
Crime, Protest and Popular Politics in Southern England 1740-1850



JOHN RULE AND
ROGER WELLS

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THE HAMBLEDON PRESS
LONDON AND RIO GRANDE

Published by The Hambledon Press, 1997
102 Gloucester Avenue, London NW1 8HX (UK)
PO Box 162, Rio Grande, Ohio 45674 (USA)

ISBN 1 85285 076 0

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A description of this book is available from the
British Library and from the Library of Congress

Typeset by The Midlands Book Typesetting Company, Loughborough
Printed on acid-free paper and bound in
Great Britain by Cambridge University Press

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Acknowledgements

The essays in this book were originally published in the following places and are reprinted by the kind permission of the original publishers.

- 1 This essay appears here for the first time.
- 2 *Social History*, 6 (1977), pp. 713–44.
- 3 This essay appears here for the first time.
- 4 *Cornish Studies*, 4/5 (1976–77), pp. 50–55.
- 5 This essay appears here for the first time.
- 6 *The New Poor Law*, edited by M. Chase, Middlesbrough Occasional Papers, 1 (Leeds, 1985).
- 7 *Rural History*, 2 (1991), pp. 35–57.
- 8 *Southern History*, 1 (1979), pp. 135–53.
- 9 This essay appears here for the first time.
- 10 *Outside the Law: Studies in Crime and Order, 1650–1850*, edited by John Rule (Exeter University Press, Exeter, 1982), pp. 102–29.

Preface

The essays in this book were written separately over a number of years by two historians who share an interest in the history of popular protest and of crime. Although we both have published books of a national scope, for example Roger Wells, *Insurrection: The British Experience, 1795–1803* (1983) and *Wretched Faces. Famine in Wartime England, 1793–1803* (1988), and John Rule, *The Labouring Classes in Early Industrial England 1750–1850*, (1986) we also continue to research into the history of the southern (including south-western) part of England. We have both edited *Southern History*. These shared interests have frequently brought us together and cemented a friendship over many years. Chapter 1 is a fully-shared effort. Several of the other essays are either entirely new, or significantly enlarged, versions of material only previously issued in the skeletal form of conference abstracts or review articles.

Our formative years were in the great era of 'History from Below'. Although we acknowledge that it left some 'silences', especially over gender and ethnicity, it still hugely enlarged the historical subject. We have no reluctance in continuing to write within the tradition of George Rudé, Eric Hobsbawm, Edward Thompson and Gwyn 'Alf' Williams. The last two were our respective supervisors at Warwick and at York. Sadly they both died in the period we were putting this book together. We dedicate this book to their memory with enduring admiration and affection.

John Rule
Hampshire

Roger Wells
1996

Abbreviations

BL	British Library
BPP	British Parliamentary Papers
BRA	Brighton Radical Association
BRL	Birmingham Reference Library
CCRO	Cornwall County Record Office
DCRO	Devon County Record Office
ECRO	Exeter City Record Office
ESCRO	East Sussex County Record Office
FLP	Fortescue Lieutenancy Papers, DCRO
Goodwood	Goodwood Papers, WSCRO
JP	Justice of the Peace
LC	Lovett Collection, BRL
KCRO	Kent County Record Office
MP	Member of Parliament
NCA	National Chartist Association
PLC	Poor Law Commission
PRO	Public Record Office
ADM	Admiralty
Assi	Assizes
BT	Board of Trade
HO	Home Office
MAF	Ministry of Agriculture and Fisheries
MH	Ministry of Health
WO	War Office
SC, HC	Select Committee, House of Commons
SC, HL	Select Committee, House of Lords
SCRO	Somerset County Record Office
SP	Sidmouth Papers
WMA	Working Men's Association
WSCRO	West Sussex County Record Office

1

Crime, Protest and Radicalism

John Rule and Roger Wells

In writing about Chartism in 1839, Thomas Carlyle put the 'condition of England' question in a particularly direct form:

Is the condition of the English working people wrong; so wrong that rational working men cannot, will not, and even should not rest quiet under it?¹

From Southey at the beginning of the nineteenth century to Engels, it was a question that had been overwhelmingly asked, of the industrialising north and midlands, as well as of London. It was from these areas, where the industrial revolution, population growth and urbanisation produced, enlarged and defined a new working class, that the threat to an older social and political order was seen to derive. By the time Elizabeth Gaskell wrote *North and South* (1854–55) even the shock of the Swing Riots seems to have faded from memory and the southern labourers are portrayed as beyond protest:

You must not go to the South . . . You could not stand it. You would be out in all weathers. It would kill you with rheumatism. The mere bodily work at your time of life would break you down . . . you've reckoned on having butcher's meat once a day. If you're in work; pay for that out of your ten shillings, and keep those poor children if you can . . . You would not bear the dullness of the life . . . it would eat you away like rust. Those who have lived there all their lives are used to soaking in the stagnant waters. They labour on from day to day, in the great solitude of soaking fields – never speaking or lifting up their poor, bent, downward heads. The hard spadework robs their brain of life; the sameness of their toil deadens their imagination; they don't care to meet to talk over thoughts and speculations, even of the weakest, wildest kind, after their work is done; they go home brutishly tired, poor creatures! caring for nothing but food and rest. You could not stir them up into any companionship, which you get in a town as plentiful as the air you breathe, whether it be good or bad . . . you of all men are not one to bear a life among such labourers. What would be peace to them, would be eternal fretting to you. Think no more of it . . . I beg.²

¹ Thomas Carlyle, *Chartism* (London, 1839), cited by Raymond Williams, *Culture and Society, 1780–1950* (Harmondsworth, 1961), p. 91.

² Elizabeth Gaskell, *North and South* (1854–55; Harmondsworth, 1970), pp. 381–82.

This advice was delivered to a discontented cotton-worker who wished to escape from the unrelenting struggle between labour and capital in Manchester, the town of the industrial revolution and, according to Engels, the centre of England's 'social war' between the classes.³ In the non-industrialising, even de-industrialising, south, the workers' struggle could be more simply considered as the 'struggle to live'.

