace into action, and offered £50 on the part of government for the apprehension or information leading to the apprehension of those guilty of riotous offences, and £500 for each arsonist in the counties of Wiltshire, Kent, Sussex, Surrey, Shropshire and Berkshire, and was later extended to include Norfolk.²² After the proclamation had expired, Melbourne followed the practice of Home Secretary Portland during the food riots of 1800-1 by continuing to supplement local rewards to discover incendiaries on a case by case basis and published these offers in the *London Gazette*.²³ Substantial rewards included the offer of £500 to detect incendiaries responsible for the destruction of Nottingham Castle.²⁴ Even by the end of 1831, by which time disturbances had subsided for the most part, Melbourne still openly declared 'in all cases of Incendiarism I shall be ready on the part of Govt. to offer a reward equal in amount to that offered by the parties interested.'²⁵

²⁰ *HPD*, 3rd series, vol. 1, House of Commons, 15th November 1830, cols. 519-25; HO43/39 p. 266, Phillipps to G.F. Carden, 18th November 1830; p. 268, Phillipps to Charles Howell, 18th November 1830.

²¹ HO43/39 pp. 151-3, Peel to Edward Rice, 15th October 1830; Griffin, *Rural War*, p. 234.

²² *London Gazette*, 23rd November 1830; HO41/8 p. 202, Phillipps to Reverend J Fellows, 29th November 1830.

²³ See for example HO41/9 pp. 342-3, Phillipps to J.G.B. Escourt, 14th January 1831; pp. 248-9, Phillipps to E.B. Lovell, 1st January 1831; p. 389, Phillipps to Robert Harrison, 25th January 1831; HO43/40 pp. 342-4, Phillipps to Charles Eyston, 27th September 1831; pp. 377-8, Lamb to Mr Hopkinson Junior, 22nd October 1831; p. 399, Melbourne to Marquess of Lansdowne, 31st October 1831; p. 409, Lamb to Reverend Barton, 4th November 1831; p. 427 Lamb to W. Beverley, 8th November 1831; HO43/42 p. 184, Phillipps to Henry Bunbury, 11th July 1832.

²⁴ HO41/10 pp. 248-9, Melbourne to Mayor of Nottingham, 18th October 1831.

²⁵ HO43/41 p. 157, Melbourne to J. Wodehouse, 12th December 1831.

The unprecedented amount of government finances subscribed to local rewards to apprehend and prosecute anonymous offenders by Melbourne is a striking feature of Swing's repression and one which is severely underrepresented in existing Swing literature.²⁶ When the Whigs came to power established precedent was completely ignored. The royal proclamation did, of course, have its parallel in the Luddite era when £50 was offered to aid in the apprehension of Luddites, and in confronting food riots Portland had subscribed public money on a case by case basis, but the Whigs took both of these actions, which were themselves a deviation from established precedent, to a new level. Notably, the reward offered for the apprehension of Swing arsonists was ten times greater than that offered for Luddites. This increase can be partly explained by the improved economic health of the country since the war with France, which allowed for a greater reward to be offered, but that such a substantial amount was deemed necessary is important. In the early months of their minority government the Whigs were eager to demonstrate competence, having been out of power for the majority of the early nineteenth century. This also explains why government rewards were not limited to acts of incendiarism, as supplements were offered in cases of assault, attempted murder, non-incendiary damage to property and overt acts of intimidation in trade union disputes.²⁷ It would appear that Home Secretary Viscount Melbourne was given a blank cheque by Prime Minister Charles Grey to suppress Swing, and seemingly other serious disturbances, by any and all means.

It was perhaps expected that Melbourne would have been careful and selective in the application of government resources, but he was after all inexperienced in such a senior position, having served as chief secretary for Ireland during Canning's ministry for just under two months. He

²⁶ See for example HO43/40 pp. 342-4, Phillipps to Charles Eyston, 27th September 1831; pp. 377-8, George Lamb to Mr. Hopkinson Junior, 22nd October 1831; HO43/42 pp. 41-2, Phillipps to Magistrates of Agbrigg, 7th April 1832; p. 184, Phillipps to Sir Henry Bunbury, 11th July 1832.

²⁷ See for example HO41/9 pp. 347-8, Phillipps to Thomas Mills and Joseph Evans, 17th January 1831; p. 349-350, Phillipps to William Astley, 17th January 1831; HO43/41 p. 247, Melbourne to Lord Durham, 9th January 1832; p. 247, Melbourne to Lord Durham, 9th January 1832; HO41/11 p. 88-9, Phillipps to Reverend William Powell, 22nd February 1832.

was determined to make a name for himself and to defy his critics who accused him of indolence and indecision.²⁸ Melbourne's inexperience showed in the use of other Home Office repressive tools. In chapter 5 we saw how the Duke of Portland used Bow Street officers in the detection of incendiaries and authors of threatening letters, but with limited effect. Melbourne, wanting to prove himself as an active home secretary, ignored the lessons of Portland and made extensive use of this metropolitan resource only to encounter the same problems. There is no complete record of the number of officers sent, but Home Office communications show that during the months of November and December 1830, two intense months of Swing activity, Melbourne authorised the despatch of metropolitan and Bow Street officers at least sixteen times.²⁹ At one point in November 1830 Melbourne was unable to despatch officers to Norwich, having exhausted the resources at his disposal.³⁰ He relied on his personal experience rather than the lessons of the past, stating through his under-secretary in February 1831 that his refusal to despatch a police officer to discover an author of a threatening letter was based on his 'experience of 3 months.'³¹

Police were not only despatched to detect arsonists and authors, however, and were sent to assist constables in the conveyance of prisoners or in repressing disturbances, and to organize more professional constabulary forces in 88 different places between 1830-1837. A total of 2,140 men were despatched to preserve order and apprehend criminals.³² The Home Office was only too willing to assist civil authorities who wanted to improve their independent capacity to repress disturbances, as it would, in turn, reduce their dependency on state resources. The Office had long been conscious of the inefficacy of provincial policing; an inadequate constabulary (both in number and experience) could be headed by an inactive or conciliatory magistrate, causing the home

²⁸ Peter Mandler, 'Lamb, William, second Viscount Melbourne (1779–1848)', *Oxford Dictionary of National Biography* (2004, online edn. 2008) <https://doi.org/10.1093/ref:odnb/15920>; David Cecil, *Melbourne. The Young Melbourne and Lord M in One Volume* (London: Reprint Society, 1955), p. 164.

²⁹ See HO41/8-9 HO43/39; Griffin, *Rural War*, p. 241

³⁰ HO41/8 p. 248, Phillipps to Robert Plumtre, 30th November 1830.

³¹ HO43/39 pp. 432-3, Phillipps to Charles Lake, 23rd February 1831.

³² David Philips and Robert D. Storch, *Policing Provincial England, 1829-1856: The Politics of Reform* (London: Leicester University Press, 1999), p. 45, fn. 73.

secretary inestimable frustration. Even in the 1830s, the Home Office was still surprised at how social policy was applied in rural districts, where negotiation with the crowd was a long-established practice. Despite its lectures to justices of the peace throughout the early nineteenth century on the perilous consequences of concession, moral economy was still very much alive in the 1830s. In some cases farmers were advised by local magistrates to set wage rates or to set aside their threshing machines rather than to follow Home Office advice to resist the demands of the crowd.³³ Their conciliation also reinforced misapprehensions that actions taken by the disaffected were not against the law.³⁴

In November 1831 Melbourne hinted that he was formulating a plan for a general system of police but the subsequent bill was dwarfed by the political turbulence caused by the Reform Bill.³⁵ It was not until 1833 that the Lighting and Watching Act was passed, which allowed for the establishment of paid police forces in England and Wales generally.³⁶ With a comprehensive reform of provincial policing off the cards, Melbourne was eager to bolster the civil power in any way possible, and thus the expertise of the metropolitan and Bow Street offices were used to their fullest extent.³⁷ This experimental use of police resources was beneficial in professionalising provincial police and instilling confidence in the civil authorities, but Melbourne was in danger of setting unwanted precedents. Indeed, his actions encouraged exaggerated beliefs as to the possible applications of this metropolitan resource. In September 1831 for example, in response to fears of a renewed outbreak of Swing disturbances during the threshing season, Melbourne received a request

³³ Jones, 'Swing, Speenhamland', pp. 281-2; Hobsbawm and Rudé, *Captain Swing*, p. 257; Peter Dunkley, 'Whigs and Paupers: The Reform of the English Poor Laws, 1830-1834', *Journal of British Studies*, 20:2 (1981), 124-149 (p. 129).

³⁴ Adrian Randall and Edwina Newman, 'Protest, Proletarians and Paternalists: Social Conflict in Rural Wiltshire, 1830-1850', *Rural History*, 6:2 (1995), 205-227 (p. 209).

³⁵ HO41/10 pp. 337-8, George Lamb to John Cronin, 5th November 1831; Taylor, *The New Police*, p. 23; Philips and Storch, *Policing Provincial England*, pp. 72-3; Clive Emsley, *The English Police: A Political and Social History*, 2nd edn (London: Longman, 1996), p. 38.

³⁶ Before the act local authorities were required to seek a private act to establish a paid constabulary force. Critchley, *A History of Police*, p. 60; Philips and Storch, *Policing Provincial England*, pp. 85, 89, 93; Emsley, *The English Police*, p. 36.

³⁷ HO41/9 pp. 162-4, Phillipps to Bouverie, 23rd December 1830.

from the Lord Lieutenant of Kent, Marquess Camden, that police officers be despatched to assist in policing the county.³⁸ By then, however, Melbourne's excessive use of police forces had been significantly moderated. From January 1831, to discourage the perception of metropolitan and Bow Street officers as a free on-demand police force, those receiving the benefit of police expertise were required to pay their fees. This was determined by the distance of their destination from the metropolis, the number of days spent there, and daily subsistence costs.³⁹ This additional cost to the locality, the reduction in the number of Swing-related disturbances generally, and Melbourne's self-imposed restrictions on their application resulted in a significant decrease in the number of police officers despatched. Only nine responses to correspondents note the despatch of police officers for the entire year of 1831.⁴⁰

Alongside this extraordinary use of the police, through personal letters and through a circular in November 1830 Melbourne made use of the customary encouragements to magistrates to be diligent, to act with energy, and to temporarily swear in special constables to assist them in the repression of tumult.⁴¹ However, justices struggled to obtain enough special constables even in more densely populated areas. As Melbourne wrote in response to the Edinburgh magistracy's struggle to contain riots in the town, 'it cannot be difficult for them [the magistracy], in a city so populous & so well disposed...to provide the number of twelve hundred constables, which...would have been required for the purpose of Keeping the rioters in check.'⁴² Those who refused to be sworn as a special constable were liable to be fined under the 1820 Special Constables Act (1 Geo. IV c.37), and some employers threatened to dismiss their employees if they refused to be sworn in, but

³⁸ HO41/10 pp. 227-8, Melbourne to Marquess Camden, 9th September 1831.

³⁹ HO41/9 p. 337, Phillipps to R. [Cracroft], 13th January 1831.

⁴⁰ HO41/9 p. 274, Phillipps to Charles Peers, 4th January 1831; pp. 208-9, Phillipps to W. Astley, 7th January 1831; p. 341, Phillipps to Sir R.C. Hill, 14th January 1831; pp. 367-8, Phillipps to Mayor of Dover, 19th January 1831; pp. 378-380, Phillipps to James Fellowes, 22nd January 1831; HO41/10 pp. 77-8, Phillipps to Bouverie, 2nd June 1831; p. 83, Phillipps to Mayor of Wigan, 3rd June 1831; pp. 332-3, Lamb to Anthony Hill, 4th November 1831; HO41/11 pp. 17-18, Phillipps to Mayor of Bristol, 28th December 1831.

⁴¹ Hobsbawm and Rudé, *Captain Swing*, p. 256; Jones, 'Swing, Speenhamland and Rural Social Relations', p. 281.

