

**‘A RESONATING VOID’:  
STRATEGIES AND RESPONSES TO POVERTY,  
BATH, 1770-1835.**

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A thesis submitted in partial fulfilment of the  
requirements of the University of the West of England, Bristol,  
for the degree of Doctor of Philosophy at Bath Spa University.

School of Historical and Cultural Studies

November 2006.

## **Abstract**

This thesis addresses the lives of the poor in Bath in the period 1770 to 1835, a period of rapid expansion, spatially and demographically, and a time of change both locally and nationally. Because of the importance to Bath of image, the labouring poor have been marginalised. This thesis will help to fill 'a resonating void' in Bath's historiography. It makes an important addition to urban history as a study of a spa resort, and adds to the rather patchy history of poverty in an eighteenth-century urban context. It confirms the view that women were the main recipients of attention under the Old Poor Laws.

Using Poor Law records, charity records and Coroners' records, the thesis shows how the poor used the Poor Laws to access poor relief and establish settlements. In times of illness or accident they applied to medical charities. Some women turned to prostitution, and some subsequently entered the Bath Penitentiary and Lock Hospital seeking rehabilitation. Some single, female, domestic servants committed infanticide and some of the poor took their own lives. The authorities acted promptly and pragmatically to examine, and possibly remove, applicants, often single women. They manipulated the apprenticeship scheme as part of a poor relief strategy, and to ensure future labour requirements. The civic elite founded charities to address the problem of begging, to assist the sick or injured poor and used legislation to clean the streets of beggars and prostitutes.

Changes in the 1820s have been detected, in line with national trends, suggesting that a tougher line was being taken by the civic elite towards the poor. It reveals the relationship between overseers, justices, the charitable elite and the poor in an eighteenth-century city, characterised by pragmatism on one hand and agency on the other, and adds a more nuanced aspect to the history of Bath while providing an important addition to a national picture of urban poverty.

## Acknowledgements

I owe a big debt of gratitude to the following people: Professor Graham Davis and Dr Elaine Chalus as my supportive and long-suffering supervisors, to the staff at Bath Spa University Library, St Matthias, University of West of England Library, Bath University Library and Bath Central Library, to the staff at Somerset and Hampshire Record Offices, and, even more, to Colin Johnston and the staff at Bath Record Office, to Writhlington Community College Repro-graphics department, and last, but far from least, to my husband, Maurice, for his IT skills and unfailing support.

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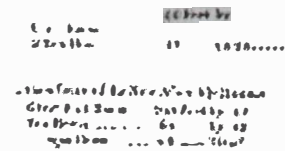
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# Map of Bath 1786

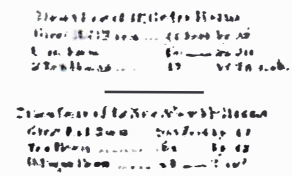
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From Davis and Bonsall, *A History of Bath*, p.288  
Parish boundaries from Ordnance Survey, ‘Georgian Bath’.

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From Davis and Bonsall, *A History of Bath*, p.288  
Parish boundaries from Ordnance Survey, 'Georgian Bath'.

# Chapter 1: Introduction

In *The Image of Georgian Bath*, Peter Borsay wrote that the contemporary image of Bath was complex and varied, but what was most striking was what had *not* been written. He continued: ‘On the whole, working men and women (other than in passing negative references), children, and, to a lesser extent, craftsmen and tradesmen fail to register a presence. Where they might have stood there is a resonating void’.<sup>1</sup> This thesis helps to fill that void. An exploration of the strategies and responses employed by the poor and by the civic elite in the face of poverty in the period 1770 to 1835, reveals the working of the poor laws in that period, and the relationship between the poor and the Overseers, Justices, Coroners, charity subscribers and managers. Examining Poor Law records, charity records and Coroners’ records for the period 1770 to 1835 reveals that the Poor Law officials in the four central parishes of the city worked efficiently, if parochially, keeping in mind the possible future labour needs of a spa resort. The Justices of the Peace were educated men who worked hard in support of the Overseers. Such examination also reveals a change in attitude towards the poor in the 1820s which affected poor women in particular. This thesis stands, therefore, at the intersection of urban history, the history of poverty, women’s history, and the history of Bath. Bath has been written about extensively but the historiography has concentrated on the good and the great living in, or visiting, the city, the architecture, or what is sometimes referred to as Bath’s ‘Georgian summer’. This thesis provides a valuable addition to this limited view of a city that was an important spa and health resort, and is now a World Heritage Site. A more nuanced picture of Bath will emerge, for the period 1770 to 1835, peopled by, among others, the poor, paupers, patients and prostitutes.

Bath, at the beginning of the eighteenth century, was a small spa town still mostly contained within the medieval walls, with a population of around 3,000.<sup>2</sup> It was already an important health spa and was developing the leisure amenities which would be demanded by eighteenth-century fashionable and elite visitors. The city had gravel walks, bowling greens and coffee houses, but the central streets were narrow and cramped.<sup>3</sup> By 1770, Bath had undergone an ‘urban renaissance’, and the city had spread to the north and south of the city walls.<sup>4</sup> With the building of Pulteney Bridge,

1769 to 1774, the city spread across to the Bathwick Estate on the eastern side of the city.<sup>5</sup> The period 1785 to 1792 has been identified as a period of extensive building in the city, when 30 per cent of the housing stock was built.<sup>6</sup> By 1801, the population of the city had grown to 33,000 and most of Georgian Bath had been built, and by 1831, the population had risen to 51,000 and the social tone of the city had changed.<sup>7</sup>

In the early decades of the eighteenth century, Bath was undoubtedly the queen of Britain's spas.<sup>8</sup> Known for its aristocratic visitors and fashionable company, Bath developed not only as a health resort but also as a leisure town.<sup>9</sup> Although elite sea-bathing was known in the 1730s, it was not until the second half of the eighteenth century that resorts such as Brighton, Margate, Scarborough and Weymouth became popular, benefiting from the trend for sea-bathing.<sup>10</sup> By then Bath's popularity as a leisure resort was on the wane. The growth of wealth in the hands of the middling sort – merchants and professionals – meant a widening of social groups visiting the city. This, in turn, led to the trend for private, rather than public, entertainments, as aristocratic society felt it could no longer rely on the exclusivity it desired. As the numbers of elite visitors in the city declined, so there was a desire among the city authorities to attract respectable residents, and, by the 1820s, Bath was no longer a place of frivolity and fashion but was becoming an increasingly residential city, attracting retired merchants and annuitants.

Throughout the eighteenth century the population of Bath was boosted by rural immigrants, many of them labourers attracted by the employment opportunities of the extensive building work, and many of whom were young, single women needed to service the growing city. Although there was always a core of native-born Bathonian labouring poor, their number was increased considerably by the migrants, and, because of the seasonal nature of much of the work in Bath, the city housed a large group of migrant and native poor living mainly in the southern part of the city, a low-lying area liable to flooding.

Sylvia McIntyre has written about the conditions necessary for the growth of a spa town, and, similarly, Angus McInnes has written about the emergence of Shrewsbury as a leisure town.<sup>11</sup> From the 1720s, Bath developed the facilities seen by McIntyre as necessary to the successful development of a spa: an attractive setting,

improvements in transport, superior accommodation, leisure facilities like the Assembly Rooms and theatre, a long season and aristocratic patronage all helped to make Bath successful as a spa resort. McInnes has suggested that changing occupational patterns help to define a leisure town and that a rise in the service and professional sector, and a growth of luxury trades all point to the emergence of a leisure town. Although information about the occupations of Bath's inhabitants at this time is sparse, the service sector, including lodging-house keepers grew over the eighteenth century, the luxury trade increased, as did the number of shops selling luxury items and the occupational make up of the Corporation changed.<sup>12</sup>