Mrs Gaskell's insistence on the southern labourer's incapacity for thought suggests a social consciousness with an emphasis on survival more than protest. The 1830 insurrection of the Swing Riots has been traditionally seen as a worrying but exceptional episode for the rural south. So too was the farmworkers' flirtation with trade unionism in the notorious events at Tolpuddle in 1833. Swing and Tolpuddle's exceptionality was not unrelated to the severity with which they were repressed. Carlyle was mainly thinking of the workers in industrial and urban England, historians have not in general treated matters differently. There is an established labour historiography which is distinctly regional in its concentration. Edward Thompson's classic *The Making of the English Working Class*, which far more than any other book set the agenda for working-class history, for all its short chapter on the 'field labourers' is essentially a book about London's artisans and the industrial workers of the north and midlands.⁴

There are some exceptions to this geographical concentration. Eric Hobsbawm and George Rudé's *Captain Swing* is a notable one,⁵ while in the serious historical study of crime alongside protest, southern-based studies have played an important part. Neither contemporaries nor historians ignored the desperate poverty of the southern farm labourer. To an extent, but a lesser one than was the case with the new urban-industrial Britain, conditions in rural England were revealed in parliamentary enquiries. It was also described in depressing detail in the *Morning Chronicle* and bludgeoned into the national consciousness by William Cobbett.⁶ It is the consciousness, not the condition, of the southern population which has been under-studied. It is in this context that this volume, which is in the tradition of 'history from below' pioneered by Thompson, Hobsbawm and Rudé has been compiled. Among the primary objectives of these studies is to show that agricultural labourers and other southern working people had a capacity to fight to redress their grievances and were at a considerable remove from the apathetic victims of Gaskell's stereotyping. Not only did southern workers engage in mass mobilisations, they also participated in the major politically driven movements of the time. Protest against the iniquities of the New Poor Law and recognition of the potential benefits of at least

³ Frederick Engels, *The Condition of the Working Class in England* (1845; reprinted 1987), pp. 232–33; 'These strikes . . . are the strongest proof that the decisive battle between bourgeoisie and proletariat is approaching.'

⁴ E.P. Thompson, *The Making of the English Working Class* (Harmondsworth, 1968). The Penguin paperback of 1968 with its important post-script is the standard edition.

⁵ E.J. Hobsbawm and G. Rudé, *Captain Swing* (Harmondsworth, 1973).

⁶ Lengthy surveys of the condition of the poor in the provinces were published in the *Morning Chronicle* regularly between 1849 and 1850.

manhood suffrage were not exclusive to workers in London and the large industrial and urban locations.

Historians of traditional forms of popular protest have shown a stronger interest in southern England than have those of labour and radical political movements. The careful mapping of food rioting, the most frequent and widespread form of disturbance in the eighteenth century, by Charlesworth and others hardly permits otherwise.⁷ Protest over food prices seems therefore, an appropriate place to begin.

Violent fluctuations in the cost of living were inherent where the productivity of the domestic harvest largely determined the nature of the struggle to live from year to year until after the French Wars of 1793–1815. This phenomenon first became apparent during the urbanisation and nascent capitalism of the medieval period, and war intensified with further urbanisation and rapid demographic growth during the time of the Tudor and early Stuart monarchies. Population stagnation in later seventeenth- and early eighteenth-century England, combined with increases in agrarian productivity (in part stimulated by the introduction of the Corn Laws) saw some amelioration of the fragility of subsistence supplies experienced before 1660. The severe food crisis of 1709 and 1727–29 were precursors of renewed fragility from the 1730s. Recurrent crises happened in 1740–41, 1753, 1756–57, 1766–67, 1772–73, 1792–93, 1794–96, 1799–1801, and 1811–13.⁸ Most of these crises were also aggravated by war and even more so by collapses in demand for everyday consumer articles and services, other than foodstuffs, with consequent industrial under and unemployment amongst men, women and children.

Consensus over popular responses to dearth and high food prices have emerged in two areas. First, that the 'food riot' in its various forms constituted the most common form of popular mass mobilisation up to 1815. Secondly, that the objectives of these assemblies conformed to what E. P. Thompson dubbed the 'moral economy of the eighteenth-century English crowd'.⁹ If the essence of Thompson's identification is undisputed, differences of historical interpretation remain over a number of points. The first disagreement worthy of interest concerns the universality of this brand of popular mentality, which might be boiled down to whether it was regionally (or indeed culturally) specific, or some peculiar combination of the two. Some historians, including Dale Edward Williams and Derek Gregory, have in their different ways argued that because

⁷ A. Charlesworth, ed., *An Atlas of Rural Protest in Britain, 1548–1900* (London, 1983).

⁸ These crises are briefly outlined and mapped in turn in Charlesworth, *Atlas of Rural Protest*. Those of the early French war years have been analysed in detail in Roger Wells, *Wretched Faces: Famine in Wartime England, 1793–1801* (Gloucester, 1988).

⁹ E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past and Present*, 50 (1971), pp. 76–136. This hugely influential article was reprinted in Thompson's *Customs in Common*, (Harmondsworth, 1993), along with an important response to his critics, 'The Moral Economy Reviewed'.

universal riot did not apparently accompany universal dearth, some communities did, while others did not, subscribe to moral-economic values. Williams, in particular, emphasises that only specific types of community, notably proto-industrial ones, recurrently engaged in food rioting. Gregory, who appears to be slightly more sensitive to the universality of the concept, believes, like any historical geographer, that the answer to this question lies in mapping the phenomena across the relevant chronology. In some senses these views echo R. B. Rose's 1961 perception, that food-rioting somehow moved northwards during the eighteenth-century, roughly in tandem with the onset of more rapid industrialisation in the second half of the eighteenth century.¹⁰

A number of observations must be made on these assumptions. Evidential considerations simply mean that even the majority of food riots need not have left their mark in the documentation, at any point of time since the medieval period.¹¹ Equally evidentially-based is the fact of the sheer intensity of food rioting in the most desperate times, witnessed by the operations of highly-mobile crowds, drawn from several adjacent communities, who grouped and regrouped on successive days to traverse and interrogate farmers (and others) in relatively broad swathes of the rural hinterlands of market towns, many of which also had a manufacturing component in their economies. Moreover protesters in less-populated villages, and especially those whose economies were overwhelmingly agricultural, appear to have adopted non-overt forms of protest including theft, arson and animal maiming. Above all this included the employment of anonymous threatening letter, whose authors clearly shared moral and economic precepts with the perpetrators. The geography of food rioting recoverable from the sources is not synonymous with populist adherence to these precepts.¹²