⁴² HO41/10 p. 8, Melbourne to Sir George Clerk and William Dundas, 16th April 1831.

these threats of punishment were ineffective.⁴³ The issue was more pronounced in rural districts where magistrates lived a considerable distance from scenes of disturbance, and where there were significantly fewer inhabitants eligible to serve. At Horsham in November 1830 magistrates summoned special constables to help disperse radical meetings, but only four of the sixty-three householders turned out.⁴⁴ To help alleviate the deficiency Melbourne revisited Sidmouth's queries as to whether Chelsea Pensioners might be sworn in as special constables, but the legal obstacles remained as they could only do so voluntarily and could not be compelled to do so.⁴⁵

The Special Constables Act of 1831 (1 & 2 Will. IV c. 41) directly addressed this issue, as justices could apply to the secretary of state to appoint legally exempt inhabitants for two months, and could apply to the county lieutenancy to appoint special constables for three months, with no exemptions permitted. The Act also improved the speed at which constables could be sworn in and made them a more mobile asset. Under the 1820 Act special constables could only be appointed on the sworn information of five respectable householders, but under the 1831 Act constables could be appointed on the oath of any 'credible witness'. More importantly, the problematic issue of boundaries of jurisdiction was circumvented as special constables were then permitted to operate in adjoining counties.⁴⁶

Civil authorities in the regions affected by Swing disturbances also faced issues with calling in the assistance of county yeomanry, as many yeomanry corps were either defective or non-existent as many of them had been disbanded in 1828.⁴⁷ The reactive re-embodiment of them was slow and difficult because many of those who would normally fill the ranks were sympathetic to the Swing

⁴³ Clare Leon, 'Special Constables: An Historical and Contemporary Survey' (unpublished PhD thesis, University of Bath, 1991), p. 88; Frederick Clare Mather, *Public Order in the Age of the Chartists* (New York: Augustus M. Kelley, 1967), p. 82.

⁴⁴ Wells, 'Mr William Cobbett', p. 40.

⁴⁵ HO41/8 p. 173, Phillipps to Secretary to the Commission of the Chelsea Hospital, 27th November 1830.

⁴⁶ Clare Leon, 'Special Constables and the Birth of 'Regular' Policing', in *The Special Constabulary: Historical Context, International Comparisons and Contemporary Themes*, ed. by Karen Bullock and Andrew Millie (London: Routledge, 2018), pp. 28-45.

⁴⁷ Stepler, *Britons, to Arms!*, p. 28; Griffin, *Rural War*, p. 246.

rioters or were intimidated from joining. The debates in parliament on the Reform Bill, which will be discussed later, were also problematic. In October 1831 two troops of Kentish yeomanry resigned because two of their commanding officers had voted against the Reform Bill.⁴⁸ Ultimately, many of those that were formed were too late to be of any assistance in containing the riots, the duty having fallen to state troops.⁴⁹ Melbourne had attempted to account for this deficiency by loaning sabres to mounted constabularies, though his unchecked distribution of them exhausted the Board of Ordnance's stores by December.⁵⁰

The Treasury Solicitor and the Assizes

The intervention of the Home Office in juridical matters was, as Roger Wells terms it, 'an unparalleled intervention by central government thereby seriously compromising local juridical autonomy.'⁵¹ Home Office intervention was triggered by the laxity on the part of local authorities at the East Kent Quarter Sessions in October 1830, where machine-breakers and their aiders and abettors were sentenced to just four days imprisonment when the maximum sentence was transportation for seven years.⁵² Firm examples were of crucial importance in the early weeks of repression, and this 'unparalleled lenity' shown by the judiciary undermined the authority of the forces of law and order.⁵³ The disturbances might have been contained, or at the very least their spread inhibited, at this early stage had the justices of the peace and the judiciary had the will and the means at their disposal to contain them.

It was following the Quarter Sessions that Peel, and then Melbourne, committed to unprecedented juridical interference. On 31st October Treasury Solicitor George Maule arrived

⁴⁸ *LMP* pp. 134-6, Melbourne to Sir Herbert Taylor, 25th October 1831.

⁴⁹ Griffin, *Rural War*, p. 246-8.

⁵⁰ HO41/9 p. 144, Melbourne to Earl Brownlow, 22nd December 1830.

⁵¹ Wells, 'Mr William Cobbett', p. 47.

⁵² HO41/8 p. 85, Peel to Archbishop of Canterbury, 20th November 1830; HO43/40 pp. 143-4, Phillipps to Isaac Littledale, 4th June 1831; Griffin, *Rural War*, pp. 233-5.

⁵³ HO43/39 p. 175, Peel to Camden, 25th October 1830.

Maidstone to assist magistrates in preparing evidence and to act as prosecutor against Swing offenders at the Winter Assizes. Working with the magistrates, Maule selected the most promising cases and was given independent authority to decide which cases should be funded by the Treasury, and which locally.⁵⁴ On 27th November Melbourne ordered a special commission to be held to try offenders in Shropshire, Berkshire, and Wiltshire. The decision to resort to special commissions was threefold. First, in severely punishing Swing rioters special commissions successfully circumvented local authorities who, as Peter Dunkley puts it 'seemed too intimidated or disinclined to afford the maximum display of firmness.'⁵⁵ Second, Melbourne did not have to wait for the county assizes in each of the affected areas, and thus the special commissions provided a firm and immediate example. Thirdly, by the time the special commissions took place those arrested for Swing-related offences had surpassed 1,900, a number which quickly swelled the prisons of more than twenty counties.⁵⁶

The first special commission was held on 18th December at Winchester, and the second at Reading on 27th December, which then moved on to Salisbury on 1st January, and finally to Dorchester and Aylesbury on the 10th.⁵⁷ During that time another solicitor, William Tallents, was also despatched. At Winchester, Salisbury, and Reading, Tallents, like Maule, worked with local magistrates and prepared cases for trial.⁵⁸ A selection of the most serious offenders from each identifiable group was selected, and in total 19 were hanged, 644 jailed, and 481 transported.⁵⁹ There were far too many cases to hear in the short time that the commission had, and many were granted mercy. Punishing all of the offenders was not desired, for Melbourne advised only the leaders and those guilty of the most serious cases of each class of offence should be prosecuted

⁵⁴ Griffin, *Rural War*, pp. 237, 249-50.

⁵⁵ Dunkley, 'Whigs and Paupers', p. 129.

⁵⁶ Hobsbawm and Rudé, *Captain Swing*, p. 258.

⁵⁷ HO41/8 pp. 179-80, Melbourne to Lord Chancellor, 27th November 1830; p. 394, Melbourne to Lord Chancellor, 6th December 1830; Hobsbawm and Rudé, *Captain Swing*, p. 258.

⁵⁸ HO41/8 p. 127, Phillipps to F. Baring, 25th November 1830; pp. 380-1, Phillipps to William Tallents, 6th December 1830; Griffin, *Rural War*, pp. 254-5.

⁵⁹ Griffin, 'Swing Redevisus', pp. 474-5; Rudé, 'English Rural and Urban Disturbances', p. 91.

under the Special Commission. Those who surrendered themselves were released upon their own recognizances, which was publicised as an act of mercy but was, in reality, an attempt to not be perceived as oppressors.⁶⁰

Government intervention was indeed unparalleled, but this fact requires some additional context which historians have not emphasised enough.⁶¹ The despatch of the treasury solicitor to assist in obtaining information or preparing cases for trial was nothing unique. As we saw with the despatch of Hobhouse during the Luddite disturbances and to a lesser degree Charles Bouchier after Peterloo, the expertise of the treasury solicitor were called upon to account for the inexperience or inactivity of the provincial magistracy, or simply to reassure the home secretary that he had done everything in his power to produce a firm response. What was different during Swing, however, was that not one but two central representatives were sent to cope with the number of cases to be heard. Government was therefore involved in the provincial juridical process over several months, and the expertise of the treasury solicitor secured more convictions than in any other event or movement in the period this thesis covers.

No violence took place in response to the convictions and following the special commissions Swing-related disturbances entered into an inexorable decline. Troops were stationed in the south ready to respond to any tumult, and the eventual revival of yeomanry corps encouraged a more responsive magistracy. Whilst both Peel and Melbourne still had no answer to anonymous crimes, through special commissions and central expertise the power of the law had been demonstrated with a severity unseen even during Sidmouth's years. By doing so the Whigs demonstrated their ability to govern, a necessary prerequisite for a minority government which required the support of parliament to fulfil its promise of moderate political reform. Swing-related disturbances would continue into 1831 and 1832, particularly during and immediately following the threshing season,

⁶⁰ HO41/8 pp. 466-8, Phillipps to Tallents, 11th December 1830.

⁶¹ Wells, 'Mr William Cobbett', p. 47.

but they never reached the scale and severity of 1830. Of those that did occur much later, such as those at Hampshire in November 1832, Melbourne attributed to the concessions made in 1830 as the disaffected were encouraged to seek further concessions from their targets. But for many the realisation of the inefficacy of their methods and the consequent bloody repression by government forced them to abandon their contest, and others redirected their energies to more peaceful, political pursuits.⁶²

Political Unions

The 1829-1832 reform agitation reached a height which some historians claim brought the country closest to revolution since 1688.⁶³ The movement was bolstered by a familiar set of internal and external circumstances. France experienced another revolution in July 1830, rekindling the embers of the political reform movement in Britain which had been dampened for over a decade. As Home Secretary Sir Robert Peel put it, it called into action 'the almost forgotten Radicals of 1817 and 1819'.⁶⁴ As previously mentioned, the country was in a period of economic distress which enabled radicals to link personal deprivation to the need for political reform to provide the remedy.⁶⁵ In parliament, the issue of reform was brought to the fore not by the Whigs but a faction of the Tories embittered with the passing of the Catholic Emancipation Act in 1829 (10 Geo. IV c. 7) during the Duke of Wellington's ministry. The Act permitted Catholics to sit in parliament, and thus some anti-Catholic Tories favoured enfranchising nonconformist towns and cities such as Leeds, Manchester, Birmingham, and Sheffield which remained unrepresented in parliament, in order to protect the established Protestant religion.

⁶² *LMP* pp. 151-2, Melbourne to Wellington, 16th November 1832; Griffin, 'Swing Redivivus', pp. 487-96.

⁶³ G.D.H. Cole and R. Postgate, *The Common People 1746-1938* (London: Methuen, 1945), p. 248.

⁶⁴ Peel to Hardinge, 14th October 1830 cited in Roland Quinault, 'The French Revolution of 1830 and Parliamentary Reform', *History*, 79:257 (1994), 377-393 (p. 384).

⁶⁵ Derek Fraser, 'The Agitation for Parliamentary Reform', in *Popular Movements, c.1830-1850*, ed. by J.T. Ward (London: Macmillan, 1970), pp. 31-53 (p. 39); Rudé, 'English Rural and Urban Disturbances'; Quinault, 'The French Revolution'.

Popular excitement for political reform was organised through locally established political unions, and channelled through the familiar strategies of public meetings and constitutional petitions. The first and most prominent was the Birmingham Political Union (BPU) established in 1829 and headed by Thomas Attwood, a leading advocate of currency reform. The basic structure and name of 'political union' was subsequently borrowed by reformers across the country (though concentrated in the Midlands and industrial north), who established their own union with similar, but not identical demands.⁶⁶ The relationship between the BPU and other political unions continues to be debated, but it is worth noting that no other political union included currency reform in their list of objectives.⁶⁷ Unlike most former extra-parliamentary political organisations, the political unions attempted to unite both the working and middling classes in the movement of reform, but with varying success. Leeds, for example, had three distinct political unions, one which united the working and middling classes, and two which remained exclusive.⁶⁸ Similarly, the Metropolitan Political Union, organised by veteran radical Henry Hunt in March 1830, continued to appeal primarily to the working classes by pressing for universal suffrage, annual parliaments, and the ballot.⁶⁹ Political unions were active in petitioning parliament and organising demonstrations and continued to be established throughout the period, with peaks in activity in response to parliament's rejection of successive reform bills.

The next section of the chapter will look at the Wellington and Grey ministries' attitudes to political unions; particularly how the latter was torn on the one hand to investigate and repress organisations suspected by some of revolutionary designs, and on the other to tolerate demonstrations of popular sentiment which ultimately aided them in the battle for moderate

⁶⁶ Nancy D. LoPatin, *Political Unions, Popular Politics and the Great Reform Act of 1832* (London: Palgrave Macmillan, 1999), p. 12.

⁶⁷ LoPatin, *Political Unions*, p. 64.

⁶⁸ Fraser, 'Agitation for Parliamentary Reform', pp. 40-2.

⁶⁹ Carlos Flick, *The Birmingham Political Union: and the Movements for Reform in Britain, 1830-1839* (Hamden, Connecticut: Archon Books, 1978), pp. 44-5.

reform. Whilst historians have appreciated the motivations behind the Whig's tolerance of political unions, what has not featured in the analysis of government's response is an awareness of how many of Melbourne's actions were contrary to established Home Office precedents, and also how his use of secret service was deeply affected by the Oliver scandal.⁷⁰ Therefore this section explores Melbourne's paradoxical combination of an unprecedented use of state resources but a reluctant use of the secret service fund in anticipation of a confrontation with reformers. It argues that on occasion personality could supersede precedent.