The rapid physical development of towns which became centres of fashionable society, and which allowed for conspicuous consumption, recreation and residential elegance, were the focus of Peter Borsay's influential book, *The English Urban Renaissance*.<sup>13</sup> Borsay wrote: 'One of the most striking manifestations of this cultural renaissance was the reshaping and refining of the architectural fabric of the town'.<sup>14</sup> By the end of the eighteenth century, Bath had undergone an architectural transformation, and the development of the Georgian city was almost complete.<sup>15</sup> The second most striking effect of the urban renaissance was, Borsay claimed, the acquisition of cultural prestige.<sup>16</sup> This had financial value and contributed to the economic life of the town. When the urban construction industry responded to the demand for new building, both materials and labour came from outside the city. In Bath, this led to large numbers of immigrants to the city, some of whom went to increase the number of poor requiring poor relief. As Borsay acknowledged, the attraction of urban life to men and women of independent means, while expanding the 'upper strata' of society, enlarged the domestic service sector.<sup>17</sup> This was sometimes to the detriment of parish ratepayers. The emergence of a wealthy middling sort led to the gradual withdrawal of the social elite from Bath and, as Borsay wrote: 'within society as a whole [urban renaissance] was undoubtedly a divisive force'<sup>18</sup> and poverty became a feature of urban society<sup>19</sup> and placed a considerable burden on the economic and administrative resources of a town.<sup>20</sup>

Borsay has also written, more recently, about health and leisure resorts.<sup>21</sup> Spas rose to prominence by offering recreation as well as recuperation, and by providing high-class accommodation for an aristocratic elite who had wealth, leisure and a desire for

luxury. The popularity of a spa resort also required ease of mobility and superior luxury shops, both of which meant rapid physical expansion.<sup>22</sup> Resorts became places for the expression of status and class, and the growing middle classes used attendance at Bath as a strategy for acquiring social status.<sup>23</sup> A striking feature of resorts was the gender imbalance. In Bath, in 1801, the ratio of male to female was 100:159.<sup>24</sup> This was caused by the number of affluent women visitors and, later residents, creating a high demand for female labour in the service sector. Large numbers of the labouring sort coming into the city created ‘ghettos’ both for the wealthy and for the poor, and leisure towns harboured slum areas, and that is certainly true of Bath – Borsay mentioned, in particular, Holloway (outside the jurisdiction of the city authorities), Avon Street and Dolemeads – where poverty was exacerbated by seasonal unemployment.<sup>25</sup>

There has been no shortage of historical research into poverty and the administration of the Poor Laws, from Dorothy Marshall and S. and B. Webb, first published in the 1920s, to Steven King and Alannah Tomkins’ *The Poor in England*, published in 2003.<sup>26</sup> Earlier historians, for example, the Webbs and Dorothy Marshall, took a pessimistic view of the administration of the Poor Laws, echoing criticisms voiced in the *Poor Law Report* of 1834, to the effect that Overseers were both corrupt and inefficient.<sup>27</sup> More recently, historians have been more positive but emphasise the patchiness and divergence of poor relief, and Steven King has called for more research to add to a national picture of provision.<sup>28</sup> Increasingly, historians, such as those in *Chronicling Poverty*, recognised the need for a more nuanced ‘history from below’ and have turned to what the editors, Tim Hitchcock, Peter King and Pamela Sharpe, refer to as a ‘hitherto largely neglected set of sources’.<sup>29</sup> These sources included bastardy and settlement examinations, court depositions, petitions and letters written by paupers to Overseers, pauper inventories and criminal autobiographies. Illegitimacy, the provision of poor relief and poverty in old age are all strands covered by contributors to *Chronicling Poverty*.

Steven King, in *Poverty and Welfare in England*, emphasised the variability of Poor Law administration and has revealed that an increasing number of people from the mid-eighteenth century would spend much of their lifetime in poverty and would pass this on to their children.<sup>30</sup> He also drew attention to the difficulty of interpreting

records which may have many potential meanings.<sup>31</sup> Steven King and Alannah Tomkins have questioned how poor relief fitted in to an economy of makeshifts and suggested, in their conclusion, that in order to answer such a question it would be necessary to reconstruct life-cycles of need.<sup>32</sup> In the same volume, Sarah Lloyd asks a number of questions about the role of charity in combating poverty.<sup>33</sup> Lloyd suggested that ‘charitable assistance could only flow through relations of uneven reciprocity’.<sup>34</sup> Whereas reciprocity may be uneven, it is also true that the benefits of charity flowed in both directions. Recipients of charity gained money, gifts in kind, or medical attention, but at the same time, subscribers gained status, and, to use Carolyn Williams phrase, ‘the luxury of doing good’.<sup>35</sup>

In *Adapting to Capitalism*, Pamela Sharpe asked ‘what can meeting some poor labouring women and hearing fragments of their stories tell us?’<sup>36</sup> Sharpe was enquiring into the economic realities of working women and was acknowledging the need to ‘write women back into the historical record’.<sup>37</sup> In attempting such ‘writing back’ we are facilitated by the poor law records as women feature so largely in them as paupers. Women also feature prominently in the Coroners’ records, both as the subjects of inquests and as witnesses. Reaching the lives of ‘ordinary’ working women is not easy but that does not mean that the task should not be attempted, and this thesis will add to the sum of knowledge of the lives of poor, urban women in the eighteenth century.

Although it has been enormously influential, the ‘separate-spheres’ notion introduced by Davidoff and Hall breaks down when considering poor women.<sup>38</sup> As Hannah Barker and Elaine Chalus wrote, the boundaries between public and private were ‘blurred and permeable’.<sup>39</sup> This is particularly true of poor women in Bath whose lives were often conducted in the semi-private sphere of court, close or alley and whose working lives, either as prostitutes or in selling commodities, took place in the public sphere.<sup>40</sup> Separate spheres ideology tended to portray women as victims lacking autonomy. A more multi-faceted history of women in Bath is called for than is possible using the hierarchical binary oppositions of public and private.

The harsh reality of poor women’s lives has been emphasised by Richard Connors in ‘Poor women, the parish and the politics of poverty’, as has the number of women

among those classed as poor.<sup>41</sup> As Connors wrote, it was in the context of parish politics (and of that of the Justices) that ‘the worlds of rich and poor, the rulers and the ruled met’ and interacted within a face-to-face society.<sup>42</sup> Life-cycle poverty, including pregnancy, emphasised the predicament of poor, pregnant, single women. Despite their poverty, women were not passive recipients of poor relief or charity, and their involvement in the process helped to blur the distinction between public and private.

The history of women and the history of poverty are combined in Alannah Tomkins’s chapter, ‘Women and poverty’, in *Women’s History: Britain, 1700-1850*.<sup>43</sup> Tomkins asked what made women poor, and whether they were able to make meaningful choices about their material survival? She pointed to urbanisation as a factor in women’s poverty, exacerbated by economic depression as the result of war and poor harvests. Life-cycle poverty was particularly evident in women’s lives as illegitimate births, large families and old age took their toll. Tomkins and Deborah Valenze both detect a change in attitude towards the poor, and poor women, in particular, dated from the second half of the eighteenth century, earlier than a change detected in Bath in the early years of the 1820s.<sup>44</sup>

The historiography of Bath is extensive, but earlier writers have tended to concentrate on the architecture, and on the good and the great who lived in, or visited the city.<sup>45</sup> Among the earliest historians of Bath, Revd Richard Warner’s *The History of Bath* was arguably one of the most influential.<sup>46</sup> Writing in 1801, Warner was concerned to preserve the image of Bath as a delightful and exclusive city of gentility. One of his most quoted passages draws attention to contemporary thinking concerning the economic and social structure of Bath:

As Bath has little trade, and no manufactures, the higher classes of people and their dependants constitute the chief part of the population: and the number of the lower classes being but small, there are consequently few whose avocations are not known, and whose persons and characters are not familiar; a notoriety that necessarily operates with them as a powerful check upon all attempts at open fraud, violence, or breaches of the peace.<sup>47</sup>



We now know that this was not the case. There were a number of manufactories, particularly along the riverside. Brewing, glass manufacture, and soap-making were all undertaken in Bath, but the majority of manufacturing was conducted in small-scale craft workshops.<sup>48</sup> We also now know that Bath's adult male population, in the period 1800 to 1820, was predominantly comprised of artisans, tradesmen and unskilled labourers.<sup>49</sup>