We have few quarrels with existing identification of faces in the food-rioting crowd and certainly not with Rose's critical observation that such mobilisations permitted the conjunction of working people from disparate trades, and with

¹⁰ D.E. Williams, 'Morals, Markets, and the English Crowd in 1766', *Past and Present*, 104 (1984), pp. 56–73. His argument seems hardly to survive the response of A. Charlesworth and A. Randall, 'Morals, Markets and the English Crowd in 1766', *ibid.*, 114 (1987), pp. 200–13; D. Gregory, 'A New and Differing Face in Many Places'. Three geographies of industrialisation are in R.A. Butlin and G. Dodgshon (eds), *An Historical Geography of England and Wales* (2nd edn, 1990), esp. pp. 354, 359 and n. 10; R.B. Rose, 'Eighteenth-Century Price Riots and Public Policy in England', *International Review of Social History* (1961), pp. 277–92. See also A. Booth, 'Food Riots in North-West England, 1790–1801', *Past and Present*, 77 (1977), pp. 84–107.

¹¹ Roger Wells, 'Counting Riots in Eighteenth-Century England', *Bulletin of the Society for the Study of Labour History*, 37 (1978), pp. 68–72; and work in progress by Professor Buchanan Sharp.

¹² See E.P. Thompson, 'The Crime of Anonymity', in D. Hay, E.P. Thompson and P. Linebaugh (eds), *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (Harmondsworth, 1975), pp. 255–344; Roger Wells, 'The Development of the English Rural Proletariat and Social Protest, 1700–1850'; and *idem*, 'Social Protest, Class, Conflict and Consciousness in the English Countryside, 1700–1880', both in M. Reed and R. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700–1880* (1990), especially pp. 40–45, 155–59. See also J.E. Archer, 'The Wells-Charlesworth Debate: A Personal Comment on Arson in Norfolk and Suffolk', *ibid.*, pp. 82–90.

commensurately disparate status, including labourers, to engage: in some senses this does represent action by an 'inchoate working class'. However, Dr Bohstedt's view that women predominated to degrees of exclusiveness, especially towards the apparent end of the main period of the food-rioting tradition, is as E. P. Thompson incisively put it, a 'myth of Dr Bohstedt's own making'. Moreover, whether feminists like it or not, a male chauvinist society protected women from being shot on such occasions, as the army, regular militia or volunteer, actually fired on the crowd. It also protected them, to a degree, from prosecution as well.¹³

The scale of food rioting reflected the nature and the size of the communities from which the protesters came. Mining communities were usually apart, at a geographical remove, from common targets, such the traders in market towns and ports. Miners' own social cohesion underwrote their capacity to enforce the tactics of 'one and all', to ensure that all males at least effectively struck work and then mobilised to secure moral-economic solutions. Although the plebeian inhabitants of such towns, owing to their own weakness, are frequently recorded welcoming the miners' arrival and capacity for powerful intervention, such phenomena essentially represented one distinct community taking on the dominant power groups in a different one. This is at a considerable remove from Bohstedt's representation of riot as 'community politics', an analysis which he underpins through contrasting the riotous conduct of working-class inhabitants of corporate towns in Devon with their ostensible counterparts in northern cities, especially Manchester.¹⁴ Moreover, Bohstedt's perception, even on his favoured home Devonian territory, ignores the fact that the mobilised did not simply appeal to corporate authority to back them in market regulation, but (like the miners) attacked separate communities by crossing borough boundaries to enforce farmers in their villages to release withheld stocks for the immediate supply of the towns. In a similar way, protesters from Devon towns were quite capable of attacking millers located on rivers and in the estuaries who broke the moral-economic code by despatching grain to distant locations, thereby depriving local towns of what their inhabitants conceived as their rightful food supply in times of crisis. John Allen, the historian of his native Cornish market town of Liskeard, itself lying away from the mining district, recalled that in 1793 the report that 'The French are coming' and 'The Tinnars are rising!' produced equal alarm.¹⁵

¹³ Rose, 'Eighteenth-Century Price Riots', pp. 277–92; J. Bohstedt, 'Gender, Household and Community Politics: Women in English Riots, 1790–1810', *Past and Present*, 120 (1988), pp. 88–122; Thompson, *Customs in Common*, pp. 306–10, 314–16.

¹⁴ John Bohstedt, *Riots and Community Politics in England and Wales, 1790–1810* (Cambridge, MA, and London, 1983). For a detailed response to Bohstedt's important work see A. Charlesworth, 'From the Moral Economy of Devon to the Political Economy of Manchester, 1790–1812', *Social History*, 18 (1993), pp. 204–17.

¹⁵ See below, Chapter 2, pp. 17–51. J. Allen, *History of the Borough of Liskeard* (1856), p. 360. For the sense of miners' food riots as 'invasions' of farming districts or market towns see John Rule, 'Some Social Aspects of the Industrial Revolution in Cornwall; in R. Burt (ed.), *Industry and Society in the South West* (Exeter, 1970), pp. 94–96.

Collectively quitting the place of work to take part in food riots did not in itself make for an *industrial* dispute per se: the quarrel not being with the employer. Industrial disputes were, however, far from unknown among southern workers. Both the serge manufacture of the south west and the woollen cloth manufacture of the western counties had traditions of industrial action going back to at least the beginning of the eighteenth century.¹⁶ Royal dockyard workers at Chatham, Plymouth and Portsmouth, who were after all employed in Britain's largest manufacturing enterprises, were also early to organise. Journey-men papermakers in Kent, Hampshire and Thames valley had developed a sophisticated strike strategy by the late eighteenth century, as had millwrights and many groups of urban craftsmen, building tradesmen and seamen.¹⁷ Even 'Luddism', named from the events in the north and midlands of 1811–12, had made an earlier appearance in the southern half of England. The shearmen of Wiltshire and Somerset resisted innovation at every turn and attacked and destroyed machinery a decade before the Yorkshire croppers followed suit. Through the 'Brief Institution' of 1802–3 there was a remarkable trade-union tie-up between cloth-workers across the country.¹⁸ Local newspapers constantly reveal particular incidents of industrial disputes. Dobson's count of those reported in the newspapers of the British Library's Burney Collection for the years 1717 to 1800 'discovers' a total of seventy-five in southern England, twenty-four in eastern, twenty-seven in the Midlands, eighty-eight in the north and 119 in London. It also reveals that significantly more labour disputes were recorded in southern than northern and midland England before 1760.¹⁹ The first chapters of the Webbs' pioneering book of 1894 give pride of place to the workers of the south-western and western clothing districts in the early history of trade unionism.²⁰ Unionising proclivities were not of course evenly spread in the south. Cornish miners, inveterate food rioters, seldom struck for purely industrial reasons, and hardly even organised industrially before the 1860s. Against this, it has been shown that the happenings at Tolpuddle in 1833 among farm labourers do not represent so singular an event as they have usually been presented.