The First and Second Reform Bills

The Home Office's early response to political unions was simply to monitor them; the few political unions which formed in the final months of the reign of George IV did not display any worrying characteristics.⁷¹ Although their demands were undoubtedly radical, their leadership were long-serving and not dangerous reformers. Though unions were viewed with suspicion, as any extra-parliamentary organisation would be by government, in the final months of the Tory ministry they were not seen as a significant threat as to warrant state intervention. The November 1830 election returned the Whigs to power who fulfilled their promise to the electorate and introduced the first Reform Bill in March 1831. The Bill did not meet the demands of the political unions for universal suffrage and the ballot, but it did promise to increase the electorate by around half a million, to tackle the issue of inadequate parliamentary representation in burgeoning industrial centres like Manchester, and to address the issue of corrupt and pocket boroughs.⁷² The Bill passed by one vote, but was defeated in the committee stage of the parliamentary process, and ultimately led to the dissolution of government and another election.⁷³ In June 1831 the Whigs were returned with a

⁷⁰ LoPatin, *Political Unions*; Flick, *Birmingham Political Union*.

⁷¹ LoPatin, *Political Unions*, chapter 1.

⁷² LoPatin, pp. 53, 66-7; Roland Quinault, 'The French Revolution', p. 378.

⁷³ Fraser, 'Agitation for Parliamentary Reform', p. 43; LoPatin, p. 73.

greater majority and a second Reform Bill was introduced, which made it through the Commons on 6th July but was again delayed in the committee stage.⁷⁴

After the third reading of the Reform Bill in the House of Commons in September, Melbourne, after an apparent exchange of correspondence with leading radicals Thomas Attwood, Francis Place, or Joseph Parkes, relayed to the King that:

the most serious fears are entertained...of the consequences which would attend the rejection of the measure now before Parliament. As these persons, however, are in general eager advocates of that measure, and very desirous that it should pass into law, their evidence...must be received with some allowance, as it may be biased by their wishes and inclinations.⁷⁵

Their predictions were correct. Though the Bill successfully made it through the Commons in September, it was rejected in the House of Lords the following month, triggering serious riots in Birmingham, Derby, Nottingham, Bristol, Exeter, London, and Leicester.⁷⁶ The disturbances were marked by a general defiance of law and order. Attacks on the property and person were common, with anti-reformers the primary target. At Bristol on 29th October, the arrival of fervent anti-reformer and magistrate Sir Charles Wetherell into town prompted riots which resulted in the deaths of 12 and the wounding of 94 others. The offer of the town's political union to act as a peace-keeping body was refused but were later called upon by the magistrates to act to prevent a devastating confrontation with military forces. The union also issued handbills calling for rioters to cease and desist, and several unionists were eventually sworn in as special constables by the town's magistracy.⁷⁷ The event demonstrated the union's capabilities to preserve the public peace, much to the embarrassment of conventional forces of order.

⁷⁴ LoPatin, pp. 73, 81-2.

⁷⁵ *LMP* pp. 129-130, Melbourne to Taylor, 24th September 1831.

⁷⁶ *LMP* pp. 129-130, Melbourne to Taylor, 24th September 1831; Fraser, p. 43

⁷⁷ LoPatin, p. 96.

The events at Bristol and the successful demonstration of the influence of the political unions inspired the BPU to develop its own plans to ensure the preservation of the peace during debates on reform. The result in November 1831 was the proposal to form a pseudo-military 'national guard'. Historians have argued it was unlikely the proposal was ever seriously considered and was, in fact, a 'feint in the political warfare' over the Reform Bill.⁷⁸ Nonetheless, the proposal convinced the Grey ministry to finally give way to pressure from the King, who viewed the political unions with the greatest suspicion. A firm response was needed as Melbourne predicted that the plans, 'if carried into effect would have amounted to a conspiracy to supersede and assume the power of the State.'⁷⁹ The radicals Joseph Parkes and Sir Francis Burdett were approached by ministers to persuade the BPU to drop its plan, and later in November a Cabinet meeting on the issue took place on the issue. On 21st November a royal proclamation was issued, but, contrary to the claim of some historians, the proclamation did not target all political unions, nor was it a response to the formation of the National Political Union in October, which was formed by Francis Place to coordinate political union activity. The proclamation merely targeted the formation of a national guard (captured under the broader term of 'voluntary associations') organised and controlled by political unions.⁸⁰ The BPU's plans were too similar to the practice of drilling in the Regency period; the intention was to instil discipline and orderliness, but could equally be perceived as preparations for a rising. The proclamation ensured justices of the peace retained their independent authority and deterred other political unions from imitating the BPU's plans.

⁷⁸ Henry Ferguson, 'The Birmingham Political Union and the Government, 1831-2', *Victorian Studies*, 3:3 (1960), 261-276 (p. 268).

⁷⁹ *LMP* pp. 137-8, Melbourne to Taylor, 24th November 1831; Fraser, p. 45.

⁸⁰ This error first appears in a nineteenth century text and has been replicated since. *LMP* pp. 136-7, Earl Grey to Lord Melbourne, 16th November 1831; *LMP* pp. 138-140, Melbourne to Sir Francis Burdett, 27th October 1831; HO41/10 pp. 426-7, Phillipps to Foster, 22nd November 1831; *London Gazette*, 22nd November 1831; Thomas Erskine May, *The Constitutional History of England Since the Accession of George the Third, 1760-1860*, 3 vols (London: Longmans, 1878), II, pp. 389-390; Nancy LoPatin, 'Refining the Limits of Political Reporting: The Provincial Press, Political Unions, and the Great Reform Act', *Victorian Periodicals Review*, 31:4 (1998), 337-355 (p. 344).

The Home Office Response

Alongside the usual applications for military support during the tense months after the rejection of the Reform Bill, were those which recommended legislative reform to curb the influence of political unions, or to inquire as to what existing statutes could be used to suppress them. In October Melbourne was obliged to remind the Duke of Newcastle that 'no Law at present in force confers...any power of preventing or interfering with' meetings.⁸¹ Most clauses of the Seditious Meetings Act, which had placed restrictions on public gatherings, had expired in 1825. Equally, whilst the political unions remained separate and independent, they could not be prosecuted – if they communicated and corresponded with one another, they could be prosecuted under the parts of the Seditious Meetings Act which were still in force. Arming and assisting in the formation of subordinate bodies was also forbidden under the same statute.⁸² The King and other contemporaries were convinced that the BPU was the leader of a national political movement, and should, therefore, be illegal under existing law, but no evidence could be procured to prove it.

The pro-reform press predicted that reform agitation would inevitably lead to a suspension of habeas corpus, and repressive legislation similar to the Six Acts of 1819.⁸³ However, much to the frustration of provincial justices, no new repressive laws were passed throughout the years of reform agitation. The repression of political unions was never considered, for as Melbourne put it in September 1831 to Sir Herbert Taylor, Private Secretary to the King; 'It is the public feeling which is dangerous, not the political unions.' Any attempt to put them down by law 'would only end in giving them consequence and importance, and would perhaps constitute them the acknowledged organs of public feeling.' As such Melbourne resolved 'not to interfere with them while they confine themselves within the boundary of the law. If we act otherwise we shall only give them strength.'⁸⁴ Whilst the political unions were peaceable and not a threat to the King's peace they would be

⁸¹ HO41/10 pp. 273-6, Melbourne to Newcastle, 22nd October 1831.

⁸² *LMP* pp. 151-2, Melbourne to Wellington, 16th November 1832; Flick, *Birmingham Political Union*, pp. 40-3.

⁸³ Prothero, *Artisans*, p. 278.

⁸⁴ *LMP* pp. 130-4, Melbourne to Taylor, 26th September 1831.

tolerated by government. Melbourne was no doubt conscious of the escalation of radical activity in 1817 and in the months leading up to the Six Acts of 1819 when there were threats of simultaneous risings. In comparison with the lower-class dominated movement of the Regency era, the cause for reform in 1830-32 was more organised had garnered support from both the labouring and middling classes. As in 1819, any attempt at repressive legislation would trigger a response from the reformists, and the forces of law and order were not in any position to repress a popular rising. The frailty of provincial forces of law and order had been exposed during Swing and during concurrent industrial disturbances in some northern districts, and Melbourne's attempts to reform them had failed. It was with this in mind that Melbourne was intent on avoiding an 'imprudent contest in which we are by no means sure of success, and which to be foiled in might be attended with the greatest danger.'⁸⁵

Of course, the Grey ministry's reluctance to put down the political unions was also part of its political strategy. With their petitions and demonstrations the unions displayed their support for the ministry's reform bills, pressuring the Opposition in the Commons and Lords to submit to the will of the people. Melbourne's confidently worded letters cited above were written to persuade the King, who being highly suspicious of the unions since the formation of the BPU was only too eager to see them destroyed. The agitation for parliamentary reform witnessed a marked change in government's attitudes to popular agitation when compared to previous decades. As Roland Quinault has observed, the displays of tricolour at radical gatherings and processions in the regency reform movement, then treated with hostility and suspicion, were now defended by government as a representation of popular opinion.⁸⁶

The situation deteriorated rapidly in November and into the winter. The Home Office received reports of political unions collecting arms and drilling, possibly in anticipation of a rising.⁸⁷

⁸⁵ Ibid.

⁸⁶ Quinault, 'French Revolution', p. 393.

⁸⁷ HO41/10 pp. 453-4, Phillipps to B.J. Balquey, 3rd December 1831; pp. 355-6, Melbourne to Newcastle, 3rd December 1831; HO79/4 ff. 212-3, Phillipps to Foster, 14th December 1831, 25th January 1832.

Melbourne took the usual steps and recommended justices swear in special constables and resort to the county yeomanry, and reinforced populated centres with regular forces. To improve the responsiveness of military forces in the middling counties he requested a district officer be despatched to coordinate military forces for the counties of Warwick, Stafford, Worcester, Northampton, Salop and Leicester. Northern forces were already under the control of Major General Sir Henry Bouverie.⁸⁸ Melbourne also went one step further by providing weapons for constables and inhabitants to protect themselves. For example, immediately following the riots at Bristol, 25 muskets and some grenades were sent to protect a bank.⁸⁹ Grenades were also sent to Markeaton near Derby, and 100 stands of arms to Nottingham.⁹⁰ At Wakefield firearms were provided for the protection of the gaol against an anticipated attack.⁹¹ The onus was clearly placed on the local authorities and inhabitants, not from an unwillingness to set an unwanted precedent, but from a conviction that disturbances must be resolutely contested in the current climate. It was also at this time, amidst the rumours of arming and uncorroborated reports of a possible rising, that Melbourne reconsidered his stance on the use of secret service.

Melbourne's relationship with spies and informers is a peculiar one. His predecessor Sir Robert Peel (January 1822 - April 1827, January 1828 – November 1830) continued to use and encourage the employment of spies and informers as Sidmouth had done. After the Oliver scandal precautions were taken to ensure that government was not inadvertently employing *agent provocateurs* either directly or through local justices. Peel stressed that spies and informers should remain 'a perfectly passive spectator' and warned against employing anyone who 'fans the flame' as it would 'defeat the purpose' if they produced exaggerated reports. Information integrity was also

⁸⁸ HO41/11 p. 2, Melbourne to General Commanding in Chief, 19th December 1831.

⁸⁹ HO41/10 p. 439, Phillipps to Board of Ordnance, 23rd November 1831; p. 440, Phillipps to Board of Ordnance, November 1831.

⁹⁰ HO41/11 pp. 22-3, Phillipps to Board of Ordnance, 2nd January 1832; HO41/10 p. 482, Phillipps to Board of Ordnance, 12th December 1831; pp. 484-7, Phillipps to Barber, 12th December 1831.

⁹¹ HO41/10 p. 394, Phillipps to Board of Ordnance, 14th November 1831.

ensured by corroborative reports, meaning that not one but two spies or informers should be obtained by provincial justices of the peace.⁹² By contrast, Melbourne (November 1830 – July 1834) was no supporter of spies. Though the backlash from the Oliver scandal did not greatly affect Sidmouth or Peel's approach to secret service activity, it appears to have deeply influenced the Whig home secretary. Suggestions to employ spies by provincial authorities were immediately and unwaveringly rejected:

The danger of employing spies and accomplices has always been found to be that, in order to further their own ends, satisfy their employers, and forward their own interests and maintain their credit, they are too apt, first, to bring forward false accusations; secondly, to excite and encourage to the commission of crimes, in order that they may have the honour of informing against and detecting them; and I beg leave to recall upon this subject to your recollection the transactions of the year 1817, when there is too much reason to suspect that the rising in Derbyshire, which cost the lives of three men upon the scaffold and the transportation of many more, was stimulated, if not produced, by the artifices of Oliver, a spy employed by the Government of that day... I am sure you must feel that in our anxiety to discover the perpetrators of these most dangerous and atrocious acts we should run as little risk as possible of involving innocent persons in accusations, and still less of adopting measures which may encourage the seduction of persons, now innocent, into the commission of crime.⁹³

As his first long-term senior position in government as home secretary, Melbourne did not wish to tarnish his career with a spy scandal. His early approach to information gathering placed faith in the machinery of order to function flawlessly and provide him with necessary information. However, suggestions by historians that Melbourne completely rejected spies must be tempered.⁹⁴

⁹² HO79/4 f. 151, Hobhouse to Foster, 17th July 1826; f. 152, Hobhouse to Charles Whitaker, 19th July 1826; ff. 148-9, Hobhouse to Byng, 11th July 1826; f. 198, Peel to Bishop of Carlisle, 6th October 1830.