A groundbreaking and influential addition to the historiography of Bath was R.S. Neale's *Bath: A Social History* published in 1981.<sup>50</sup> Neale wrote from an overtly Marxist perspective and considered Bath as the locus of production, with the product answering the health and leisure needs of the ruling elite. Bath grew from the ability of the elite to extract agrarian capital and use agrarian surpluses to create a place for themselves of luxury and leisure. While it is true, Neale claimed, that individual builders and developers conceived Bath, the building of the city was only possible because it was deemed congenial to the needs of the elite and to the demands of the market.<sup>51</sup> Bath was created by the same socio-economic system that powered industrialisation. It should also be said, as Neale emphasised: 'Without the work of this largely immigrant and geographically mobile labouring population, Bath could not have been built. Nor could it have been serviced'.<sup>52</sup>

While it is possible to share some of Neale's pessimism regarding the benefits accruing to the eighteenth-century urban labourers in Bath, research does not bear out his view that those labourers were 'permeated by hostility and aggression', or that they were 'a mere shifting agglomeration of people'.<sup>53</sup> Although Neale recognised the need to address the lives of the labouring sort, his approach to them and to the available sources, went only so far and he failed to address the lives of the poor or of poor women. Neale drew attention to the fact that two-thirds of the applicants for poor relief in Bath and Walcot, in the period 1763 to 1774, were female but thereafter largely ignored the plight of female applicants for poor relief. He was mostly concerned with the economic value of labour rather than the individual lives which give us an insight into the experience of poverty.

Bath has always been about image, and Peter Borsay has investigated the images which the city projected between 1700 and 2000.<sup>54</sup> As a cultural historian, Borsay

showed how elements of Georgian Bath have been used over three centuries to determine the image still dominant today in the popular media. This leads inevitably to the exclusion of the labouring sort, or the poor, from the history of the city as they were not conducive to the image that was desired by contemporaries. Borsay claimed that Neale made little impression on the dominant view of Bath because his Marxist analysis was not acceptable to Bath's predominantly middle class consciousness of the city, and in this he may be right. In a similar way, Graham Davis's 'Image and reality in a Victorian city', Borsay claimed, failed to make an impact on the dominant view because it concentrated on one working-class street.<sup>55</sup> This is not entirely accurate. Davis wrote about the Avon Street district in the context of Victorian Bath and cannot, therefore, have influenced the view of Georgian Bath. Borsay maintained that there was 'serious doubt' about how far 'the traditionally elitist profile of Georgian Bath' was undermined by these forays into working-class history.<sup>56</sup> Borsay has suggested that little impression has been made on the dominant view of Bath either as an exciting eighteenth-century spa and leisure resort, or as an aging city of faded gentility, or, the more recent image, as a city of educated festival-goers. This is a job still to be done.

The most recent addition to the historiography of Bath is Davis and Bonsall's *A History of Bath, Image and Reality*. Using their academic backgrounds, Davis and Bonsall have built on their earlier *Bath, A New History*, and their chapter on the lower orders recreated the lives of some of the poor. The section on poverty shows that the timing of the foundation of charities had more to do with the fears of the wealthy than direct economic circumstances. Davis and Bonsall and Steven Poole, the latter writing in *Bath History*, have pointed out that at the end of the eighteenth century there was a degree of radicalism in Bath; the period 1792 to 1804 has been called Bath's 'reign of terror', thus placing the history of Bath back firmly in national history.<sup>57</sup> There is still a need, however, for an assessment of the labouring poor in Bath and the responses of the civic authorities to the widespread poverty in the city.

Bath, an incorporated borough, drew its authority from a number of charters granted to the city over a period of several hundred years. The charters provided for the Corporation to be comprised of a thirty-man self-selecting oligarchy, which governed Bath until the passing of the Municipal Corporations Act of 1835. The Corporation,

made up of nine aldermen, twenty councilmen, and a Mayor (elected annually), were responsible for regulating the markets, electing Justices of the Peace, and had the right to elect two Members of Parliament to represent the city at Westminster. Rosemary Sweet has made the point that this form of incorporation was comparable to the closed parish vestry.<sup>58</sup> The list of names of members of the Corporation indicates a fair degree of nepotism.<sup>59</sup> Not only were kinship ties represented, but apprentices followed their masters on to the Corporation.<sup>60</sup> Incorporation conferred status on a town, marking it out from its unincorporated neighbours.<sup>61</sup>

In the early eighteenth century, most members of the Corporation were inn-keepers, shopkeepers and proprietors of small businesses, but, as the wealth in the city increased, the make-up of the Corporation changed to include more professional men and successful merchants. By far the most represented profession on the Corporation was that of medicine. Between 1776 and 1835, out of the thirty-six mayors, nineteen (53 per cent) had some sort of medical training.<sup>62</sup> The Corporation was a major landowner in Bath. For the first half of the eighteenth century the Corporation took little part in the development of the city, but in the 1750s, the Corporation became more involved with the expansion of Bath, which benefited both the city and individual members of the Corporation. Sylvia McIntyre ascribed the change in attitude of the Corporation to their own involvement in the development of the city to the changes in the personnel of the Corporation.<sup>63</sup> Membership of the Corporation, particularly when combined with involvement with a charity, conferred a degree of status and its members assumed a position of leadership within the urban community.<sup>64</sup> Membership also enabled the Aldermen and Councilmen to rub shoulders, on occasion, with their more elevated patrons.<sup>65</sup> This group of men, members of the Corporation, together with clergymen, charity subscribers and managers and leading citizens, are referred to in the thesis as the civic elite.

Rosemary Sweet has written that our view of incorporated boroughs has been coloured by the nineteenth-century reformers, in whose interests it was to blacken the reputations of both select vestries and closed oligarchies.<sup>66</sup> As Sweet has also pointed out, critics were inclined to overestimate the income of Corporations and to underestimate the drain of routine Corporation business.<sup>67</sup> Neale has shown that the Bath Corporation were slow, in the first half of the eighteenth century, to become

involved in the development of the city and ‘only cautiously made improvements to the city and generally husbanded its resources most carefully.’<sup>68</sup> Such improvements were made from the Corporation’s income derived from the rents of property. In the second half of the century, however, the Corporation became more enthusiastic and borrowed money in order to develop property on its own land. The improvements made to the High Street and the cramped and decayed city centre meant the Corporation incurred considerable debt.<sup>69</sup> As Sweet has written, much of the Corporation’s debt was due to investment in improvement rather than extravagance or self-enrichment.<sup>70</sup> That is not to say that individual members of the Corporation did not gain financially from the Corporation’s actions. All members of the Corporation had a personal interest in the success of the city. The early nineteenth century was a period, however, when corporations and vestries were attempting greater efficiency and accountability in response to a call for reform, so we will turn now to the parishes in the city of Bath.<sup>71</sup>

This thesis involves the four parishes lying within the liberties of the city of Bath, St Michael’s, St James’s, St Peter and St Paul (Abbey), and part of the parish of Walcot. Walcot was a large parish only part of which (Inner Walcot) fell within the jurisdiction of the city authorities and research has, therefore, been restricted to that part of Walcot.<sup>72</sup> The parish of St Michael covered the north-eastern part of the city. It included Milsom Street, built in 1761-3, the most prestigious shopping street in Bath, and Ladymead, with a large concentration of low-quality housing. The 1801 census recorded that 25.2 per cent of the population of the parish were listed under ‘trade, manufactures and handicrafts’.<sup>73</sup> It also housed a high proportion of female domestic servants. The parish of St James was situated in the south-east of the city in the bulge of the river, and much of the land was low-lying, marshy and prone to flooding. The 1831 census indicates that a high proportion of the population of the parish were artisans employed in the building trade, furniture-making, coach-building, shoemaking and tailoring. Davis and Bonsall described St James’s as a ‘radical working class parish’.<sup>74</sup> In the centre of the city was the parish of St Peter and St Paul based on the Abbey and including much of the medieval city. The High Street and Guildhall were in the parish, as were the King’s Bath and, after 1739, the General Infirmary. It also housed a number of small shops and shopkeepers. By far the largest parish was that of Walcot. It included the most prestigious addresses in

Bath, King's Circus, Royal Crescent and the area around the Upper Assembly Rooms, in the north of the city. The parish also extended south to the river and included the courts, closes and alleys in and around Avon Street, the most notorious slum in Bath. Originally built in the early years of the eighteenth century to accommodate visitors to the baths, by the mid century, Avon Street had become dilapidated and the accommodation had deteriorated into cheap lodging-houses, brothels and stables.<sup>75</sup>