Acts of protest over food prices and industrial action were often criminal acts. People could be arrested, convicted and punished for them: gaoled and in some

¹⁶ For an account of early trade unionism in the south-western serge district and in the west country woollen cloth manufacture see J.G. Rule, *The Experience of Labour in Eighteenth-Century Industry* (London, 1981), pp. 158–66; and idem, 'Labour Consciousness and Industrial Conflict in Eighteenth-Century Exeter', in B. Stapleton (ed.), *Conflict and Community in Southern England* (Gloucester, 1992), pp. 92–109. See also the important writings of Adrian Randall, especially *Before the Luddites: Custom, Community and Machinery in the English Woollen Industry, 1776–1809* (Cambridge, 1991).

¹⁷ Rule, *Experience of Labour*, pp. 174, 179.

¹⁸ A.J. Randall, 'The Shearmen and the Wiltshire Outrages of 1802: Trade Unionism and Industrial Violence', *Social History*, 7, pp. 283–304.

¹⁹ C.R. Dobson, *Masters and Journeymen: A Prehistory of Industrial Relations, 1717–1800* (London, 1980), p. 22.

²⁰ See below, Chapter 2, pp. 17–51; S and B. Webb, *History of Trade Unionism* (London, 1911), pp. 28–55.

cases transported or even hanged. But if protest was often crime, the converse could also be true. Crime levels in the rural south, according to Cobbett, were manifestly the result of poverty and deprivation at the bottom of the social scale. In his eyes the landowner, oppressed by the taxation burden of corrupt government, pressed in turn upon the farmer, who pressed on the labourer: 'this class is made so miserable, that a felon's life is better than that of a labourer . . . what education, what precepts, can quiet the gnawings and ragings of hunger'. Historians have tended to follow this line of direct causation. The Hammonds, in their classic *The Village Labourer*, commented on the 'wretched and squalid lot' of the labourers, and concluded that they were 'driven to the wages of crime' and that their history in this period was 'written in the code of the Game Laws, the growing brutality of the criminal law, and the preoccupation of the rich with the efficacy of punishment'. Hobsbawm and Rudé agreed that rural crime was 'almost entirely economic – a defence against hunger'.²¹

Statistics tend to support the link. Professor Beattie's analysis of indictments, from Sussex and from rural Surrey, indicate a 'a strong suggestion' that property crime in the countryside was to a considerable extent a matter of hunger and necessity, fluctuating in line with the price of food. The link is complex. In times of war the level of criminal indictments was more closely affected by bad harvests than in times of peace. This seems to have been because the young men who always committed a wholly disproportionate share of total crime were not as affected by high food prices as were older people with families to support. When war service absorbed large numbers of the young and unmarried males, then level of committal was more influenced by the actions of those more immediately and seriously affected by rising subsistence costs.²²

Problems of definition are as troublesome as those of measurement. Historians should presumably concern themselves with measuring and assessing what contemporaries considered as 'criminal', for both law and moral opinion change over time. But not all contemporaries agreed with those who made the criminal law – not surprising when the legislature very largely represented the landed oligarchy. A notion of 'social crime' is necessary to make sense of much activity outside the law. Poachers, smugglers and wreckers, for example, did not normally think of themselves as criminal, nor were they usually so regarded by most of the inhabitants of their communities. Such divergences from 'official' views often derived from the redefinitions of property characteristic of the period. Consider, for example, how enclosure might affect a village. Trespass would acquire a new meaning; fuel gathering from the common could become hedge-breaking or woodstealing (the most common of rural offences). The new type

²¹ See below, Chapter 10, pp. 237–53. William Cobbett, *Rural Rides* (Everyman edn), i, pp. 297–98; J.L. and B. Hammond, *The Village Labourer* (London, 1948), pp. 183–84; Hobsbawm and Rudé, *Captain Swing*, pp. 50, 54.

²² See J.M. Beattie, 'The Pattern of Crime in England, 1660–1800', *Past and Present*, 62 (1974), pp. 47–95; and his authoritative *Crime and the Courts in England, 1660–1800* (Oxford, 1986); D. Hay, 'War, Dearth and Theft in the Eighteenth Century', *Past and Present*, 95 (1982), pp. 117–60.

of cost- and profit-conscious farmer increasingly refused to allow the age-old right of gleaning after harvest, severely curtailing the real value of women's contribution to cottage economies. In manufacturing and in mining the change from independent producer to wage-dependent worker was accompanied by differing views over the ownership of some kinds of 'property' in raw materials or in product. Perquisite expectations were at the heart of many disputes between employers and labour, from taking 'chips' of timber in the royal dockyards to 'kitting' in the bargains in the copper mines of Cornwall. Kitting was hardly considered criminal by the miners but was considered so by the mineowners and prosecuted as ore stealing.²³

Historians of rural society have stressed that much crime in the countryside was 'social' in another, thought not unrelated sense, that is that it was specifically committed as a form of protest. The destruction of hedges, the maiming of animals and rick burning can be seen as in great part the work of a discontented rural proletariat against oppressors identified among the farmers and landlords. From this perspective, outbreaks like the Swing Riots were exceptional. Far more often the bitterness of desperately poor and underemployed farm workers, given their isolation and powerless position, could most easily find expression in covert nocturnal action. Incendiarism became the symbol of the discontented countryside. Definitions are always problematical, both because they do not always fit and because particular crimes can be committed for a variety of motives. Hungry men rob orchards, poach hares or steal sheep. So do professional dealers or those intending to supply them. So, too, do those with scores to settle against farmers.²⁴ Nor was all crime in the countryside perpetrated by its inhabitants. Perhaps Chadwick was right to attribute a proportion of rural offences to vagrants and cores of professional country villains, living by crime just as urban thieves did. Some crimes were undoubtedly the work of gangs operating from the towns.²⁵ Problems abound in the history of crime, but its serious study cannot be evaded. It is essential for the analysis of social and power relationships as well as of protest forms and it is fundamental in the understanding of the struggle to live.