⁹³ *LMP* pp. 128-9, Melbourne to Henry Drummond, 23rd January 1831.

⁹⁴ Mandler, 'Viscount Melbourne'.

Melbourne's stance on the employment of *spies by government* did not mean he did not support the financing of *informers by justices of the peace*. Two days after his letter rejecting the suggestion to employ spies, and amidst rumours of arming and drilling amongst political unions, he implored Manchester magistrate John Frederick Foster to 'take every means in [his] power for obtaining the fullest and most correct information', to which Melbourne would 'supply...with all the necessary pecuniary means of obtaining'.⁹⁵ The insinuation was to employ informers which would be paid for through the secret service fund.

Though Melbourne was obliged to have recourse to methods he deemed anathema, his secret service expenses never reached that of the Regency years as the below comparison shows.

⁹⁵ HO79/4 f. 213, Phillipps to John Frederick Foster, 25th January 1832.

Table 8.1 – Home Office Secret Service Expenditure during Tumultuous Periods, 1812-1833

Period Start Date	Period End Date	Amount Paid to Permanent Under-Secretary	Amount Paid to Parliamentary Under-Secretary	Total	Average Monthly Expenditure (AME) to the nearest £
11 th June 1812 ⁹⁶	1 st January 1818	John Beckett £7,161 3s 11d Henry Hobhouse £835 12s 11d	£1,198, 3s 11d	£9,195 9d	£137
1 st January 1818 ⁹⁷	18 th January 1822	£14,425 6s 2d	£244 2s	£14,669 8s 2d	£305
22 nd January 1828 ⁹⁸	22 nd November 1830	£2,307 7s 6d	-	£2,307 7s 6d	£67
22 nd November 1830 ⁹⁹	6 th June 1833	£2,084 11s	-	£2,084 11s	£67

AO1/2129/45, Account Rolls, Viscount Sidmouth, 11th June 1812 to 1st January 1818; AO19/116, Secret Service Accounts, Viscount Sidmouth, 1st January 1818 to 18th January 1822; AO19/116, Secret Service Accounts, Robert Peel, 22nd January 1828 to 22nd November 1830; AO19/116, Secret Service Accounts, Viscount Melbourne, 22nd November 1830 to 6th June 1833.

There are a few reasons for this in addition to his initial hesitation. First, the spy network established during Sidmouth's tenure had collapsed. The Home Office had lost contact with its principal informants since the Regency period, Hobhouse having last made use of such a spy in 1826.¹⁰⁰ Second, zealous spymasters like Ralph Fletcher who accounted for much of the secret service bill had also left the scene. The relationships developed between the Home Office and dependable, active, and trustworthy magistrates who acted as spymasters was integral to the spy network. Without the spies nor the spymasters, the Home Office did not know who it could trust with government money. And thirdly, there was the issue of a change in Home Office personnel.

⁹⁶ AO1/2129/45, Account Rolls, Viscount Sidmouth, 11th June 1812 to 1st January 1818.

⁹⁷ AO19/116, Secret Service Accounts, Viscount Sidmouth, 1st January 1818 to 18th January 1822.

⁹⁸ AO19/116, Secret Service Accounts, Robert Peel, 22nd January 1828 to 22nd November 1830.

⁹⁹ AO19/116, Secret Service Accounts, Viscount Melbourne, 22nd November 1830 to 6th June 1833.

¹⁰⁰ HO79/4 ff. 149-150, Hobhouse to Fletcher, 12th July 1826.

The Office's senior positions were filled by individuals less familiar with the spy system, and who were more aware of its potentially disastrous consequences than its ability to procure otherwise unobtainable information. Melbourne was new to the position of home secretary and the methods of repression, and so too was his Permanent Under-Secretary Samuel March Phillipps, having been in that position since the peaceful year of 1827. The absence of detailed accounts means we cannot be exactly sure what Melbourne spent secret service money on, though it appears the usual Home Office practices were continued on a smaller scale. Informants were paid, and customary amounts were sent to the General Post Office for them to intercept the many letters which were ordered by the home secretary's warrant to follow up on reports of arming, drilling, and other unrelated crimes.

Whilst Melbourne shied away from traditional means of obtaining information, he had his own, distinctive methods. As noted above, Melbourne took great strains to establish contact with leading reformers Francis Place, the founder of the BPU Thomas Attwood, and the radical Joseph Parkes. His contact with union leadership likely unsettled many and added to his reputation of keeping bad company which he had earned during his years as chief secretary for Ireland. Much of the contact was conducted through his Private Secretary Thomas Young, who was formerly a Purser on the Duke of Devonshire's yacht, and a man of no great social status. Away from the Home Office books and correspondence and into the secretary of state's private office, Young's influence on Melbourne's attitude to repression is inestimable. As Melbourne put it: 'He's my weather gauge, through him I am able to look down below; which is for me more important than all I can learn from the fine gentlemen clerks about me.'¹⁰¹ Young was likely present at many of the conversations between the home secretary and his under-secretaries, serving not only as a note-taker but also as a consultant, offering the perspective of someone much lower in the social hierarchy.¹⁰² Through Young, Melbourne was able to establish and maintain personal contact with this radical leadership

¹⁰¹ Cecil, *Melbourne*, pp. 178-9.

¹⁰² Cecil, *Melbourne*, pp. 164, 179-180; Henry Dunckley, *Lord Melbourne*, 2nd edn (London: J.M Dent & Co, 1906), pp. 151-3.

and used this connection to appeal for moderation in radical activity. Melbourne was not the only member of Grey's ministry in personal contact, as Chancellor of the Exchequer Lord Althorp, Grey himself, and other senior ministers were known to have corresponded with union leadership. With political unions commanding the attention of well over 200,000 it was vital to keep a finger on the pulse of popular temperament.¹⁰³

The Third Reform Bill

The Whigs introduced a third Reform Bill in the House of Commons on 12th December which was sent to the Lords in March but was halted at the committee stage in May 1832. To get the Bill through the Lords, Grey needed the King to create additional amenable peers to push it through, but he refused. Grey resigned and in the 'May Days' which followed the Duke of Wellington struggled to form a government. Political unions had anticipated that the Bill would either be mutilated beyond recognition or would be rejected and had considered alternative methods to pressure the Lords well in advance. In March at a meeting at Newcastle political unions publicly announced a strategy in which all members would refuse to pay all direct or property taxes payments until the Reform Bill became law.¹⁰⁴ The strategy had been considered earlier in September 1831, causing Melbourne to predict that 'any extensive and successful combination for the purpose of resisting the payment of taxes would be a blow levelled at the very existence of all our institutions, and must, in the complicated and artificial state of our society, be attended with the most disastrous consequences.'¹⁰⁵ Without popular support for such an extreme measure, however, 'the attempt' would be 'abortive and ridiculous'.¹⁰⁶

¹⁰³ LoPatin, *Political Unions* pp. 12, 122-3.

¹⁰⁴ LoPatin, *Political Unions*, p. 135.

¹⁰⁵ *LMP* pp. 129-30, Melbourne to Taylor, 24th September 1831.

¹⁰⁶ *LMP* pp. 130-4, Melbourne to Taylor, 26th September 1831.

Political unions had all but lost faith that the Whigs could successfully push the Bill through the Lords after the failure of two reform bills, and with the anticipated failure of a third. Public demonstrations united reformers across the country; on 8th April unions and supporters of reform from 23 counties met to petition for reform, and on 7th May the Gathering of the Unions or Meeting of the Unions at Newhall Hill attracted a crowd of 200,000 with 40 unions in attendance.¹⁰⁷ In May a crisis ensued as once more a boycott of tax payments was proposed, with the Northern Political Union and unions at Norwich, Leicester, and Manchester also supporting the plan. In London key members of the National Political Union suggested a more immediate response, and published placards and handbills proposing a run on the banks to force the House of Lords to submit. Amidst these reports were those which informed the Home Office that arms were being collected amongst unions as they prepared for a confrontation with state forces. The King's refusal to create additional peers generated anti-royalist feeling amongst unions which had previously declared their loyalty. The King had always suspected the unionists of plotting revolution, but his refusal to swear in more peers had nearly made that suspicion a reality. Whether or not the unions seriously contemplated or were even capable of starting a revolution is debatable, but it entered radical discourse at this point.¹⁰⁸

Regardless, the fears of the revolution were soon abated. On 15th May Wellington informed the King he was unable to form a government and Grey was asked to return, which he did under the condition that the Tories would cease resisting the Reform Bill. On 4th June the Bill passed its third reading and royal assent was given on 7th June 1832.¹⁰⁹ A total of 143 seats were abolished, many of which were in pocket boroughs, and 67 new constituencies created.¹¹⁰ The franchise was also expanded to include owners of land valued above £10. However, the Great Reform Act was far less

¹⁰⁷ Hilton, *Mad, Bad, & Dangerous People?*, p. 425; Fraser, p. 45.

¹⁰⁸ LoPatin, *Political Unions*, pp. 141-150.

¹⁰⁹ LoPatin, *Political Unions*, p. 155; Fraser, p. 43

¹¹⁰ John A. Phillips and Charles Wetherell, 'The Great Reform Act of 1832 and the Political Modernization of England', *The American Historical Review*, 100:2 (1995), 411-436.

radical than what the First Reform Bill had outlined. The electorate was expanded by around 250,000, not the near half a million that was originally proposed. Pocket boroughs remained an issue, and populated centres remained woefully underrepresented in the House of Commons. As would become clear in the following years, for government the Act was not the first step toward universal suffrage, but a necessary compromise to prevent it.

Melbourne, as Secretary of State for the Home Department, an institution which had since its establishment preached the perilous consequences of concession, was not opposed to conceding to the will of the people when circumstances required it. He had previously spoken of the danger of reform during the agitation of 1817-1820 but was over a decade later willing to accept it as necessary.¹¹¹ But the enactment of the Reform Act and the formation of a new government brought with it not a return to peace and stability but continued uncertainty. The political unions remained to see out the election. Tempers flared at the polls and military reinforcements were required to keep the peace at many contested seats. At Sheffield military discharged their firearms killing seven.¹¹² Some were still captivated by the militancy of the days of May; political unions in the neighbourhood of Blackburn were suspected of continuing to arm, relying in part on arms acquired in 1826, and rumours circulated that swords and pistols were being concealed at Manchester.¹¹³ The rumours proved either to be false, or the weapons were mere remnants of abandoned revolutionary designs. Following the election, most political unions gradually faded away, but others continued to pressure for further political reforms or pursued social and economic reforms to improve working and living conditions.¹¹⁴ Though Melbourne ultimately yielded to the will of the majority, he declared his unwillingness to do so again; 'I am determined to make my stand here, and not to advance any farther.'¹¹⁵

¹¹¹ J.R.M. Butler, *The Passing of the Great Reform Bill* (London: Longmans, 1914), p. 93.

¹¹² HO41/11 p. 323, Melbourne to Lord Wharncliffe, 17th December 1832.

¹¹³ HO41/11 pp. 246-8, Lamb to Reverend Richard Noble and John Taylor, 27th September 1832; pp. 260-1, Phillipps to Lt Colonel Shaw, 3rd November 1832.

¹¹⁴ LoPatin, *Political Unions*, p. 157.

¹¹⁵ *LMP* pp. 145-7, Melbourne to Sir Frederick Lamb.

Trade Unionism

In the months and indeed years that followed it was not political unions but trade unions which became the daily business at the Home Office as agitators once again looked to the immediate issue of daily subsistence. Swing and the political unions had remained the primary concern throughout 1830-32, but all the while trade unions, then legal after the repeal of the Combination Acts in 1824-5, had been successfully developing. As we saw with Swing the issues of trade and of politics were not exclusive. Tricoloured flags were openly displayed at a meeting in Manchester in December 1830, after which mills were attacked and workmen forced to turn out.¹¹⁶ In London, the National Union of the Working Classes supported a general union, a limitation of hours, but to be remedied through legislation in a reformed parliament.¹¹⁷ And as Peel noted the French and Belgian revolutions 'excited the greatest influence among' the trade unions.¹¹⁸

Ambitions for a general union of trades were revitalised in the form of the General Union of Cotton Spinners at Manchester, and in July 1830 with the more ambitious National Association for the Protection of Labour (NAPL) led by John Doherty, which attempted to establish a general union of a range of trades in Lancashire, Cheshire, Derby, Nottingham and Leicester.¹¹⁹ The Home Office had, for the most part, allowed these trade unions to run their course, as both the General Union and the NAPL disbanded without any government interference. Legal interference had been considered, as Melbourne informed the King when he took office both he and Peel had discussed 'whether the arrangements of these unions, their meetings, their communications, or their pecuniary funds, could be reached, or in any way prevented' but believed that any modification of the law 'would have been a serious infringement upon the constitutional liberties of the country, and to which it would have been impossible to have obtained the consent of Parliament.' Not only this, but by subduing the trade unions by another restrictive law similar to the Combination Acts, the

¹¹⁶ HO41/8 pp. 446-8, Melbourne to Foster, 9th December 1830.