Gaining access to the lives of the largely illiterate poor, finding a way of 'hearing' their voices, and discovering the strategies they used, is difficult. In order to attempt this task, the Poor Law records, pauper examinations, removal orders and pauper apprenticeship indentures of the four inner-city parishes, have been examined, together with charity records, Coroners' records and the diary of an Overseer for the parish of Walcot. This latter source provides an unusual opportunity to enter the working life of an eighteenth-century paid parish official. Poor Law sources are at the same time both profuse and patchy and selection was not easy. However, an attempt has been made to cover, from the resources available, all four parishes and the time scale of the thesis.<sup>76</sup> To these main sources have been added, among others, Overseers' notebooks and accounts, poorhouse records, petty and quarter session records and some paupers' letters. As these records were written by, and for, the authorities involved in Poor Law administration, determining the responses of Overseers, Justices and charity providers is easier than recovering the lives of the poor. As the poor themselves were hardly unbiased, it may be that, when examined as to settlement, for example, they put the best 'spin' that they could on their statements: witnesses giving evidence at inquests may have been related to the deceased and have had an interest in the outcome of the hearing. What can be said of almost all the records used here is that they have not been used extensively before and, therefore, add to our knowledge of the strategies and responses used by various institutions and individuals to combat the poverty in Bath in the period 1770 to 1835.

## Chapter breakdown

In order to get some understanding of the administration of the Poor Laws in Bath, chapters two and three deal with pauper examinations and removal orders respectively. We can make some assessment as to the quality of Overseers and Justices working in Bath at this period, and the extent and nature of the mobility of the poor is revealed. The paupers most likely to be examined and removed indicate that the Overseers were concerned to save the ratepayers the expense of maintaining, possibly for some years, single, pregnant women and their children. It becomes apparent that while Overseers hoped to rid their parish of potential drains on the poor rates, moving individuals between parishes did little to address the problem of poverty in the city as a whole. The findings of these early chapters are confirmed by the diary kept by John Curry, assistant Overseer for the parish of Walcot, and the subject of chapter four. Curry spent considerable time and money on determining settlements, removing paupers and identifying putative fathers, all issues of concern to Overseers and ratepayers. The pauper apprenticeship scheme was part of a mesh of poor relief provision and Overseers strove to apprentice poor children in another parish so that they gained a settlement elsewhere. The pauper indentures discussed in chapter five show that there were gender differences in the ways in which children were apprenticed within or without the city, thus having regard for the future labour needs of the city. The indentures suggest that poor children were used as a source of cheap labour as the lack of training becomes apparent. The treatment of apprentices is addressed together with some of the reasons why indentures were broken.

Obtaining poor relief was only one strategy available to the poor and the role of two medical charities is discussed in chapter six. This chapter also deals with the closure of the Bath Penitentiary Lock Hospital and its substitution with a chapel, with repercussions for poor women prostitutes. The records of the Penitentiary show that there was a greater demand for the Lock Hospital than the charity could accommodate. The merger of the medical charities and the closure of the Lock Hospital, both occurring in the 1820s, suggest a change of attitude towards the poor at that time. This is confirmed in the next chapter concerning vagrancy and prostitution where it is revealed that the number of women taken up as ‘common prostitutes’

increased in the 1820s. Chapters eight and nine make use of the Coroners' records to enable a discussion of infanticide, a strategy used by a few desperate servants and not a subject usually associated with life in an eighteenth-century spa. The high number of medical men serving as coroner encouraged the use of forensic evidence. A change in recording sudden infant deaths is detected in the 1810s and 1820s. The last chapter investigates the incidence of suicide in the period and the uncertainty and misery of poverty in old age becomes apparent. Coroners and juries can be seen to have differentiated suicides on the basis of both gender and class, and the two cases where the use of ancient burial rites was sanctioned occurred to women servants.

## **Conclusion**

Overseers and Justices in Bath worked efficiently, conscientiously and, with some notable exceptions, honestly. Overseers responded with parochial solutions to poverty, sometimes moving paupers from one city parish to another, while keeping the future labour needs of a busy resort and the desires of ratepayers firmly in mind: their responsibility was to the parish. Consensus is reached that the 1820s were important years for the poor in Bath, particularly poor women, with a change in attitude signalling a tougher line which reflected national fears based around the rising number of poor, and rising poor rates, and local concerns about the loss of the fashionable company. The poor in Bath suffered changes which resulted from both national and local circumstances over which they had little control.

- <sup>1</sup> Peter Borsay, *The Image of Georgian Bath 1700-2000: Towns, Heritage, and History*, (Oxford, 2000), p.48.
- <sup>2</sup> Graham Davis and Penny Bonsall, *Bath, A New History*, (Keele, 1996), p.27.
- <sup>3</sup> Sylvia McIntyre, 'The rise of a resort town 1660-1800', in Peter Clark (ed), *Country Towns in Pre-Industrial England*, (Leicester, 1981), pp.198-244, p.204.
- <sup>4</sup> Peter Borsay, *The English Urban Renaissance: Culture and Society in the Provincial Town 1660-1770*, (Oxford, 1989).
- <sup>5</sup> Davis and Bonsall, *Bath, A New History*, p.29.
- <sup>6</sup> R.S. Neale, *Bath 1680-1850, A Social History or A Valley of Pleasure, yet a Sink of Iniquity*, (London, 1981), p.42. Neale showed that there were four major building booms, 1726-1732, 1753-1758, 1762-1771, and 1785-1792. In this fourth period 1,173 houses were built.
- <sup>7</sup> Neale, *Bath, A Social History*, Table 2.1, p.44.
- <sup>8</sup> Borsay, *The English Urban Renaissance*, p.31.
- <sup>9</sup> Peter Borsay, 'Health and leisure resorts 1700-1840', in Peter Clark (ed), *The Cambridge Urban History of Britain, Vol.II, 1540-1840*, (Cambridge, 2000), pp.775-803, p.777.
- <sup>10</sup> Borsay, 'Health and leisure resorts', p.777.
- <sup>11</sup> McIntyre, 'Bath: the rise of a resort town'; Angus McInnes, 'The emergence of a leisure town: Shrewsbury, 1660-1760', in *Past and Present*, No. 120 (August, 1988), pp.53-87.
- <sup>12</sup> Davis and Bonsall, *Bath, A New History*, p. 52-8; McIntyre, 'Bath: the rise of a resort town', pp.214-222; Borsay, *The English Urban Renaissance*, p.35; Trevor Fawcett, 'Eighteenth century shops and the luxury trade' in *Bath History*, Vol. III (1990); McIntyre, 'The rise of a resort town', p.228.
- <sup>13</sup> Borsay, *The English Urban Renaissance*, p.28. For the growth of towns see also Peter Clark (ed), *Country towns in pre-Industrial England*, (Leicester, 1981); P.J. Corfield, *The Impact of English Towns 1700-1800*, (Oxford, 1982); Peter Borsay (ed), *The Eighteenth-Century Town: A Reader in English Urban History, 1688-1820*, (London, 1990); Rosemary Sweet, *The English Town 1680-1840: Government, Society and Culture*, (London, 1999); Christopher Chalklin, *The Rise of the English Town 1650-1850*, (Cambridge, 2001).
- <sup>14</sup> Borsay, *The Urban Renaissance*, p.37.
- <sup>15</sup> The work of John Wood, both father and son, culminated in the grand sequence of Queen Street (1728-1736), Gay Street leading to The Circus (1754-1758), the Upper Assembly Rooms (1769-1771), and Royal Crescent (1769-1774). In addition, The Guildhall (1776), Camden Crescent (1787-1794), Lansdown Crescent (1789-1793), Somerset Place (1790) and the Pump Room (c.1790), Borsay, *The Image of Bath*, p.13.
- <sup>16</sup> Borsay, *The English Urban Renaissance*, p.311.
- <sup>17</sup> Borsay, *The English Urban Renaissance*, p.312/3.
- <sup>18</sup> Borsay, *The English Urban Renaissance*, p.319.
- <sup>19</sup> Borsay, *The English Urban Renaissance*, p.17.
- <sup>20</sup> Borsay, *The English Urban Renaissance*, p.15.
- <sup>21</sup> Borsay, 'Health and leisure resorts'.
- <sup>22</sup> Borsay, 'Health and leisure resorts', p.790. New broad streets and a supply of sedan-chairs facilitated mobility.
- <sup>23</sup> Borsay, 'Health and leisure resorts', p.794.
- <sup>24</sup> Borsay, 'Health and leisure resorts', p.795.
- <sup>25</sup> Borsay, 'Health and leisure resorts', p.796. Pamela Sharpe has also highlighted the increasing desire for domestic servants in middle class houses, and the feminisation of domestic service, as likely causes of gender imbalance. Pamela Sharpe, 'Population and society 1700-1840', in Clark, *The Cambridge Urban History*, pp.491-519, p.496.
- <sup>26</sup> Dorothy Marshall, *The English Poor in the Eighteenth Century*, (London, 1926); S. and B Webb, *English Poor Law History, Part I: The Old Poor Law*, (London, 1927); Steven King and Alannah Tomkins (eds), *The Poor in England 1700-1850: An Economy of Makeshifts*, (Manchester, 2003). For poverty and welfare see also J.R. Poynter, *Society and Pauperism: English Ideas on Poor Relief, 1795-1834*, (London, 1969); G.A. Oxley, *Poor Relief in England and Wales 1601-1834*, (Newton Abbot, 1974); Peter Dunkley, *The Crisis of the Old Poor Law in England 1795-1834: An Interpretive Essay*, (New York, 1982); T. Wales, 'Poverty, poor relief and life-cycle: some evidence from seventeenth century Norfolk', in R.M. Smith (ed), *Land, Kinship and Life-cycle*, (Cambridge, 1984); B. Stapleton, 'Inherited poverty and life-cycle poverty: Odiham, Hampshire', in *Social History*, 18 (1993); M.J. Daunton, *Progress and Poverty: An Economic and Social History of Britain 1700-1850*, (Oxford,