²³ See below, Chapter 3, pp. 81–89. See below Chapter 8, pp. 153–68, for a discussion of the literature on 'social crime'. For industrial crime see also Rule, *Experience of Labour*, pp. 124–35; P. Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* (Harmondsworth, 1992), pp. 158–62; 226–30; J. Styles, 'Embezzlement, Industry and the Law', in M. Berg, P. Hudson and M. Sonenscher (eds), *Manufacture in Town and Country before the Industrial Revolution* (Cambridge, 1983), pp. 183–204. For woodstealing and gleaning see R.W. Bushaway, *By Rite: Custom, Ceremony and Community in England, 1700–1880* (1982), pp. 208–33; and P. King, 'Gleaners, Farmers and the Failure of Legal Sanctions in England, 1750–1850', *Past and Present*, 125 (1989), pp. 116–50.

²⁴ See below, Chapters 9 and 10, pp. 169–235, 237–53. On rural crime and protest see the essays in Reed and Wells, eds, *Class, Conflict and Protest*; J.E. Archer, 'By a Flash and a Scare': *Arson, Animal Maiming and Poaching in East Anglia, 1815–70* (Oxford, 1990); D.V. Jones, *Crime, Protest, Community and Police in Nineteenth-Century Britain* (London, 1982).

²⁵ For rural criminals see below, Chapter 9, pp. 169–235; and Roger Wells, 'Popular Protest and Social Crime: The Evidence of Criminal Gangs in Rural Southern England, 1790–1860' in Stapleton, ed., *Conflict and Community*, pp. 135–82.

Although sometimes presented as a simple form of agricultural Luddism against threshing machines, behind the protests of 1830–31 lay a miscellany of motives. By mid November 1830, the English countryside, particularly in the south and south midlands was in the grip of a quasi-insurrection generally known after its mythical leader, ‘Captain Swing’. Traditional interpretations of the Swing Riots, especially in its south-eastern origins, have focused on a number of critical grievances of agricultural labourers and to a lesser extent of their employers. The labourers suffered from under- and unemployment, derisory wages and increasingly tight-fisted social benefits, collectively known as allowances in-aid-of wages. In many parishes the traditional, annually elected, unpaid overseers of the poor had been given paid professionals known as assistant overseers, whose principal job was to inspect minutely the individual circumstances of claimants with a view to reducing poor-law expenditure. In regions where the threshing-machine made economic sense to the employers, this was certainly a specific grievance because it radically reduced the availability of wintertime employment. Therefore Swing targetted employers, and the assistant overseers, over the issues of wages, employment levels and poor-law allowances. The employers responded by emphasising their own hardships from the post-1815 agricultural depression and the level of taxation (including the local burden of the poor rate) and, where appropriate, the payment of the tithe. The Swing protesters used a variety of tactics. Crowds confronted vestries responsible for poor-rate expenditure as they ultimately bore the responsibility for decisions made by their officials. Crowds also responded to the farmers’ protests over tithe levels by forcing both clerical and lay owners radically to reduce their tithe demands on the farmers. These fierce public mobilisations also involved a considerable number of rural tradesmen, especially journeymen (notably blacksmiths, wheelwrights and shoemakers), who were badly hit by the recession’s reduction in the demand for agricultural services. Other rural industrial workers who had suffered badly as the result of recent technological innovation – such as sawyers and papermakers – also played an important part in some locations.

The Hammonds in their pioneering study *The Village Labourer* devoted two chapters to what they famously described as ‘The Last Labourers’ Revolt.’ Their interpretation was largely re-iterated by Hobsbawm and Rudé in their 1969 *Captain Swing*. Although Hobsbawm and Rudé were not exactly unaware of the developing Reform Bill crisis, and dimly perceived that there were political elements to Swing, they minimised them. They also assumed that the revolt was essentially over by the end of 1830 at the very latest, devoting much of the remainder of their book to the horrendous judicial counterblast by the newly-installed Whig government and its Special Commissions of Assize. Rudé’s access to transportation records held in Australia enabled him to find out much about the hundreds who were transported, which in turn permitted a much closer identification of the faces in Swing’s crowds.²⁶

²⁶ Hobsbawm and Rudé, *Captain Swing*, chs 12–14. See also G. Rudé, *Protest and Punishment: The Story of the Social and Political Protesters Transported to Australia, 1788–1868* (Oxford, 1978).

There are a number of critical misinterpretations in Hobsbawm and Rudé's interpretation. The first is the simple fact that Swing's first real manifestation took place with the expulsion of customary Irish migrant labour from the north Kentish cornlands in the Isle of Thanet.²⁷ Secondly, they drastically underestimated the pivotal role of village tradesmen, inducing masters, in the disturbances in general and in their leadership in particular. Thirdly, they failed to appreciate fully the participation of other victims of technological redundancy in the Swing rising.²⁸ They recount something of the attacks on rural and small-market town manufacturers of farming implements, notably threshing-machines, and were aware of localised attacks on the widely dispersed paper-milling industry. (They, however, overlooked another critical rural industry, sawing, which had been partially mechanised.)²⁹ Fourthly, they seriously underestimated the political dimensions of Swing, despite dutifully recounting William Cobbett's rural riding and lecturing prior to the main outbreak. On the very day, 9 November, when fear of political demonstrations against Wellington's government led to the abandonment of the monarch's annual Guildhall dinner with the new Lord Mayor, a crowd of insurgents comprising agricultural labourers, sawyers and other artisans from north Kent and north Surrey was stopped from crossing Blackfriars Bridge by the new Metropolitan Police. At this juncture London was saturated by troops, reducing those available to deal with Swing in the countryside itself.³⁰ Finally, Hobsbawm and Rudé's account underestimates both the timescale of the protests: they persisted into 1832, with arson in particular continuing into the years beyond.³¹

Swing was a direct antecedent of the Reform Bill crisis. The latter was not only a matter of demonstrations in the manufacturing districts, intermixed with much political agitation by both middle- and working-class reformers. In addition to the well-known demonstrations in Birmingham, Sheffield, and Newcastle-upon-Tyne, there were others in High Wycombe, the scene of attacks by Swing on the paper mills, and in Maidstone, a highly politicised Swing epicentre, involving people not exclusively plebeian, who publicly congratulated the French revolutionaries of 1830 in a document written in impeccable French. On the House of Lord's rejection of First Reform Bill in 1831 the most famous riotous explosions took place in Nottingham, Derby and Bristol; lesser protests occurred in scores of rural locations, including villages in the neighbourhood of

²⁷ *Political Register*, 24 March 1832; Wells in Reed and Wells, eds, *Class, Conflict and Protest*, esp. p. 160.