¹¹⁷ Prothero, *Artisans*, p. 275.

¹¹⁸ Peel to Foster, 30th October 1830 cited in Butler, *Great Reform Bill*, p. 129.

¹¹⁹ Chase, *Early Trade Unionism*, pp. 115-8.

blame would rest solely on government, and would therefore have encouraged ‘the spirit of union.’ The Home Office’s stance towards trade unions was thus one of containment, attempts at violence were immediately suppressed, and over time trade unions began ‘to slacken and to remit some of their energy, and to lose some of their influence.’ The losses sustained by workmen in turning out became too much to bear and were eventually compelled to return to work. In September 1831 Melbourne contently informed the King, ‘the heaviest blow they have received is from having been left to their own course, which has already made to a certain extent, and will every day make more manifest, its intrinsic unreasonableness and absurdity.’¹²⁰

However, the Home Office was compelled to respect their influence, as any direct contest would have national implications. In October 1830 for example, the state of the country caused Peel to hesitate to advise a firm response in cases in response to trade union activity in Manchester. Major General Sir Henry Bouverie was instructed to consult the magistrates on the best means to adopt to the usual resistance to demands of colliers and cotton workers for an advance of wages.

The “turn out” of some thousand Persons in the present state of feeling so easily excited, would probably soon lead to a breach of the Peace, to a conflict between the Civil Power and the adherents of the Union, to the employment of the Military in aid of the Civil Power. The first conflict might be the signal for many others, and the manufacturing District might suddenly be involved in very general confusion.¹²¹

Peel was perfectly aware, as Sidmouth and Hobhouse were before him, of the potentially devastating consequences a significant disturbance in a populated centre like Manchester could have on the state of the country. A check was to be made whether public opinion would support the actions of the authorities and that the civil forces would be strong enough to win any ensuing contest before a decision to resist was made. A stalemate ensued as masters refused to cooperate

¹²⁰ *LMP* pp. 130-4, Melbourne to Sir Herbert Taylor, 26th September 1831.

¹²¹ HO41/8 pp. 13-8, Peel to Foster, 25th October 1830.

with magistrates to prosecute offenders, and witnesses were intimidated from appearing to give their evidence.¹²² Suggestions by magistrates and manufacturers alike that stricter legislation would provide the remedy were resisted unless sufficient evidence could be obtained to prove their 'mischievous tendency.'¹²³

Melbourne's policy of containment was tested during the May Days of 1832 when heated and sometimes violent conflicts took place between pitmen, employers and justices of the peace in Durham and Northumberland. In response to reports of a planned rising amongst pitmen, Melbourne sanctioned arms to be provided to constables and coal owners in addition to the customary despatch of military reinforcements.¹²⁴ His actions were founded on the precedent set by Peel during disturbances in Lancashire in 1829 when he sanctioned the loan of arms in defence of private property.¹²⁵ Reports were equally severe after the Reform Act was passed. Four days after, a magistrate of South Shields was murdered, and in the same month union pitmen murdered a collier for refusing to join them.¹²⁶ A month later at Durham policemen were assaulted by pitmen.¹²⁷ Near Huddersfield, the Committee of Woollen Operatives threatened to compel workers to turn out.¹²⁸ In London, the National Union of the Working Classes (NUWC), unappeased by the Reform Act, continued their activities. Following the passing of the Act the NUWC had mixed fortunes; on the one hand it benefitted from the failure of other unions and absorbed their membership to bolster its influence, but on the other, the sense of crisis during the agitation for reform had now faded. A NUWC meeting in May 1833, which ignored placards which declared the meeting illegal, was forcibly dispersed leading to many minor injuries and the death of a police constable. The event

¹²² HO41/9 pp. 351-2, Phillipps to Foster, 17th January 1831.

¹²³ HO41/8 pp. 18-21, Peel to Foster, 30th October 1830; HO41/9 pp. 257-9, Melbourne to Earl of Derby, 1st January 1831.

¹²⁴ HO41/11 p. 153, Phillipps to Bouverie, 8th May 1832; p. 161, Phillipps to Bouverie, 25th May 1832.

¹²⁵ HO41/7 p. 459, Peel to Board of Ordnance, 10th May 1829; HO41/11 p. 151, Melbourne to Duke of Northumberland, 5th May 1832.

¹²⁶ HO41/11 p. 172, Phillipps to Messrs. Bainbridge & Spinner, 15th June 1832; pp. 180-1 Phillipps to Bainbridge, 27th June 1832; pp. 183-4, Phillipps to W. Loraine, 28th June 1832.

¹²⁷ HO41/11 pp. 185-6, Phillipps to Edward Dale, 4th July 1832.

¹²⁸ HO41/11 pp. 182-3, Phillipps to Robert Wrigley, 28th June 1832.

was enveloped in scandal, as one of the primary sources of information was a plainclothes London policeman William Popay, who was accused of being an *agent provocateur*.¹²⁹

Though some contemporaries questioned whether the instruction came from Melbourne, there is no evidence to substantiate this.¹³⁰ The relationship between the Home Office and the commissioners of the metropolitan police can to some degree be compared with that of magistrates, though the Home Office exerted its authority when necessary. In relation to information gathering, the commissioners were instructed to appoint constables to attend public meetings which they perceived might lead to a disruption the public peace; the actual minutiae of whom to appoint, and when they believed it necessary, was left at their discretion. The appointment of an *agent provocateur* as late as the spring of 1833, long past rumours of risings and revolution, was not needed.¹³¹ The Home Office's attitude to the remaining trade and political unions after the Great Reform Act of 1832 was identical to that which preceded it; to monitor their activities closely, and only to intervene when the law was contravened.

Conclusion

During 1830-1832 government was both the most passive and most interventionist it had been in repressing threats to the King's peace. No repressive legislation was implemented despite the country being on the verge of a rising, but at the same time the primitive state of provincial policing and the want of confidence in the independent authority of the judiciary caused Melbourne to intervene on an unprecedented scale. The absence of a comparative approach to the repression of these disturbances has meant that historians have failed to appreciate the extraordinary use of Home Office resources by Melbourne and the Grey ministry. The tough stance against Swing rioters at the assizes is well documented, but historians have overlooked why these harsh sentences, and

¹²⁹ Prothero, *Artisans*, p. 295-6.

¹³⁰ *PP* 1833 (627), XIII, Report from the Select Committee on the Petition of Frederick Young and Others, pp. 178-82.

¹³¹ *Ibid.*

an extraordinary use of government resources, were deemed necessary. By comparing government's response to Swing with previous disturbances this chapter has widened the scope of enquiry as to why the repression of Swing was so severe when compared to previous attacks on machinery or in the foodstuffs industry. The severity of the state's response to Swing was not so much because the Swing rioters presented an unparalleled threat, but due the political context in which the disturbances occurred. Long-established precedent was superseded by the personality and inexperience of the new home secretary, and because the young Whig ministry was eager to demonstrate competence in their newly acquired positions of power.

When Melbourne took over in November 1830 he deployed Peel's metropolitan police force, along with Bow Street, to an incredible extent. His inexperience as a senior minister certainly showed at many points, where his eagerness to prove himself but also to stick to his principles caused considerable embarrassment. He appears to have ignored the advice of the Duke of Wellington, who he corresponded with upon taking office, that he could not 'be too cautious in using arms and equipment.'¹³² Sabres, firearms, and even grenades were distributed readily, crippling the stocks of the Board of Ordnance. He ran out of police officers to despatch to the provinces and incurred significant costs by covering their expenses. He deviated from established principles when it came to government rewards, and his reluctance to utilise the secret service fund to its full potential might have had perilous consequences. However, the power of the law was demonstrated by the appointment of special commissions to address the Swing threat, and an unfavourable contest with political and trade unions was successfully avoided. Importantly, the Grey ministry did not aggravate the unions with repressive legislation, which would have served to encourage the 'spirit of union' between trade and political interests, which was the case in the Regency period.¹³³ Indeed, it appears that Melbourne was greatly influenced by the actions of his

¹³² Philip Ziegler, *Melbourne: a biography of William Lamb, 2nd Viscount Melbourne* (New York: Knopf, 1976), p. 133.

¹³³ *LMP* pp. 130-4, Melbourne to Sir Herbert Taylor, 26th September 1831.

predecessor, Viscount Sidmouth, but more from his mistakes than his successes. Another spy scandal, an alliance between the trade and political unions, and/or an aggravation of the unions with repressive legislation, could have made the threat of a general rising a reality.

The Grey ministry's use of government resources demonstrates the fragility of government precedent; it was only useful as long as successive ministers *chose* to follow it, for it was a guide book and not a set of rules and regulations. This is not to suggest that Melbourne did not reluctantly conform to a more usual application of Home Office resources, but rather to suggest that Melbourne's perception of what the job of home secretary entailed was far different from the reality. Before becoming home secretary Melbourne was critical of Peel's appeasement of magistrates by acceding to their requests for aid, but as Griffin notes Melbourne, when thrust into his shoes ordered more troops than Peel ever did. He was critical of the establishment of yeomanry corps, but during Swing approved the establishment and augmentation of many during his tenure.¹³⁴ He was critical of spies and informers but was obliged to resort to their services when the case required them. However, this responsibility did not rest solely with Melbourne. In applying the powers of the Home Office his inexperience was not counterbalanced by an experienced permanent under-secretary, who being his right-hand man would have been able to moderate his decisions, to recall established precedent, and to develop relationships with trustworthy magistrates who could procure informers. Regardless, Melbourne quickly realised his errors and modified his response. His actions might have been unprecedented, but they were, for the most part, effective.

¹³⁴ Carl Griffin, "Policy on the Hoof", pp. 141-2.

Conclusion

The Home Office deserves a greater place in the history of protest than it currently does. Historians have used the domestic and disturbance correspondence for decades, but none have focussed their attention on the very institution responsible for receiving and responding to these letters. This thesis has attempted to remedy this deficiency. In many respects, this thesis has not contested existing histories of popular protest but has complemented them by enhancing our understanding of a government department which remains woefully understudied. It has differentiated itself from traditional Whiggish institutional histories by not attempting to consider all of the Home Office's responsibilities but has instead concentrated on just one. This has enabled a more focussed study to be undertaken, in which every aspect of the way the Home Office responded to public disturbance has been considered, from its processes, personnel and archives, to its powers and influence.

The adoption of this approach has required the interrogation of over three decades of Home Office correspondence and a comprehensive understanding of its precedents. It has seen popular disturbance from above, through the eyes of the home secretary and his subordinates. In the study of protest it is perhaps sometimes forgotten that the principal source in the study of popular disturbance, the Home Office disturbance correspondence, is but a part of government's collection of disturbance records. It is one part of the story; the reports of justices are coupled with the response of government contained in the disturbance entry books. The response letters provided advice and ordered the use of state resources which ultimately affected the actions of justices on the spot. Therefore, understanding the response of government, or more specifically the Home Office, adds to our understanding of the relationships between the crowd, civil authorities on the spot, and central government. An awareness of government precedents is also crucial to understanding the actions of the crowd. Peculiar uses of Home Office resources, seen most clearly

during Melbourne's tenure, can only be fully appreciated when compared with that of previous home secretaries. When it comes to a government department so reliant upon established precedent, it becomes necessary to consider intervention over a much longer period than is traditionally done in contained studies of popular movements or outbreaks of disturbance. To understand the extraordinary uses of Home Office powers and influence, we must first understand the ordinary.

The question remains: in over three decades of daily deliveries of correspondence, of intra and interdepartmental discussions, of Cabinet meetings, and of parliamentary debates and secret committees, how had the Home Office and its response to public disturbance changed? For the Home Office change was a dangerous word. It represented the unknown and the dangerous, and though it manifested itself in commercially beneficial innovations, it also triggered a violent response. Change was everything that 'the enemy' sought, and everything the Home Office was responsible for resisting.¹ Such an attitude is seen in everything the Home Office did, from its mechanical processes to preserving the King's peace. We have seen how the Home Office was forced to adapt to the new strains placed upon its personnel, but how it continued to resist a registry system, and how changes were only reluctantly made to archival series. In preserving the peace, the use of Home Office powers and government resources was guided but not governed by precedent. Resources were applied incrementally, and if these were ineffective only then was additional repressive legislation sought or temporary rewards and pardons offered. Yet, the emergence of extraordinary threats to King and Constitution necessitated an equally extraordinary response. Precedent could not be relied upon when the scale and nature of new forms of contention were unprecedented. Portland offered rewards contrary to established guidelines,

¹ HO79/3 pp. 453-5, Hobhouse to Byng, 26th July 1819.