1995; P. Solar, 'Poor relief and English economic development before the industrial revolution', in *Economic History Review*, 48, (1995); Tim Hitchcock, Peter King and Pamela Sharpe (eds), *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640-1840*, (Basingstoke, 1997); Richard Connors, 'Poor women, the parish and the politics of poverty,' in Hannah Barker and Elaine Chalus (eds), *Gender in Eighteenth-Century England: Roles, Representations and Responsibilities*, (Harlow, 1997), pp.126-148. L. Hollen-Lees, *The Solidarities of Strangers: The English Poor Laws and the People, 1700-1948*, (Cambridge, 1998); A. Tomkins, 'The experience of urban poverty – a comparison of Oxford and Shrewsbury 1740-1770', unpublished DPhil, Oxford, 1999; S. King, *Poverty and Welfare in England 1700-1850: A Regional Perspective*, (Manchester, 2000); Steven King and Alannah Tomkins (eds), *The Poor in England 1700-1850: An Economy of Makeshifts*, (Manchester, 2003).

<sup>27</sup> *The Poor Law Report of 1834*, S.G. and E.O.A. Checkland (eds), (first published 1834, republished by Pelican Books, 1974), pp.180-190.

<sup>28</sup> King, *Poverty and Welfare*, p.268.

<sup>29</sup> Hitchcock *et al.*, *Chronicling Poverty*, p.1.

<sup>30</sup> King, *Poverty and Welfare*, p.254.

<sup>31</sup> King, *Poverty and Welfare*, p.51.

<sup>32</sup> King and Tomkins, *The Poor in England*, pp.258-279; Margaret Hanly, 'The economy of makeshifts and the role of the poor law: a game of chance?' in King and Tomkins, *The Poor in England*, pp.76-99, p.77.

<sup>33</sup> Sarah Lloyd, '“Agents of their own concerns”? Charity and the economy of makeshifts in eighteenth-century Britain', in King and Tomkins, *The Poor in England*, pp.100-136, p.102. For charity and poverty see also M.G. Jones, *The Charity School Movement*, (Cambridge, 1964); Donna T. Andrew, *Philanthropy and Police: London Charity in the Eighteenth Century*, (Princeton, 1989); Hugh Cunningham and Joanna Innes (eds), *Charity, Philanthropy and Reform from the 1690s to 1850*, (Basingstoke, 1998); Jonathon Barry and Colin Jones (eds), *Medicine and Charity Before the Welfare State*, (London, 1991); Martin Daunt (ed), *Charity, Self-interest and Welfare in the English Past*, (London, 1996); Carolyn D. Williams, '“The luxury of doing good”: benevolence, sensibility and the Royal Humane Society', in Roy Porter and Marie Mulvey Roberts, *Pleasure in the Eighteenth Century*, (Basingstoke, 1996); Anne Borsay, *Medicine and Charity in Georgian Bath: A Social History of the General Infirmary c.1739-1830*, (Aldershot, 1999); Sylvia Pinches, 'Women as objects and agents of charity in eighteenth-century Birmingham', in Rosemary Sweet and Penny Lane (eds), *Women and Urban Life in Eighteenth-Century England: 'On the Town'*, (Aldershot, 2003).

<sup>34</sup> Lloyd, 'Agents of their own concerns', p.102.

<sup>35</sup> Williams, 'The luxury of doing good'.

<sup>36</sup> Pamela Sharpe, *Adapting to Capitalism: Working Women in the English Economy, 1700-1850*, (Basingstoke, 1996), p.2.

<sup>37</sup> Sharpe, *Adapting to Capitalism*, p.6.

<sup>38</sup> L. Davidoff and C. Hall, *Family Fortunes: Men and Women of the English Middle Class 1780-1850*, (Oxford, 1987).

<sup>39</sup> Hannah Barker and Elaine Chalus (eds), *Gender in Eighteenth-Century England: Roles, Representations and Responsibilities*, (London, 1997), p.3.

<sup>40</sup> Coroners' Records, 26 November 1835. Ann Davis was out selling meat from door-to-door when her eight year old daughter, who had been left alone in their one room, caught her pinafore alight.

<sup>41</sup> Richard Connors, 'Poor women, the parish and the politics of poverty', in Barker and Chalus *Gender in Eighteenth-Century England*, pp.126-148.

<sup>42</sup> Connors, 'Poor women', p.143.

<sup>43</sup> Alannah Tomkins, 'Women and poverty' in Hannah Barker and Elaine Chalus (eds), *Women's History: Britain, 1700-1850*, (London, 2005), pp.152-173, p.154.

<sup>44</sup> Tomkins, 'Women and poverty', p.167; Deborah Valenze, *The First Industrial Woman*, (New York, 1995).

<sup>45</sup> For books about Bath see Walter Ison, *The Georgian Buildings of Bath 1700-1830*, (Bath, 1948); David Gadd, *Georgian Summer – Bath in the Eighteenth Century*, (Bath, 1971); Brian Little, *Bath Portrait*, 3<sup>rd</sup> edition (Bristol, 1972); Warren Derry, 'Notes on various visitors to, and inhabitants of, Bath' (unpublished manuscript c.1975) Bath Central Library; J. Plumb, *Georgian Delights*, (London, 1980); W. Lowndes, *The Royal Crescent in Bath – a Fragment of English Life*, (Bristol, 1981); P. Cresswell (ed), *Bath in Quotes, a Literary View from Saxon Times Onward*, (Bath, 1985); B. Cunliffe, *The City of Bath*, (Gloucester, 1986); Maggie Lane, *A City of Palaces: Bath through the eyes of Fanny*

*Burney*, (Bath, 1999); Trevor Fawcett, *Bath Administer 'd: Corporation Affairs at the Eighteen-Century Spa*, (Bath, 2001). See also *Bath History*, Vols. I – X.

<sup>46</sup> Revd Richard Warner, *The History of Bath*, (Bath, 1801). See also John Wood, *A Description of Bath in 1765*, (Bath, reprinted 1969); R. Mainwaring, *Annals of Bath, from the Year 1800 to the Passing of the New Municipal Act*, (Bath, 1838); Jerom Murch, *Biographical Sketches of Bath Celebrities with Some Fragments of Local History*, (Bath, 1893); W. Tyte, *Bath in the Eighteenth Century*, (Bath, 1903).