²⁸ R. Wells, 'Rural Rebels in Southern England in the 1830s', in C. Emsley and J. Walvin (eds), *Artisans, Peasants and Proletarians, 1760–1860* (London, 1985), esp. pp. 128–40.

²⁹ Hobsbawm and Rudé, *Captain Swing*, pp. 114–15.

³⁰ *Ibid.*, pp. 76–78, 81, 159, 182–87. In an article written in 1969, however, Rudé did observe that, 'London radicalism radiated out into Kent, Sussex and the West', 'Why There was No Revolution in England in 1830 or 1848?', reprinted in H.J. Kaye (ed.), *The Face of the Crowd: Selected Essays of George Rudé* (New Jersey, 1988), pp. 152–53; Wells, in Reed and Wells (eds), *Class, Conflict and Protest*, p. 161.

³¹ See *Political Register*, 16 June 1832.

Winchester, the origin came some of those Swing protesters victimised at the Special Commission held in the city.³²

William Cobbett celebrated the eventual passage of the Reform Bill at Barton Stacey deep in rural Hampshire. He gave a typically polemical yet almost apologetic public explanation for his choice:

I have always been of the opinion that we owe the Reform Bill more to the COUNTRY LABOURERS than to all the rest of the nation put together; because if they had remained quiet under their sufferings; if they had not resolved not to be reduced to potatoes, and if they had not acted as they did, in order to preserve themselves from this state of terrible degradation, WELLINGTON would not have been turned out, Grey would not have come in, the Parliament would not have acted on Wellington's insolent declaration, and we shall have had no reform bill at all; though in time we must have had a terrible and violent revolution. Everyman therefore, who really wishes for the settlement of our difficulties to terminate in peace, must feel gratitude to these country labourers.³³

Cobbett continued that he felt 'this gratitude in a peculiar degree' to the labourers, especially those of Sutton Scotney who, before they rose in November 1830, had in October directly petitioned the king for parliamentary reform by sending an emissary to Brighton; where he was rudely denied an audience. Now in mid June, Cobbett explained that he was an 'utter stranger to the neighbourhood of SUTTON SCOTNEY', a mere 'little hamlet' on the London to Salisbury road, 'which I have never passed through but twice in my life, and knew neither Masons (brothers who were transported), nor anyone else in the three adjacent parishes of Wonston, Bullington and Barton Stacey', from which Henry Cooke, executed at Winchester for his role in Swing, came.³⁴

Cobbett then revealed that, in order to attribute Swing to his incitement, there had been a regular canvas amongst the [Swing] prisoners in the gaol at Winchester, to find out whether any one would acknowledge that he was acquainted with me, or had been influenced or instigated to me'. Finally, Cobbett explained, there had been a parallel witch-hunt at Battle in Sussex, the scene of the first Swing Riot in that county and the venue for one of his October lectures.³⁵ These attempts directly to implicate Cobbett in the Sussex events involved not only local magistrates, but government ministers and even the king himself. Despite this conspiracy, Cobbett was saved from conviction and punishment by the refusal of 'the excellent people of Battle' to bear witness against him. He would have celebrated the Reform Bill's passage there, where

³² For a general survey see George Rudé, 'English Rural and Urban Disturbances on the Eve of the First Reform Bill, 1830-1831', *Past and Present*, 37 (1967), pp. 87-102.

³³ *Political Register*, 16 June 1832.

³⁴ Hobsbawm and Rudé, *Captain Swing*, p. 223.

³⁵ *Political Register*, 16 June 1832; I. Dyke, *William Cobbett and Rural Popular Culture* (Cambridge, 1992), esp. pp. 186-89.

he was known, but chose instead Barton Stacey where he was not, because his 'festival' was to be held 'near to the spot where . . . COOKE lay buried'.³⁶

Two early indications of the temper of new post-reform Whig government, their attitude towards the Tolpuddle Martyrs and their enactment of the New Poor Law of 1834 were of great significance. If the prolonged Reform Bill crisis had served to heighten political awareness among all sectors of the southern population, so too did the 1832 Act's deficiencies among democratic elements in southern towns and at least some villages. This was reflected in the political unions functioning in several locations and the perception of many magistrates that the readership of the radical press, most worryingly of the *Political Register*, was expanding into the rural proletariat aided by the proliferating new beer shops. The presence of political unions, reported for example in the *Poor Man's Guardian*, was but one reason behind the Grand National Consolidated Trade Union's attempt to launch an initiative to embrace agricultural workers in trade unionism. Although the famous case of Tolpuddle is traditionally interpreted as an isolated attempt at union organisation in an obscure part of Dorset, at least two of the Martyrs had links with metropolitan radicals and with other political activists in local market towns. This dimension is hardly revealed if events are considered in the light of particular prosecution initiative on the part of the local squire, James Frampton, on an obscure charge of administering oaths. However, Home Office intelligence sources were aware of the GNCTU's initiative and this probably determined Melbourne to go along with Frampton's intent to indict the six farm labourers on a charge severe enough for their ultimate transportation. Contrary to the impression given in many histories of the episode, the Martyrs' fate did not end southern agricultural labourers' attempts to unionise, which continued into the late 1830s.³⁷

With the new government of 1832, the Poor Law Commission got into its utilitarian stride. Driven by the publication of its infamous Chadwickian perversion of the evidence, the notorious Poor Law Amendment Act sailed through parliament with the minimum amount of opposition from MPs,³⁸ yet inevitably arousing Cobbett's finest polemic. He described the proposals as a fundamental assault on the basic tenets of English welfare provisions accepted and guaranteed from the reign of Elizabeth. The new Acts constituted a vicious assault on the fundamental rights of poor people:

above all things, every man and woman and child . . . looks upon his parish as being partly his; and a sufficiency of food and raiment he looks upon as his inheritance. Never, let what will happen, will these people lie down and starve quietly.³⁹

³⁶ *Political Register*, 16 June 1832.