Sidmouth armed people serving under the Watch and Ward, and Melbourne disregarded precedent altogether.²

The authority of the secretary of state alone could sanction any deviation, and home secretaries (except Melbourne) were cautious to avoid doing so for extended periods. Melbourne's tenure has revealed how personality and politics could supersede precedent, but also how government more generally was beginning to change by the 1830s. It was in that decade that government finally yielded to pressure for parliamentary reform, and for the first time when confronting a new threat, no repressive laws were passed. Melbourne looked back to precedent not for an example of what to do, but rather of what not to do: not to employ spies who could be accused of being *agent provocateurs* and not to introduce repressive legislation which would antagonise political and trade unions, who might have pursued alternative and possibly violent measures if their peaceful methods were to be restricted or prohibited. Even in 1832 Sidmouth, whose oppositional stance to reform had been solidified in the Regency years, still refused to accept that concession was necessary.³ Melbourne and the Whigs were at least prepared to go some way to meet the demands of the reform movement.

The struggles of the early nineteenth century presented the Home Office with a range of problems, from the logistics of preparing letters for despatch in time for the departure of the mail coach, to the repression of perfectly legal reform movements. It was only with its flexible, diligent and experienced workforce that it was able to cope with the influxes of correspondence which accompanied popular tumult. Despite turmoil throughout the country, the changes in administrations which threatened to put inexperienced men in charge of overseeing the preservation of the King's Peace, and the constant pressures for economies in departmental spending, the Home Office remained an unwavering constant. It was staffed with experienced clerks

² HO43/12 pp. 192-3, Portland to the Magistrates of Birmingham, 30th September 1800; HO41/5 pp. 331-2, Hobhouse to R.H. Crewe, 6th December 1819.

³ Cookson, 'Addington, Henry'.

willing and able to stay to any hour in the night or into the early hours of the morning to write urgent responses to panicked justices of the peace. It was one of these men who remains underappreciated in the histories of protest and its repression; the permanent under-secretary of state. John King, John Beckett, Henry Hobhouse, and in his later years Samuel March Phillips, were invaluable in the preservation of order. Though accustomed to the contests between Whigs and Tories, permanent under-secretaries were not political appointments, but career civil servants, and were not therefore typically concerned in the squabbles in parliament except when repression required additional laws.⁴ As such King and his successors were able to dedicate their time and energy to the preservation of peace. This research has shown how they provided the secretary of state with counsel at pressing times and stood in his place during his absence, acted as a central representative when their legal expertise was required, and oversaw the operation of the Office on a daily basis during the tenure of a number of home secretaries with different political stances. He could not be expected to be devoid of any political preferences, but his duty to government meant that it could not affect his work. The importance of the under-secretary of state in the mechanical processes of the Home Office, as well as the decision-making process, cannot be underestimated.

This thesis has also shown how the Office's archival systems were forced to adapt as the strains placed upon them became almost too much to bear. It has explained the reasoning behind the confusing archival arrangement but has also shown how important it is not to rely entirely on official correspondence; ministerial officialese can mask the dilemmas and frustrations experienced by home secretaries, and particularly in the 1830s home secretaries were wary of recording their honest opinions in official record. Whilst the loss or destruction of personal correspondence may preclude further investigation into the more secretive actions of some home secretaries, the limits of official correspondence must at least be acknowledged. When personal correspondence does survive, as is especially the case with Viscount Sidmouth, it adds to our understanding of the

⁴ *Diary of Henry Hobhouse.*

decision-making process, the political struggles in Cabinet, and the temperament of the home secretary.

This thesis has also exposed some of the problems the Home Office was confronted with in preserving the King's peace. On the ground magistrates struggled to swear in sufficient constables to contain disturbances; magistrates themselves were inactive or conciliatory; lord lieutenants were absent or defective; Cabinet could prove to be the most stubborn obstacle preventing an adequate repressive response; and even the home secretary could be an issue, as the inexperience of Melbourne and his permanent under-secretary shows. The main problem was that the Home Office depended on people: people whom it depended on to act immediately with both temperance and alacrity and in accordance with established precedent, absent of any jealousies and partialities. As we have seen, local jealousies between the civil and military authorities threatened to prevent a firm example being produced. In these local disputes between authorities it was not the role of the Home Office to interfere, but on several occasions the home secretary exerted his influence or offered mediation to keep the machinery of order operable.

For the most part, the state was only to intervene when the mechanisms of the machinery of order began to falter; when the magistracy, constabulary, and yeomanry were outmatched or inefficient or when the judiciary failed to provide an adequate example. At these pivotal moments it became the Home Office's responsibility to apply its resources and ensure justices of the peace were pursuing the correct course of action. This kind of intervention had its own issues, as conflicts of opinion between the home secretary and civil authorities could also delay a firm example being produced. The policies of the state were difficult to enforce without the cooperation of semi-independent localities, who were wary of accepting assistance from central government, lest it lead to a lasting transgression on local authority. In the early nineteenth century central and local government were still two separate entities; justices of the peace did not follow state doctrine

through instruction but by request, and so long as it did not conflict with their sworn oath as a county justice, authorities could act contrary to the advice of the home secretary.

The role of the Home Office in the machinery of order, and the role of the state more generally, appears to have been slightly exaggerated in histories of protest. This thesis has contested claims of an overbearing state presence in the machinery of order as state apparatus was too small and underdeveloped to achieve this. The state, underequipped and in debt as it was for much of the period, was certainly keen to portray itself as resilient and unaffected by the strains that collective action placed upon it, but the reality was quite different. Regular troop numbers were in a state of decline and the Home Office increasingly depended on local police and voluntary forces to restore order. The claim that the country was 'held down by force' is not be entirely inaccurate as regular forces played a crucial part in the repression of public disturbance, but they always had and would.⁵ However, such a claim implies that they were the sole means through which popular disaffection was confronted. It implies greater central authority in directing the repression of disturbance than existed and neglects the complexities and conflicts between centre and province that so often impeded the enforcement of state doctrine. Order was maintained not by state forces alone but the efforts of local authorities and local forces as well. The machinery of order depended on the relationships established and maintained over decades between the state and local justices and other active loyalists who were ready to abide by state doctrine. To suggest otherwise insinuates a centralisation of power and authority which did not exist. State authority only stretched so far and could not, despite the Home Office anticipating a violent confrontation, involve itself in private disputes.

Even when the Home Office intervened the application of state resources to preserve the King's peace was never a complete remedy. From the beginning of the century and up to the 1830s anonymous crimes remained a problematic form of popular disaffection. Property was damaged

⁵ Thompson, *The Making* (2013), p. 663.

and threats were distributed, and all the Home Office could offer was money and publicity through the *London Gazette*, or in select cases the expertise of Bow Street, which was rarely fruitful. Equally, the question of the mass platform caused even the most experienced of the Home Office's secretaries of state to hesitate as no laws were infringed by the orators or the crowd. In the case of the mass platform the home secretary awaited a crisis that could persuade parliament that reform was 'a mere pretext' and to support repressive measures.⁶ In confronting these issues the Home Office was powerless to provide an adequate remedy, and thus it was essential that relationships with provincial authorities were preserved in case of any attempt to escalate the disturbances. For it was these contacts that the Home Office depended on to report the status of their district, to manage the spies and informers it financed, and to contain disturbances when they occurred. With the Home Office inundated with alarmist reports of supposed conspiracies and projected risings, it was these people whom it trusted with most of its secret service fund to operate the necessary but imperfect system of domestic espionage.

In all the acts of parliament that were passed from 1800 to 1832 none enhanced the Home Office's ability to intervene in the repression of public disturbance in the provinces. Despite threats of simultaneous risings, the existing arrangement was preserved wherein the Home Office continued to act as an overseer of the machinery of order. The arrangement was imperfect, but the state did not have the means nor desire to establish and maintain greater control. In the early nineteenth century, the machinery of order was a fragile construction; it depended upon the individual inhabitant as much as the paid constabulary or military officer to preserve order. Voluntary associations and yeomanry forces were essential but voluntary tools; farmers, millers and retailers were required to resist the imposition of taxation populaire; and owners of machinery were not urged to abandon their use to appease Luddites and Swing rioters. Inhabitants also aided in the restoration of order as special constables, and during the war with France as the state militia. The

⁶ HO79/3 pp. 426-7, Hobhouse to Chippendale, 9th July 1819.

enforcement of state policy required the willing cooperation and collaboration of all these people, and if the state attempted to exert itself more greatly in provincial affairs it risked disrupting this delicate arrangement. Such an attempt would, of course, be coupled with the accusations of despotism and tyranny by critics. Furthermore, the resources of government were finite, which is why the Home Office depended greatly upon loyalist individuals to preserve order. State resources acted as a buffer in extraordinary circumstances but were not to be depended upon on a permanent basis.

The creation and early use of the metropolitan police appeared to signal a more interventionist Home Office as the threats of the early 1830s overwhelmed provincial forces, but their use was only temporary, either until localities had modernised their policing arrangements independently, or until parliament could turn its attention to comprehensive police reform. Despite the devaluation in the importance of precedent in the 1830s, the traditional role of the Home Office, as the overseer of the machinery of order, was preserved. The use of this resource was, however, an early signal of changes to come. Social legislation under the Whigs began to interfere in working conditions and poor relief, a matter which had largely been left to employers and local authorities to manage. With these changes came new extra-parliamentary movements which would later combine their efforts to pursue comprehensive parliamentary reform as a means to achieve social and political change. Under the umbrella of the People's Charter, these movements banded together in pursuit of, for the most part, a common goal. By that time, as Neil Pye has noted, significant technological improvements allowed the Home Office to communicate with the provinces more quickly, and thus the authority of the state was able to more easily penetrate the disaffected regions of the country.⁷

This thesis has demonstrated not only the value of a top-down approach to the study of popular protest but also its limitations. Despite the interrogation of all the available official and

⁷ Pye, *Home Office*, p. 141.

personal papers, there remains a great deal we still do not know about. Conversations took place and decisions were made, such as the mode of proceeding with Oliver the spy, which we can never fully explain. Letters to and from the home secretary were destroyed in the name of secrecy, and any minutes of such meetings, if they ever existed, do not survive. Whilst we can speculate as to decisions which were made or letters which were written, these speculations must be underpinned by an adequate comprehension of Home Office precedent, and where possible supported by evidence which would indicate that such activity was probable. Assertions of extraordinary government activity which are not supported by available evidence, such as the Home Office's sanction of Peterloo, must be discouraged. With radicals comparing the actions of the British government to those of continental despots, it is too easy to posit the government's endorsement of clandestine and unconstitutional activity without evidence, citing only its despise of radicals and their employment of spies. If analysis of government activity is not grounded in evidence or understanding, we risk creating conspiracies of repression, in which government could be accused of having spies at every radical meeting, of sponsoring every loyalist publication, and of bribing every prominent reformist to retire from the political stage.

Whilst home secretaries had at their disposal a secret service fund, military forces, the expertise of the metropolitan police, and numerous other resources, this thesis has shown how the home secretary was still greatly restricted in repressing public disturbance. The desired response was not produced on numerous occasions, often because of an uncooperative or incompetent local authority. On these occasions the home secretary was unable to remove justices and replace them with compliant ones as he might have desired and was forced to respect the mechanisms of local jurisdiction. As we have seen, however, this did not mean the home secretary was powerless; personal influence with the right people served his ends. He could obtain or maintain a close relationship with reliable correspondents to provide him with a constant stream of information who could also act as a point of contact for roaming spies, or could request they use the powers vested in them within local jurisdiction to the benefit of the home secretary's repressive policy. This is also

exemplified by the repressive legislation introduced, or not introduced, throughout the period. The Home Office struggled to deal with the radical press for many years, for any infringement on the freedom of the press would have been deemed unconstitutional and would not have met with the approval of parliament. Therefore, many repressive laws were grounded by historic precedent; many were modifications of expired laws, so that their proponents could draw comparisons in the debates on the preliminary bills when submitted to parliament. Thus, the home secretary not only had to consider what the best means were to repress new forms of public contention, or familiar ones on a new scale, but how to do so in a way that parliament would approve.