<sup>47</sup> Warner, *The History of Bath*, p.344.

<sup>48</sup> Graham Davis and Penny Bonsall, *A History of Bath: Image and Reality*, (Lancaster, 2006) p.138.

<sup>49</sup> Neale, *Bath, A Social History*, p.274.

<sup>50</sup> Neale, *Bath, A Social History*.

<sup>51</sup> Neale, *Bath, A Social History*, p.4.

<sup>52</sup> Neale, *Bath, A Social History*, p.79.

<sup>53</sup> Neale, *Bath, A Social History*, pp. 6, 90 and 93.

<sup>54</sup> Borsay, *The Image of Bath*.

<sup>55</sup> Graham Davis, 'Image and reality in a Victorian provincial city: A working class area of Bath 1830-1900', unpublished PhD Thesis, University of Bath, 1981.

<sup>56</sup> Borsay, *The Image*, p.95.

<sup>57</sup> Davis and Bonsall, *A History of Bath*, p.146-149; Steven Poole, 'Radicalism, loyalism and the "reign of terror" in Bath, 1792-1804' in *Bath History*, Vol. III, (1990), pp.114-137.

<sup>58</sup> Sweet, *The English Town*, p.36. For incorporated boroughs see also Innes and Rogers, 'Politics and Government', pp.530-532.

<sup>59</sup> Several members of the Attwood family served, as did the Anderdon, Phillott and Crook families.

<sup>60</sup> Charles Crook was apprenticed to John Kitson, and Charles Phillott was apprenticed to Henry Wright and married his master's daughter.

<sup>61</sup> Sweet, *The English Town*, p.34.

<sup>62</sup> Sir William Watson was a physician, George Kitson, William Tudor and George Norman were all founder members of the Royal College of Surgeons.

<sup>63</sup> McIntyre, 'The rise of a resort town', p.228.

<sup>64</sup> Sweet, *The English Town*, p.35.

<sup>65</sup> Ann Borsay, *Medicine and Charity in Georgian Bath: A Social History of the General Infirmary at Bath c.1739-1830*, (Aldershot, 1999).

<sup>66</sup> Sweet, *The English Town*, p.143.

<sup>67</sup> Sweet, *The English Town*, p.143.

<sup>68</sup> Neale, *Bath, A Social History*, p.176/7.

<sup>69</sup> Neale, *Bath, A Social History*, p.180. See also Appendix A, pp.384-390; Sweet, *The English Town*, p.55/6.

<sup>70</sup> Sweet, *The English Town*, p.56.

<sup>71</sup> Sweet, *The English Town*, p.142.

<sup>72</sup> Outer Walcot is described in the records as being in the county of Somerset.

<sup>73</sup> McIntyre, 'The rise of a resort town', p.221.

<sup>74</sup> Davis and Bonsall, *Bath, A New History*, p.118.

<sup>75</sup> Neale, *Bath, A Social History*, p.216/7.

<sup>76</sup> Each chapter contains a discussion of the sources used.

## Chapter 2: Pauper and Bastardy Examinations

### Introduction

In an economy of makeshifts, or an economy of welfare, one of the strategies available to the poor was to apply to the parish for poor relief. An application for poor relief initiated a response from the parish officers and local magistrates in the form of an examination of the applicant to determine his or her place of legal settlement. This chapter will reveal the way in which the city authorities, in this instance parish Overseers and justices, responded to the number of migrant workers needed both to build and to service the city in a time of physical growth and, at times, economic hardship. Insights into the roles of Overseers and justices and their status in the city will also emerge. An investigation into who applied for poor relief and how the authorities responded will enable us to see the poor laws at work in Bath from 1770 to 1835.

Bath, like London, acted as a magnet for labour, particularly young single women. As R.S. Neale has written: ‘without the work of this largely immigrant and geographically mobile labouring population, Bath could not have been built. Nor could it have been serviced’.<sup>1</sup> Although by the end of the eighteenth century the fashionable company was no longer arriving in great numbers and Bath was becoming a largely residential city, there was still a vibrant season that in turn led to the need for a flexible, predominantly female, labour force. The pauper examinations tell us something about the complex migration patterns of some applicants, and about the impact of seasonality. As Steven King has written, poor law welfare was ‘*the* most important social issue at the local and national level’.<sup>2</sup> The Poor Laws were administered by the parish officers for the four central parishes in Bath, supported by the justices. By looking at the administration it is possible to see that the authorities were conscientious and hardworking. They were not unduly harsh but were pragmatic, attempting to keep a balance between the needs of the poor and the needs of the ratepayers.

## The Poor Laws

The Poor Laws were consolidated in 1601 in an act<sup>3</sup> which stipulated that each parish had a duty to provide for the deserving poor, defined as the aged, the very young and the infirm, in the form of goods or money, met by a local tax based on property and administered by an overseer, usually elected annually.<sup>4</sup> It is with the later Settlement Act of 1662 with which we are mostly concerned.<sup>5</sup> This laid the basis of settlement law and made possible the removal of paupers who required parish help from the parish in which they were claiming poor relief to their parish of settlement. Before 1795 paupers could be removed from a parish if it was suspected that they *might become* a burden on the rates, but after that date they could only be removed if they were *actually chargeable*.<sup>6</sup> As a new settlement could be gained through service, it was not uncommon for employers (who were, after all, ratepayers) to dismiss servants after eleven months (sometimes only one day short of the year) in order to prevent them from gaining a settlement. This, naturally enough, was much resented by servants who had worked for almost a year in the understanding that this would gain them a settlement in a new parish.<sup>7</sup>

Some contemporaries saw the settlement laws as restricting the movement of labour and, therefore, counter-productive to the development of industry and the spread of capitalism.<sup>8</sup> Arthur Young, writing in 1774, described the laws of settlement as ‘the most false, mischievous, and pernicious system that ever barbarism devised’.<sup>9</sup>

Evidence from the Bath records suggests that labourers and unskilled workers moved freely despite the settlement laws.<sup>10</sup> This was important in Bath throughout the eighteenth-century, as the building boom required skilled and unskilled building workers, the visitors and residents required domestic servants, and the clothing trade required seamstresses, milliners and other workers.

## The Administration of the Poor Law

The poor law was administered through the parishes. Each vestry was able to nominate, at their Easter Meeting, one or more Overseers for the Poor. The Overseers were then appointed by the Justices of the Peace. It was the Overseers' unenviable task to collect the poor rate, as set by the vestry, and distribute poor relief to those they thought deserving. It was, therefore, a very 'face-to-face' system. The Overseers will often have known recipients of poor relief, particularly in the difficult years at the end of the eighteenth and beginning of the nineteenth centuries, when, because of poor harvests, many more residents than usual received poor relief.

Peter Dunkley, in *The Crisis of the Old Poor Law in England, 1795-1834*, wrote that in terms of time and energy the administration of the Poor Law was local government's most important task.<sup>11</sup> The administration of the Poor Law was also the point of contact between the parish officers and the poor. For some of the examining justices this would not have been the only occasion when they came face-to-face with the poor as a number of justices were involved in charities such as the Monmouth Street Society or the Bath City Infirmary and Dispensary.<sup>12</sup> The civic elite in Bath, personified by individual justices, can be seen, therefore, as part of a wider charitable elite who had a shared concern not only to give aid to the poor but also to keep the streets of Bath clean for the visitors. As David Eastwood reminded us: 'In the lives of the labouring poor, the parish elite were nothing less than a governing elite'.<sup>13</sup> As Bath was an incorporated borough, only members of the Corporation were entitled to vote, and administration of the Poor Law gave disenfranchised parish officers some control over the poor in their parish. Eastwood has also suggested that there was a tendency for labour to be drawn into the town and then removed back to rural parishes when no longer needed.<sup>14</sup> If those who could leave Bath left of their own accord, this would help to explain a lack of claims for relief which we will see in the off-season.