³⁷ See below, Chapter 7, pp. 127–51; see also Roger Wells, 'Tolpuddle in the Context of English Agrarian History, 1780–1850', in John Rule, ed., *British Trade Unionism, 1750–1850: The Formative Years* (1988), pp. 98–142.

³⁸ A. Brundage, *The Making of the Poor Law Amendment Act, 1834–38* (London, 1978), ch. 3.

³⁹ Dyke, *op cit.* pp. 194–95, citing *Political Register*, 29 Feb. 1834.

The death of William Cobbett in June 1835 prevented him from seeing the accuracy of his prophecy.

Rural discontent, deprivation and desperation were much aggravated by the passage of the Poor Law Amendment Act. This hated measure, which threatened the loss of all non-medical outdoor relief for able-bodied males, put a new imperative on raising wages, while the virtual unity of Whigs and Tories in the parliamentary passage of the Act, provided radicals with a golden opportunity to highlight the politics of the post-reform state and its continuing hostility to working class interests. This radical onslaught over government-inspired poor-law reform, notably disseminated by Cobbett's *Political Register* and Hetherington's *Poor Man's Guardian*, generated widespread popular anxiety which became sheer fear when the assistant commissioners arrived in the field and encouraged local authorities to commence implementation of the Act's principles over the winter of 1834–35, before the new Poor Law Unions had been formed let alone become operative. In this atmosphere defensive trade unionism aiming to prise out higher wages, and to insist on full employment to compensate for the loss of allowance in aid of wages and the host of other payments, together with unemployment pay or patchily organised work-schemes, seemed essential. The resultant struggles served to heighten political consciousness of all those on the receiving end of Utilitarianism in action.⁴⁰

Resistance to the Poor Law in the rural south may not have experienced either the intensity or the relative success achieved in the north at a slightly later date. Nor did the issue generate the ferocity of popular politicisation seen in non-rural and principally industrialising theatres elsewhere. Hence historians' traditional concentration on the midlands and especially the north, which we wish to qualify here. Chartism in its historiographically traditional arenas derived directly from the Amendment Act, as well as from the struggle for Factory Reform. If no such particular industrial issue was present in the south, except perhaps the failure of the agrarian trade unionism of 1835–36, the Poor Law furor served to create a climate in which Chartism took some root in the south.

By the 1830s, Southern England contained hardly any of those large concentrations of industrial workers which were to provide the main context of the movement in the midlands and north, nor did it have London's sizeable artisan population with its long tradition of radicalism. Chartist leaders certainly attempted to radicalise the Cornish miners, but in this they were unsuccessful. Yet, only part of the history of Chartism can be learned from a concentration on the working-class populations of the new industrial Britain and of the capital. An examination of southern Chartism is essential to any assessment of the movement's claim to be a national political movement. There were groups of Chartists in probably all southern towns and in very many villages. It was their

⁴⁰ See below, Chapter 6, pp. 91–125. For the poor law in a 'moral economy' context see K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660–1900* (Cambridge, 1985), ch. 3. Contrast the lack of understanding of social relations in the neoclassical economic approach of G.R. Boyer, *An Economic History of the English Poor Law, 1750–1850* (Cambridge, 1990).

presence and activities, reported frequently, despite the regional implications of its title, in Chartism's leading newspaper, the *Northern Star*, which helps to sustain that claim, even though there was no large-scale mobilisation of support. The local geography of Chartism in itself can raise questions over the movement's appeal in particular contexts: why was Chartism, for example, proportionately stronger in Bath than Bristol? in Brighton than Southampton? Why did it take root in Dorset, but not in Hampshire's Test and Stoke valleys, which had been centres of radicalism in the early 1830s?⁴¹

This book does not pretend to be a comprehensive study, but the essays do collectively constitute a challenge to the geography of some common presentations of the history of popular protest. Patterns of protest change. The shifting economic geography which produced the 'industrialisation' of the north and midlands and of south Wales and lowland Scotland, also entailed a 'de-industrialisation' for the south, separating, for example, the metal miners of Cornwall by hundreds of miles from a comparably dense industrial population.⁴² Things were in many and important respects different in the southern part of the country, but that does not justify a reputation for passivity. In a high moment of the confident conservatism of the 1980s a recently launched glossy magazine, *Southern Life*, remarked 'perhaps here in the south we are so well-rooted in the past that radical change does not undermine our way of life'.⁴³ 1985 was the 150th anniversary of William Cobbett's death. That pugnacious southern journalist had a better understanding of the relationships of protest and history in the context of resistance. He came to see that only a thoroughgoing political reform could purge the country from the adverse affects of radical economic changes:

There is no principle, no precedent, no regulations . . . favourable to freedom, which is not to be found in the Laws of England or in the example of our Ancestors. Therefore,

⁴¹ See below, Chapters 4, 5, and 7, pp. 67–80, 81–89, 91–125. Contrast the geographical complexity suggested by the sites listed in the appendix entitled 'Location and Timing of Chartist Activity', in D. Thompson, *The Chartists: Popular Politics in the Industrial Revolution* (Aldershot, 1984), pp. 341–68, with the ludicrously simplified map headed 'Main Chartist Areas in Britain', in R. Pope (ed.), *Atlas of British Social and Economic History since c. 1700* (London, 1989), pp. 186. Dorothy Thompson's book can serve as an introduction to the vast literature on Chartism. Among few studies of southern localities are R.B. Pugh, 'Chartism in Somerset and Wiltshire', in Asa Briggs (ed.), *Chartist Studies* (London, 1959), pp. 174–219; D. McNulty, 'Class and Politics in Bath, 1832–1848', *Southern History*, 8 (1986), pp. 112–29; and idem, 'Bristol Trade Unions in the Chartist Years', in Rule, ed., *British Trade Unionism*, pp. 220–36; Alfred Jenkin, 'The Cornish Chartists', *Journal of the Royal Institute of Cornwall*, 9 (1982).