There are certainly future opportunities for investigation. Some relate to the methodology employed, and others will enhance our understanding of the repression of popular protest and protect against further misunderstandings of the Home Office's role in the machinery of order. First, our understanding of the domestic espionage system is inadequate. Whilst this thesis has gone some way to expand our understanding of secret service expenditure, there is still much work to be done. A comprehensive study is needed which examines the use of spies and informers by government and by provincial authorities; how many spies and informers were employed by government, and how many were indirectly employed through Home Office contacts? Which regions were responsible for the highest secret service expenditure, and which Home Office contact handled these funds? How often had provincial spymasters sanctioned activities other than passive observations? And what was the relationship like between spies and informers and their contacts? Some of these questions may prove difficult to answer, but many of them can be through an analysis of Home Office documentation in combination with the secret service accounts.

Second, a similar study to this thesis could easily be replicated for other time periods, through which comparisons could be made. Particularly useful periods include the years preceding the period this thesis covers, from the Home Office's creation in 1782 to the turn of the century, during which many Office precedents were established. As this thesis has shown, there are claims

relating government activity, notably extremes of government intervention, which require moderation and this can only be achieved with a top-down or a holistic approach. Equally, further institutional research is also a possibility. This thesis has situated itself between existing histories of the Home Office, but one which included a much longer time scale may yield interesting results. Research which included the Office's predecessor, the Southern Department, and included those years of great change, such as 1782 when the Home Office was created and 1848 when the registry system was introduced, would be particularly fruitful. By expanding our understanding of Home Office and government precedents more broadly, accusations of extraordinary government activity can be countered, or at least moderated.

The 1826 industrial disturbances are in need of a thorough investigation. Whilst some of the peculiarities in the Home Office's response to the disturbances have been identified in this thesis, we still lack a detailed narrative with an awareness of local/regional variation, so aptly demonstrated in studies of Luddism.⁸ The disturbances were certainly extraordinary to warrant such unprecedented government activity, yet we know very little about activity on the ground. Such a study would require an interrogation of all available sources, from Home Office correspondence to records of local justices of the peace, newspaper articles, and legal records.

Lastly, the Whitehall series completed over half a century ago need to be revisited. Whilst historians may have moved on from the traditional Whiggish institutional research seen then, we can, as this thesis and studies of other contemporary institutions have shown, adopt the benefits of their approach with modern methodologies.⁹ Studies of the Foreign Office, War Office, and other government departments could utilise similar methodologies which have been utilised here; quantitative analysis of correspondence; breakdowns of financial records; dissection of mechanical processes, and so on. Particularly interesting comparisons could also be made with the Home

⁸ Randall, *Riotous Assemblies*, Chapter 11; Navickas, *Loyalism and Radicalism*, pp. 192-204; Hammond and Hammond, *Skilled Labourer*; Foster, 'Spread of Luddism in Nottinghamshire'; Weir, 'The Nottinghamshire Luddites'; Roberts, 'Rural Luddism'.

⁹ Murphy, 'the recruitment of Bank of England clerks'; Bowen, *Business of Empire*.

Office's brother department, the Foreign Office, showing how that department reacted to similar or different strains placed upon it, how its archival systems were modified, and what influence personality, politics and precedent had on department policy. By understanding the processes, internal struggles, and precedents of an institution which we retrieve our data from, we can better understand how and why decisions were made, which will enhance the quality of research.

Appendices

Appendix 1 - Staff of the Civilian and Military Departments of State, 1755-1849

	1755	1782	1797	1829	1849
Treasury, Commissariat, and Exchequer	200	200	211	189	112
Foreign Office	[33]	[33]	24	47	49
Home Office	[33] ¹⁰	[33]	26	30	36
Colonial Office	-	-	12	33	37
Board of Trade	17	-	19	26	36
Board of Control for India	-	-	30	46	36
Totals	-	-	322	371	306

Data extracted from Jupp, *Governing of Britain*, p. 137, Table 5.1.

Appendix 2 - Period Covered in Home Office Domestic Correspondence Entry Books 1782-August

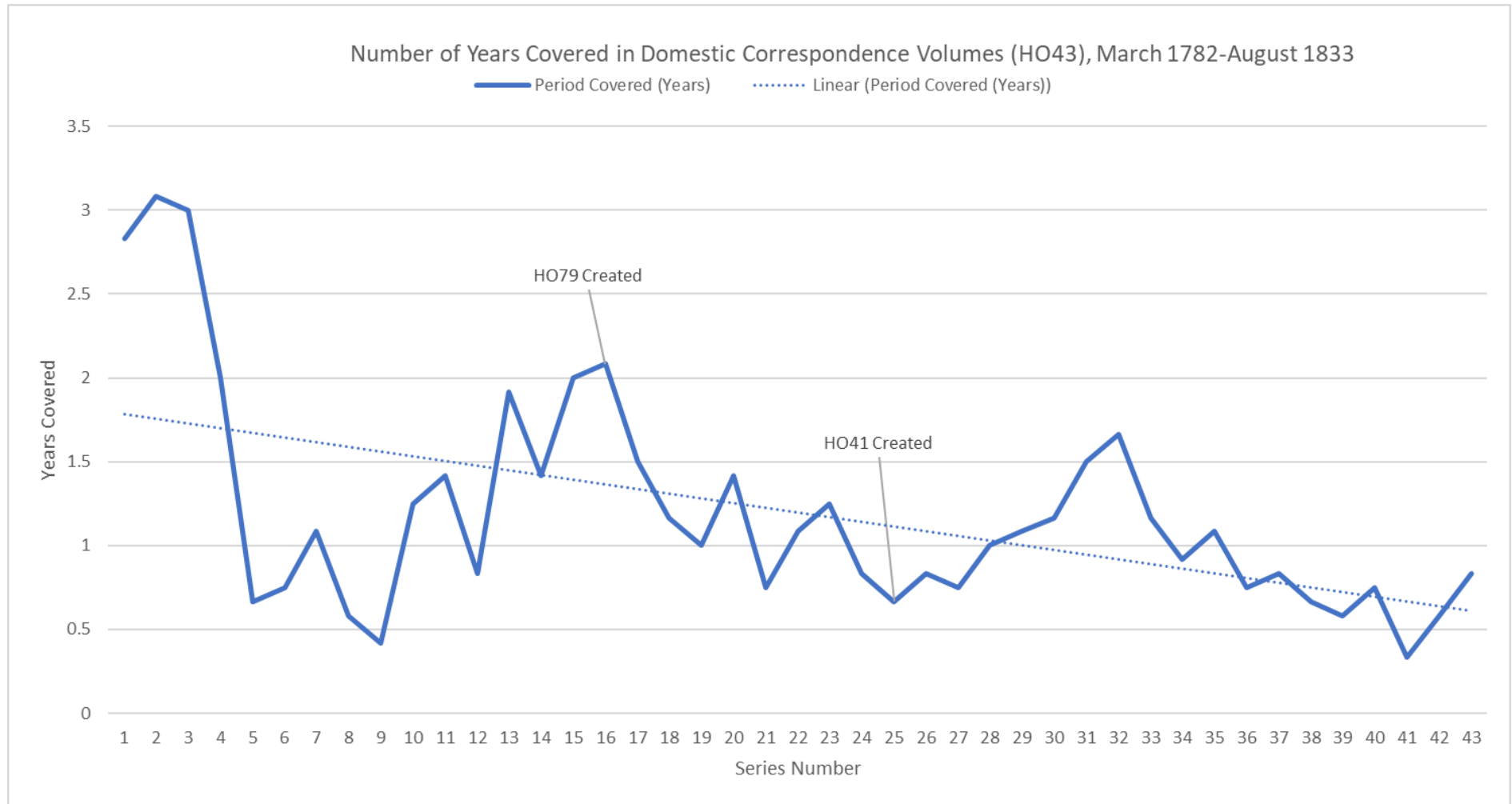
1833

Series Number	Start Date	End Date	Period Covered
HO43/1	March 1782	January 1785	2 Years 10 Months
HO43/2	February 1785	March 1789	3 Years 1 Month
HO43/3	March 1789	March 1792	3 Years
HO43/4	March 1792	March 1794	2 Years
HO43/5	March 1794	October 1794	8 Months
HO43/6	October 1794	July 1795	9 Months
HO43/7	July 1795	August 1796	1 Year 1 Month
HO43/8	August 1796	March 1797	7 Months
HO43/9	March 1797	August 1797	5 Months
HO43/10	August 1797	November 1798	1 Year 3 Months
HO43/11	October 1798	June 1800	1 Year 5 Months
HO43/12	June 1800	April 1801	10 Months
HO43/13	April 1801	March 1803	1 Year 11 Months
HO43/14	February 1803	July 1804	1 Year 5 Months
HO43/15	July 1804	July 1806	2 Years
HO43/16	July 1806	June 1808	2 Years 1 Month
HO43/17	June 1808	December 1809	1 Year 6 Months
HO43/18	December 1809	February 1811	1 Year 2 Months

¹⁰ An overall figure of 66 was divided by two between the two departments.

HO43/19	February 1811	February 1812	1 Year
HO43/20	February 1812	July 1812	1 Year 5 Months
HO43/21	July 1812	April 1813	9 Months
HO43/22	April 1813	May 1814	1 Year 1 Month
HO43/23	May 1814	August 1815	1 Year 3 Months
HO43/24	August 1815	June 1816	10 Months
HO43/25	June 1816	February 1817	8 Months
HO43/26	February 1817	December 1817	10 Months
HO43/27	December 1817	September 1818	9 Months
HO43/28	September 1818	September 1819	1 Year
HO43/29	September 1819	October 1820	1 Year 1 Month
HO43/30	October 1820	December 1821	1 Year 2 Months
HO43/31	December 1821	June 1823	1 Year 6 Months
HO43/32	June 1823	February 1825	1 Year 8 Months
HO43/33	February 1825	April 1826	1 Year 2 Months
HO43/34	April 1826	March 1827	11 Months
HO43/35	March 1827	April 1828	1 Year 1 Month
HO43/36	April 1828	January 1829	9 Months
HO43/37	January 1829	November 1829	10 Months
HO43/38	November 1829	July 1830	8 Months
HO43/39	July 1830	February 1831	7 Months
HO43/40	February 1831	November 1831	9 Months
HO43/41	November 1831	March 1832	4 Months
HO43/42	March 1832	October 1832	7 Months
HO43/43	October 1832	August 1833	10 Months

Data extracted using The National Archives' 'Discovery' Catalogue [<http://discovery.nationalarchives.gov.uk>].



Appendix 3 - Number of Years in Domestic Correspondence Volumes (HO43), March 1782-August 1833

Appendix 4 - Total Incoming Correspondence in Folios, 1790-1832

Year	Folios	Year	Folios
1790	719	1812	8311
1791	1262	1813	3317
1792	2653	1814	2469
1793	3282	1815	3198
1794	2838	1816	5611
1795	1691	1817	10323
1796	601	1818	5407
1797	794	1819	9339
1798	1653	1820	6997
1799	1212	1821	3681
1800	3526	1822	2094
1801	3332	1823	282
1802	1451	1824	417
1803	2312	1825	411
1804	1504	1826	2484
1805	1068	1827	630
1806	1431	1828	934
1807	1379	1829	1295
1808	1234	1830	7257
1809	1278	1831	4339
1810	2442	1832	2340
1811	2432		

Appendix 5 - Home Secretaries and their Tenure, 1794-1834

Home Secretary	Term in Office	
Duke of Portland	11 th July 1794	30 th July 1801
Lord Pelham	30 th July 1801	17 th August 1803
Charles Philip Yorke	17 th August 1803	12 th May 1804
Lord Hawkesbury	12 th May 1804	5 th February 1806
Earl Spencer	5 th February 1806	25 th March 1807
Lord Hawkesbury (Earl of Liverpool from 1808)	25 th March 1807	1 st November 1809
Richard Ryder	1 st November 1809	8 th June 1812
Viscount Sidmouth	11 th June 1812	17 th January 1822
Robert Peel	17 th January 1822	10 th April 1827
William Sturges Bourne	30 th April 1827	16 th July 1827

Marquess of Lansdowne	16 th July 1827	22 nd January 1828
Robert Peel	26 th January 1828	22 nd November 1830
Viscount Melbourne	22 nd November 1830	16 th July 1834

Appendix 6 - Permanent Under-Secretaries of State and their Tenure, 1791-1848

Under-Secretary	Period in Office	
John King	1 st January 1791	16 th March 1806
John Beckett	18 th February 1806	25 th June 1817
Henry Hobhouse	28 th June 1817	31 st July 1827
Samuel March Phillipps	31 st July 1827	15 th May 1848

Sainty, 'Alphabetical list of officials'.