## Historiography

Contemporary commentators on the Poor Laws were agreed that parishes should take care of their settled aged, children, and those who, because of physical or mental disability, were unable to work, in other words, the deserving poor.<sup>15</sup> In 1782, John M'Farlan, a Scots advocate, wrote: 'Had we none to provide for but such as are reduced to poverty by necessary and unavoidable causes, it would be easy to afford them a comfortable subsistence,' but, he continued, 'there is best reason to believe, that by far the greatest number of poor, are such as are in want either by their own immediate fault, or by their former bad conduct'.<sup>16</sup> In this way, M'Farlan neatly defined the undeserving poor and gave us the contemporary view of the reasons for their poverty. William Bleamire echoed this sentiment in 1800 when he wrote: 'persons utterly unable to support themselves were always proper objects for relief ... but the idle, lazy and abandoned ... were, and still ought to be, objects of punishment'.<sup>17</sup>

Arguably, the most radical and most influential work was Thomas Malthus's *An Essay on the Principle of Population*, in which he claimed that had the poor laws never existed: 'though there might have been a few more instances of very severe distress, yet that the aggregate mass of happiness among the common people would have been much greater than it is at present'.<sup>18</sup> Malthus claimed that the poor laws were calculated to eradicate the spirit of independence still at that point, he claimed, seen in the lower orders.<sup>19</sup> This spirit should be encouraged and the poor should be expected, when they were in work, to save for the future. Thus independence and self help would lead to greater prosperity. The poor supported by parishes were not free from misery despite the large amounts collected in poor rates.<sup>20</sup> Malthus was particularly critical of poor laws that, as he saw it, encouraged couples to marry young and have children while still unable to support themselves financially.<sup>21</sup> The solution he put forward was the total abolition of all poor laws that, in his view, prevented the necessary mobility of labour. For cases of extreme distress Malthus proposed county workhouses supported by a national rate. He saw the parish system of poor relief as tyrannical, corrupt, grating and inconvenient.

The Malthusian view prevailed in the *Poor Law Report* of 1834 that was highly critical of the quality and work of parish Overseers.<sup>22</sup> Assistant Commissioners, employed to enquire, among many other duties, into the ‘character of persons who distribute and award relief’ reported that Overseers’ incompetence led to ‘a great portion of the evil now found to exist in the operation of the Poor Laws’ and that Overseers were ‘irresponsible’.<sup>23</sup> The *Report* was a much criticised document that selected evidence to advance the case for reform but it was to influence historians for some years. Sidney and Beatrice Webb appear to have taken the report at face value in their magisterial review of the English poor laws written in 1927.<sup>24</sup> Dorothy Marshall, writing contemporaneously, was scarcely more encouraging in her work on the English poor in the eighteenth century.<sup>25</sup> More recent historians have been less condemnatory. As Steven King and Alannah Tomkins have pointed out: ‘In the 1920s, when the Webbs and Marshall were published, there was a tendency to view past experiments as faulty forerunners of the then modern, liberal welfare policies’.<sup>26</sup>

Writing in 1985, K.D.M. Snell took a more optimistic view of the old poor law and used settlement examinations as a basis for a discussion of wages.<sup>27</sup> His argument that the intensification of gender specialisation in agricultural employment by the mid-eighteenth century led to women leaving the country and taking low paid work in London, has resonances for women in Bath, as has the attention he drew to the issue of life-cycle poverty. Snell saw the poor law as generous, offering a degree of security to the labouring population. The view that the poor law offered security to the poor was taken up by Peter Solar.<sup>28</sup> Solar took an optimistic view and posited that the poor laws played an important part in ‘maintaining a stable political and social context for economic development’.<sup>29</sup> Compared with continental poor relief, which relied in charitable institutions, Snell claimed the English system was uniform and comprehensive and underpinned English economic progress by maintaining a mobile labour force.

Life-cycle poverty has also had its historians. Barry Stapleton in his study of Odiham, Hampshire, from 1650 to 1850 looked at individuals in receipt of parish pensions over a number of years.<sup>30</sup> He found that the age at which recipients were first granted pensions was decreasing – in other words, recipients were getting younger. He found, for example, that in the period 1750-99 that the largest group of

recipients fell into the 35-39 years age group but that by 1800-1849 they fell into the 30-34 years age group.<sup>31</sup> He showed that such a change could not be explained by reference to the increase in the number of young age groups due to population growth.<sup>32</sup> He also detected a multi-generational downward spiral of poverty for a majority of families receiving relief.<sup>33</sup> As we will also see in Bath, Stapleton found that large families strained to make ends meet particularly with the loss of a wife's earnings. Tim Meldrum has focused on the life-cycle of domestic servants in London.<sup>34</sup> Still with the emphasis on life-cycle poverty, Pamela Sharpe studied the records of poor children, in Colyton, Devon, particularly with reference to pauper apprenticeship, while Lyn Botelho and Pat Thane have looked at poverty in old age.<sup>35</sup> Botelho and Thane have drawn attention to the difficulty in defining 'old age' in eighteenth century terms. Nonetheless, they found that the oldest and poorest women were the most disadvantaged.<sup>36</sup>

The last decades have seen a broadening of the scope of sources used to chronicle poverty. Parish poor law records, including pauper examinations, Overseers' notebooks and accounts, vestry minutes and accounts, pauper inventories and workhouse records have been put to good use. Jeremy Boulton used parish records for St Martin-in-the Fields in Middlesex to answer questions concerning social control and differentiation with regard to parish pensions.<sup>37</sup> Pauper inventories have been used by Peter King to reconstruct the material lives of the poor in the light of growing consumerism.<sup>38</sup> Tim Hitchcock used workhouse records to discover the ways in which paupers used workhouse provision, in particular gender differences.<sup>39</sup> A positive view of the old poor law was confirmed by Lynn Hollen-Lees who also suggests a wide spread acceptance of poor relief among parishioners.<sup>40</sup> Regional differences in the provision of poor relief and the need for more research on a regional basis in the light of 'stark variations in local practice' was emphasised by Steven King.<sup>41</sup> This thesis, with a survey of poor law administration in Bath, will add to the sum of knowledge in this area. Illegitimacy has become an issue that has attracted a number of writers including Hitchcock and John Black.<sup>42</sup> Black has also written about the search for putative fathers, as has Thomas Nutt, an issue taken up later in this thesis.<sup>43</sup> Court records of various kinds have been used to investigate the lives of servants and the servant/employer relationship and to trace juvenile offenders in Middlesex.<sup>44</sup> The records of the Foundling Hospital have been used by Alysa



Levene to draw attention to the high mortality rate among foundlings and poor children and Tanya Evans has used petitions to the Foundling Hospital to investigate pauper motherhood.<sup>45</sup> She has been able to highlight the agency of poor mothers, not all unmarried, and the strategies they employed to ensure their survival and the survival of their babies. With implications for Bath, Samantha Williams detected a change in attitude in the 1790s at the Foundling Hospital from the sole care for the baby to moral reform of the mother.<sup>46</sup> As Williams has pointed out, the hospital shared this shift in emphasis with the Magdalen Hospital for Penitent Prostitutes.

One of the most exciting sources to have come to the fore in recent years has been pauper letters. Pamela Sharpe used pauper letters to examine the relationship between a family in Chelmsford and the Overseers of their settlement parish of St Botolph's.<sup>47</sup> The use of pauper letters raises a number of methodological issues and the distinctions between various 'voices' outlined by J.S. Taylor in 'Voices in the crowd' is not particularly helpful.<sup>48</sup> Arguably more helpful is the introduction to *Essex Pauper Letters 1731-1837* by Thomas Sokoll.<sup>49</sup> Here Sokoll has written that the letters reveal the attitudes of the poor to Overseers and to the poor laws. Correspondents asserted their 'right to relief' and demonstrated their understanding of the law but, at the same time, their letters 'represent the lowest level of recorded written communication'.<sup>50</sup> In a critique of pauper letters as a source, Sokoll includes discussions on handwriting, language and style, whether or not pauper letters were written by them or for them and the implications of this for the researcher.<sup>51</sup> In his innovative book about street life in eighteenth century London, Hitchcock has an awe-inspiring bibliography including charity records, parish records, court records, coroners' inquests, contemporary art and literature, and weather reports.<sup>52</sup> He has been able to reconstruct the vivacious street life of the metropolis which was unable to conceal the abject poverty of some of the inhabitants.