⁴² For analysis of de-industrialisation generally see Maxine Berg, *The Age of Manufactures, 1700–1820* (London, 1994), pp. 98–114. For two specific southern cases see Brian Short, 'The De-industrialisation Process: A Case Study of the Weald 1600–1850' in P. Hudson (ed.), *Regions and Industries: A Perspective on the Industrial Revolution in Britain* (Cambridge, 1989), pp. 156–174; and Adrian Randall, 'Work, Culture and Resistance to Machinery in the West of England Woollen Industry', *ibid.*, pp. 175–200.

⁴³ *Southern Life*, January 1984.

I say we ask for, and we want nothing new. We have great constitutional laws and principles, to which we are unmoveably attached. We want *great alteration* but we want *nothing new*.

The great alteration did not happen in his lifetime. If Cobbett was a national figure and had to seek election in the so-called Reform Parliament for Oldham, rather than in one of the post-1832 constituencies of his native Surrey, much of his writing was nevertheless aimed at southern working-people in general and at agricultural workers in particular. Cobbett tried, with some success, to politicise these people. He would not have been surprised that many of them supported Chartism, nor that the southern movement developed resurgent agrarian trade unionism in Tolpuddle country. Southern protest in the 1830s and 1840s drew on a long history, central to which was the struggle to live.

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*The Revolt of the South West, 1800–1:
A Study in English Popular Protest*

Roger Wells

In a classic, Edward Thompson finally destroyed the assumption that food riots were merely an automatic plebeian reaction to unfortunate spasmodic conjunctions of high food prices and unemployment. In place of such 'crass economic reductionism' he successfully constructed a functional analysis of the food riot, the 'moral economy' of the eighteenth-century crowd.¹ The salient components might be summarised as follows. Primarily the 'moral economy' demanded pure food, honestly measured, at a fair price. Theoretically marketing was to be a transparent process, publicly executed; transactions should take place in the open market. Any deviation was immoral. The food adulterator equalled the farmer or dealer who hoarded to stimulate prices rises, who used secret marketing procedures to conceal the true level of stocks, or made fictitious sales to manipulate prices. These practices threw the 'natural' price-determining mechanism out of gear. Prices depended on the volume of produce physically in the market place; therefore farmers or dealers who conveyed their stocks to distant markets similarly deprived the local market of its rightful supply, raising prices paid by local consumers. This was based on a perception of ancient law, codified by the Book of Orders in 1630, which gave magistrates considerable powers over markets, producers and dealers. While statute law had been amended in 1772, and the Edwardian legislation repealed, the ideals survived, supported by tradition at every level of society, maintained by various types of market supervision, and ultimately by Lord Chief Justice Kenyon, who ruled that the offences of forestalling, regrating and engrossing, remained illegal under common law after 1773.²

This essay offers some refinements to the Thompson thesis, partially within the context of the debate which it initially provoked. The 1790s witnessed growing pressure on the nation's ability to feed itself, especially with cereals, the primary subsistence source. Two major national crises in 1794–96 and 1799–1801

¹ E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past and Present* (1971), pp. 76–136. Early commentators on this article took issue only with some of Thompson's underlying assumptions, not with his main thesis: see A.W. Coats, 'Contrary Moralities: Plebs, Paternalists and Political Economists'; and E.F. Genovese, 'The Many Faces of Moral Economy: A Contribution to a Debate', *ibid.*, 54 (1972), pp. 130–33; 58 (1973), pp. 160–68.

² Thompson, 'The Moral Economy of the English Crowd', especially pp. 83–88, 99–101, 108–9.

demonstrated the fragility of the grain supply following substandard harvests.³ Despite the suggestion that the early period of industrialisation saw a 'rising union mentality' with popular demands for wages equal to subsistence costs,⁴ the 'moral economy' remained the people's ideal answer to the problems posed, and the crowd their weapon. But mass action, and its control, when examined at regional levels, indicate a range of factors which influence both these subjects. Because the crisis of 1800–1, examined here, was national, and because the government and parliament took important measures to mitigate the worst effects, national policy affected developments. Other factors demand analysis. Regional economic and social structures are two of the most important. To these we must add the food supply at the local and national levels, and the all important question of poor relief. All these are variables. For example, although the models provided by the 'moral economy' were constantly available, differing circumstances decided firstly whether the 'moral economy' was invoked, secondly whether it was implemented, and thirdly which of its components were considered relevant in specific situations. For this reason, contemporary analysis of causal factors is the last but no means least important factor.

The economy of all three counties of the south west, Cornwall, Devon and Somerset,⁵ was partly agricultural and partly industrial. Each county possessed significant 'centres of consumption'. In Cornwall the greatest centres were the western mining areas. In Devon and south-west Somerset the major centres were almost all engaged in some branch of the textile industry. Of these, Exeter was the largest with over 19,000 inhabitants. Nineteen smaller centres in Devon varied in sized from Northam with just over 2,000 to Tiverton with more than 6500 souls. Exceptions to the textile rule were Plymouth, with 16,000 inhabitants, and the burgeoning neighbouring parishes of Stoke Damarell and East Stonehouse, the site of the Devonport dockyard.⁶ These two parishes held over 31,000 people in 1801, nearly 3000 of whom worked in the Royal Dockyard. Brixham and Dartmouth were the only other places whose populations depended primarily on industries other than textiles.

These towns and urban centres primarily depended on the agricultural produce of the region. The predominance of pastoral farming is a nineteenth-century development; in 1800 arable produce was still the most important. Wheat and

³ The national crises have been subjected to in-depth analysis in Roger Wells, *Wretched Faces: Famine in Wartime England, 1793–1801* (Gloucester, 1988). The prosperity of working-class urban dweller's in Devon's corporate towns has been subjected to a novel interpretation by John Bohstedt, *Riots and Community Politics in England and Wales, 1790–1810* (1983), esp. chs 1–2; however, Devon's urban rioters are isolated from others in the region, notably the miners, and Bohstedt's analysis gives inadequate attention to the critically important context of national crisis.

⁴ Genovese, 'The Many Faces of Moral Economy', pp. 164–65.

⁵ This study is concerned only with the riotous south-western part of Somerset, south and west of a line from Wincanton to the mouth of the Parret.

⁶ In 1801 the town was known as Plymouth Dock. Dock was renamed Devonport in 1824, but I have referred to it by its later name here.