Appendix 7 - Home Secretary Biographies

William Henry Cavendish Cavendish-Bentinck – third Duke of Portland

At the turn of the century, the Home Office was headed by the Duke of Portland, or by his full name William Henry Cavendish Cavendish-Bentinck, who had been in office since 1794 and continued to do so until Henry Addington's government in 1801 when he became lord president of the council. Portland was no stranger to the challenging task of keeping the peace, having served as lord lieutenant of Ireland in 1782, a position not entirely unrelated to his role as official head of the Fox-North Coalition which he assumed the following year. After the failure of the coalition in 1784, Portland remained the head of the Whig party, only to later separate himself from the radicals of the party led by Charles James Fox. Portland, who headed the conservative Whigs, was able to negotiate a coalition with Pitt and secured five Cabinet places for the party in 1794, including one for himself as home secretary. During his years as secretary of state, he earned a reputation for uncompromising and forceful repression of domestic disturbances. After leaving the Home Office Portland retained his position in Cabinet as lord president of the council until 1805 and as minister without portfolio until Pitt's death in 1806. In 1807 Portland was once again returned as prime

minister after the collapse of the Ministry of all the Talents, a position which he held until 4th October 1809, shortly before his death on 30th October.¹

Richard Ryder

Ryder was home secretary from November 1809 until June 1812. Ryder had a legal background, having been called to the bar in 1791 before entering parliament in 1795, where he obtained the family borough of Tiverton which he held for thirty-five years. He refused the position of Irish secretary in 1804, and instead became second justice of the great sessions for the counties of Carmarthen, Cardigan and Pembroke. He became lord commissioner of the Treasury in September 1807 but found the position too taxing on his health. He became judge advocate general in December, before becoming home secretary in November 1809. Ryder's methodical and incremental response to the Luddites was criticised by his contemporaries, who believed it ill-suited to the threat they posed. Ryder retired following the assassination of Spencer Perceval in 1812. Ryder was elected a Bencher of Lincoln's Inn in 1811, and a Treasurer in 1819. He later held the position of registrar of the consistory court. Ryder died on 18th September 1832.²

Henry Addington – first Viscount Sidmouth

The central personality in this period was Viscount Sidmouth, otherwise known as Henry Addington. Addington succeeded Richard Ryder in June 1812 and finally left office nearly ten years later in January 1822. He became an MP in 1784 and was speaker of the House of Commons from 1789-1801 after being re-elected unanimously both in 1796 and 1801. Addington's participation in parliamentary debates was select, unremarkable and reserved, but he was both calculated and generally amiable and sociable. His intelligence and resilience was noted at an early period in his parliamentary career and was considered as a possible replacement for the wavering Secretary of

¹ David Wilkinson, 'Bentinck, William Henry Cavendish Cavendish-, third duke of Portland (1738–1809)', *Oxford Dictionary of National Biography* (2004, online edn. 2008) <https://doi.org/10.1093/ref:odnb/2162>

² W.R. Williams, 'Ryder, Richard', revised edn. by H.C.G. Matthew, *Oxford Dictionary of National Biography* (2004, revised edn. 2013) <https://doi.org/10.1093/ref:odnb/24402>

State Henry Dundas (1791-1794), who struggled to cope with the strains of office. He retained his role as speaker until William Pitt resigned as prime minister in favour of Addington in 1801, who promised to be a new face for the party, and one which had earned the respect of the Commons in his years as speaker. Addington ascended to the Lords in January 1805, becoming Viscount Sidmouth, and undertook the positions of lord president of the council in Pitt's government in 1806, and lord privy seal in 1807. After returning to the position of lord president for a short time in 1807, he became politically isolated from government and opposition.

Sidmouth eventually returned as lord president in 1812, and became home secretary after the assassination of Spencer Perceval when Lord Liverpool replaced him as prime minister. The role was more suited to his personality and talents, foregoing heated parliamentary debates and management of party affairs, the latter of which cut his prime ministership short in 1804 following a dispute with Pitt. Instead he was given independent and unquestioned authority to preserve the King's peace. However, possibly owing to his deteriorating health, Sidmouth confessed he did not wish to accept any office that required daily attendance, which the position of secretary of state of the Home Department, particularly in the troubled year of 1812, certainly required.³ It was, perhaps, the need for a stable and firm government in the wake of the assassination of Perceval and the unabating Luddite attacks, that persuaded Sidmouth to accept the position. Sidmouth held the position of home secretary for just short of ten years, during which time he confronted the Luddites, insurrectionary movements, the most popular movement for parliamentary reform to date, and an attempted assassination of Cabinet. When he retired from the Home Office he retained a position in Cabinet as minister without portfolio, but left in 1824 over a disagreement with George Canning over the recognition of new republics in America. Sidmouth spent his latter years relatively isolated,

³ DHC 152M/C/1812/OZ, Edmond Lee to Sidmouth, 11th April 1812.

he attended the House of Lords infrequently but spent most of his time at Richmond or his estate at Upottery in Devon. Sidmouth died on 15th February 1844.⁴

Sir Robert Peel

Peel entered parliament in 1809 as MP for Cashel, and after a year secured his first position as under-secretary of state for war and colonies. In May 1812 when Liverpool became prime minister Peel became chief secretary for Ireland, a position which he held for six years. These trying years were ideal preparation for his future as home secretary, as he quickly became accustomed to dealing with riots and insurrectionary plots. When he became home secretary in January 1822 he brought his brother in law, George Robert Dawson, with him as parliamentary under-secretary, but preferred to do much of the House of Commons business himself, leaving Dawson with little to do.⁵ His years as home secretary were relatively peaceful, save for a short spell of industrial unrest in the north in 1826, and the early months of Swing in 1830. During these disturbances he exemplified an immediacy and proactivity hitherto unseen in the position of home secretary; he waited not for the machinery of order to turn, but turned it himself. During these peaceful years Peel was able to dedicate his time to a consolidation of criminal laws, and reform of the metropolitan police. Peel later became prime minister for a short time (1834-5) after Viscount Melbourne was dismissed, but the ministry did not last long in the reformed parliament. Peel was relegated to the position of leader of the opposition, a role he held for six years until the Tories were returned in 1841, when he returned as prime minister. Peel resigned in June 1846 following the defeat of the Coercion Bill in response to disturbances in Ireland. Peel never held a government position again. Peel died after being thrown from his horse in July 1850.⁶

⁴ J.E. Cookson, 'Addington, Henry, first Viscount Sidmouth (1757–1844)', *Oxford Dictionary of National Biography* (2004, online edn. 2009) <https://doi.org/10.1093/ref:odnb/150>

⁵ Sainty, 'Alphabetical list of officials'; Robert Peel to Liverpool, 24th December 1825 cited in *Sir Robert Peel from his Private Papers*, ed. by Charles Stuart Parker, 3 vols (London: John Murray, 1899), I, pp. 388-9.

⁶ John Prest, 'Peel, Sir Robert, second baronet (1788-1850)', *Oxford Dictionary of National Biography* (2004, online revised edn. 2009) <https://doi.org/10.1093/ref:odnb/21764>

William Lamb – second Viscount Melbourne

Lamb's early career began not on the backbenches of parliament but on the circuits of the quarter sessions. Lamb was called to the bar in 1804, but a family tragedy, the death of his elder brother, required him to enter a political career. In 1806 he became a member for Leominster, and remained a loyal Whig for many years. Melbourne spoke against parliamentary reform and supported the suspension of habeas corpus in 1817. In 1819 he became member for Hertfordshire, but abandoned the seat in 1826. In 1827 Lamb had to be granted the boroughs of Newport, followed by Bletchingley, in order for him to hold the position of chief secretary of Ireland which he held until May 1828. Melbourne assumed the position of home secretary in November 1830, which he held until July 1834. His time as home secretary was a busy one. The Swing Riots, the reform agitation, and trade unions resulted in a deluge of correspondence. His use of Home Office powers was unorthodox and unmoderated by his under-secretary, resulting in several embarrassments. Nonetheless, the response of Melbourne and the concessions of government in the form of the Great Reform Act restored the country to relative peacefulness. In 1834 Melbourne became prime minister after Grey resigned in a dispute on Irish affairs, and held that position until he was dismissed by William IV in November who opposed the Whig's reform measures. Peel was returned for a brief time, but he failed to win a House of Commons majority, and the general election of January 1835 returned Melbourne's administration in April. Melbourne's announcement of his intention to resign in 1839 led to the Bedchamber Crisis, but was persuaded to stay on after Peel refused to form a new government. In 1841 Melbourne's administration suffered a vote of no confidence, and Melbourne resigned on 30th August. In October 1842 Melbourne suffered a stroke, and after that time gradually retreated from politics. After a series of seizures, Melbourne died on 24th November 1848.⁷

⁷ Mandler, 'Lamb, William'.

Appendix 8 - Permanent Under-Secretary Biographies

John King

King was called to the bar in 1790, and became law clerk at the Home Office the following year. In December he was promoted to under-secretary of state, following the departure of Evan Nepean. Much of King's time was dedicated to the Alien Office following its creation in 1793, which became a centre for domestic surveillance to counter radical activity during the war with France. In 1806 King became joint secretary to the treasury, but as such a position required a seat in parliament, he also received the pocket borough of Enniskillen in March, but held the seat only until July, having vacated it on grounds of ill health. King then became comptroller of army accounts, and held that position until his death on 30th March 1830.⁸

John Beckett

Beckett was called to the bar in 1803. He was recommended to the position of under-secretary by Joseph Allen, fellow of Trinity and later bishop of Bristol and Ely, and undertook that position in February 1806. During his time as permanent under-secretary Beckett was also obliged to undertake many of the duties typically assigned to the parliamentary under-secretary, John Hiley Addington, whose frequent bouts of illness made him more of a burden than an asset. At that time Sidmouth complained 'I work morning and evening and can hardly prevent very inconvenient and unpleasant arrears.'⁹ After he left the Home Office in 1817, Beckett continued to supply Home Secretary Viscount Sidmouth with occasional communications, often relaying the sentiments of the local justices of the peace where he was situated, and offering reassuring comments. After leaving the Home Office in 1817 Beckett took the higher office of judge advocate which he held for most of the years until 1835. He also became MP for Cockermouth in 1818 and again in 1820, but vacated

⁸ Stephen M. Lee, 'King, John', *Oxford Dictionary of National Biography* (2004, online edn. 2008) <https://doi.org/10.1093/ref:odnb/64119>

⁹ Sidmouth to John Hiley Addington, 7th January 1817 cited in Ziegler, *Addington*, p. 317.

the seat in 1821 after a succession of poor speeches in the House. He obtained the seat for Haslemere from 1826-1832 when it was disenfranchised by the 1832 Reform Act, and Leeds from 1835-7. Beckett died in May 1847.¹⁰

Henry Hobhouse

Henry Hobhouse was called to the bar at Middle Temple in January 1801, was solicitor to HM customs from 1806-1812, and then solicitor to the Treasury until 1817. During his time as treasury solicitor, Hobhouse was called upon to oversee provincial assizes, to act as a representative of the state, and to provide the Home Office with detailed reports of their proceedings. Unsurprisingly when the position for permanent under-secretary of state fell vacant in 1817, Home Secretary Viscount Sidmouth arranged for Hobhouse to fill the vacancy. His legal qualifications and unmatched expertise provided Sidmouth with an invaluable asset during the troubled years of his tenure. Hobhouse remained in Office after Sidmouth left in 1822, and went on to serve Robert Peel before retiring in 1827. Hobhouse proved an invaluable asset both in usual Office matters and in Peel's reforms of criminal law and of the metropolitan police, and continued to correspond with Peel about official matters even after he left office. During his later years at the Home Office Hobhouse began to pursue a career as an archivist. He succeeded John Bruce as keeper of the state papers in 1826, and became a commissioner in 1852. Hobhouse died on 13th April 1854.¹¹

Samuel March Phillipps

Like his predecessors Samuel March Phillipps was a qualified barrister, he was called to the bar at Inner Temple in 1806. Phillipps did not practise, but became a legal writer, and published a collection of state trials in 1826. He assumed the position of under-secretary of state for the home

¹⁰ David R. Fisher, 'BECKETT, John (1775-1847), of Somerby Park, Lincs.', <http://www.historyofparliamentonline.org/volume/1820-1832/member/beckett-john-1775-1847> [accessed 5th February 2018].

¹¹ G.C. Boase, 'Hobhouse, Henry', *Oxford Dictionary of National Biography* (2004) <https://doi.org/10.1093/ref:odnb/13403>.

department upon the retirement of Henry Hobhouse in July 1827 and held that post until May 1848.

Phillipps was therefore the longest-serving under-secretary to that point. He died on 11th March 1862.¹²

¹² Michael Lobban, 'Phillipps, Samuel March', *Oxford Dictionary of National Biography* (2004, online edn. 2008) <https://doi.org/10.1093/ref:odnb/22142>.

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