This gives an indication of the breadth of research presently of interest to historians and the imaginative use being made of sources. Modern historians take a more benign view of the administration of the old poor laws, and poor relief is seen as one factor in a raft of welfare possibilities. It is acknowledged that there were certain times in the lives of the poor when they were particularly vulnerable; when very young or very old, when the family unit lost one of its wage earners, or during

periods of illness; women were particularly vulnerable to unwanted pregnancies. The poor were neither homogenous nor without agency and developed strategies to alleviate their poverty in a mixed economy of welfare.

Many of the books and articles mentioned above are based on London records. King and Tomkins have emphasised that a system of reliable relief 'has not been proved to exist for the whole of England', and King has called for more research in different regions of England.<sup>53</sup> While it is important to stress that the city of Bath was unusual and the data cannot be used to explain a wider region, it is hoped that the research recorded in this thesis for the period 1770-1835 will contribute to a fuller understanding of the administration of the poor laws in England and certainly to a more nuanced view of Bath history.

## Sources

On 10 May 1770 Margaret Parfitt, a forty year old deserted wife, attended at the Guildhall in Bath and came before Thomas Attwood, mayor, and John Horton, both justices of the peace for the city of Bath.<sup>54</sup> Parfitt had been born in Devon but was now living, with her three children, in Bath in the parish of St Michael. Her husband, who had left Margaret and her children, was a tiler and plasterer. Fifteen years previously he had received poor relief from the parish of Publow, Somerset, when he was unable to work due to 'a disorder in one eye'.

On the same day, Sarah Atkins also appeared before Thomas Attwood and John Horton.<sup>55</sup> We do not know Sarah's age, only that she was single, had been born in the parish of St John, Glastonbury, Somerset, but was then living in St Michael's, Bath. She had been apprenticed by the Charity School in Glastonbury to Ann Marchant for twelve years. She had spent two years in Glastonbury and then moved to Bath where she worked as a servant. Sarah appeared before the magistrates again a week later, on 17 May.<sup>56</sup> The information given varied from her previous statement in only one respect: Sarah was pregnant and claimed that the father of her child was James Ridman, apprentice to Matthew Walker, cabinetmaker.

The first of these narratives concerns a Pauper Examination, the second concerns a Bastardy Examination and both cases appear in the same volume of records, 'City of Bath Pauper Examinations, 1770-1744'. These records are contained in two volumes that run concurrently and cover all four parishes of central Bath, St Peter and St Paul (often known as Abbey), St James, St Michael and that part of Walcot that fell within the liberties of the city of Bath. In order to provide a representative sample of the local parishes throughout the period 1770-1835 I have also examined 'Pauper Examinations for the Parish of St Michael, 1815-1818', and 'Pauper Examinations for the Parish of Walcot, 1821-1824'.<sup>57</sup> These are valuable records which have not previously been used so extensively.

From the examples above, we can establish that Margaret Parfitt had moved from Devon to Bath and that before her examination she had been married to a skilled labourer, probably working in the building trade in Bath. At the time of the examination he had left his wife and three children who were now in need of assistance. When the family lost the member who was probably the major wage-earner, Margaret, as the mother of three children, became vulnerable to poverty. Sarah Atkins was also on her own. From her examination we can trace her migration, as an apprentice, from Glastonbury to Bath where after two more years of apprenticeship Sarah and Ann Marchant, her mistress, parted by mutual agreement. As Sarah had not completed her apprenticeship, she had not established a settlement in Bath. At the time of her second examination, Sarah added that she was pregnant and she was applying for poor relief. Young single women were vulnerable to pregnancy, subsequent unemployment and poverty. Through the records we are able to trace migration, settlement and the life circumstances of a number of the poor in Bath and the stories of these two women serve to highlight some of the areas of vulnerability experienced by women in the period.

Later records that have been examined for specific parishes show the same combination of Pauper Examinations and Bastardy Examinations. For example, the Pauper Examinations for the parish of St Michael show that on 16 February 1816 Hannah Mead, a thirty-two year-old widow, was examined because she was pregnant.<sup>58</sup> Her husband, John, who had been a butcher, had died three years earlier.

At the time of his death they had been married for four years. Hannah did not know John's legal settlement, but she had a settlement in Bathwick as she had worked there for some time as a servant. John Francis, twenty-seven, married and living in Walcot, was examined on 21 February 1821.<sup>59</sup> He had married his wife, Ann, three years earlier in St James, Bath, and, as yet, they had no children. John had been born in Limpley Stoke, Wiltshire, but had a legal settlement in Freshford, Wiltshire, through his father. John's mother was receiving relief from Freshford, as indeed he had in the past. All four of the above applicants were people who had migrated to Bath and all but Sarah Atkins could demonstrate that they had a legal settlement outside Bath. As can be seen, pauper examinations tell us a great deal about the applicants. What can we discover about the authorities, the Overseers of the poor and Justices of the Peace?

## **The administration of the Poor Law in Bath**

In 1790 the Revd John Chapman preached in the Abbey Church at Bath a sermon with a text taken from Proverbs, XXX. 8, 9. 'Give me neither Poverty, nor riches; feed me with Food convenient for me: Lest I be full and deny Thee, and say, Who is the Lord? or lest I be poor, and steal, and take the name of my God in vain'.<sup>60</sup> When in his sermon, the Revd Chapman deplored the fact that the poor, instead of 'humility and patience, and working with their hands what is useful to society' compounded their misery by 'discontent, by debauchery and profaneness, by theft and malice' he may well have reinforced the prejudices of his congregation that the poor, through their own regrettable behaviour, brought their ills upon themselves.

Two years later, in December 1792, at the parish church of Walcot, the Revd William Leigh urged Walcot parishioners to consider building a free church.<sup>61</sup> His argument was that the pews in the parish church were all accounted for so that the poor had to stand in the aisles and, as a consequence, rarely stayed to the end of the service. He admitted that the church had been built at the expense of individuals and that they 'cannot reasonably perhaps be expected to open their doors promiscuously to all, but only to those who purchase admission there'. He castigated his congregation for not

creating a space where rich and poor could meet freely together. Williams commended to the congregation a chapel in Tunbridge Wells which was open to all. The layout of the chapel was such that:

one side of the chapel is appropriated to men, the other to the women. The gallery is also in the same manner left open; that on one side of the organ for men-servants and the lower class of people; and that on the other, for female servants, and all others who choose to attend Divine Service.<sup>62</sup>

The poor of Walcot were to be encouraged to attend Divine Service with their betters so long as they knew their place and kept to it! This was the cultural ethos in which parish officers were operating. This was not a message that would have appealed to the poor, of course, but it confirms the importance of the social hierarchy and the superiority of the rich.

### **Overseers of the Poor**

The *Poor Law Report* of 1834 was highly critical of Overseers.<sup>63</sup> In fact, according to one Assistant Commissioner all the ills of the system could be laid at their respective doors.<sup>64</sup> Overseers were appointed annually by the vestry and the charges that were laid against them were that, as they were in office for so short a time (some Overseers changed monthly) they were unable to effect change. Moreover, as the Overseers were appointed from the tradesmen of the parish there was a danger that they would misapply parish funds through ‘jobbing, partiality and favouritism’.<sup>65</sup> They might have a desire for popularity, or fear unpopularity, or even hostility, from particular individuals.<sup>66</sup> The only check on the way in which they functioned was that they were also ratepayers. Assistant Commissioners found them to be ‘wholly incompetent’ if not downright fraudulent.<sup>67</sup>

When in March 1788 the newly formed Casualty Hospital attempted to involve Bath parishes in contributing to its funds, they held a meeting to which parish officers were invited.<sup>68</sup> The occupations of the parish officers are listed as; a grocer, a shoemaker, a perukemaker, a cheesemonger, a builder and two carpenters. It can be seen that

Bath parish officers came from among the tradesmen of the city. Jeremy Boulton posited that there was a considerable financial burden associated with the responsibility.<sup>69</sup> Any shortfall between collection of the rates and payments to paupers had to be borne by the overseer and it might be some time before he was reimbursed. Whether or not this was so for Bath Overseers we have no way of knowing.

Except for John Curry who was overseer for Walcot from 1811 to 1831, it is not easy to access the work of individual Overseers.<sup>70</sup> From 'Overseers' Accounts for the Parish of Walcot, 1799-1831' it is possible to compile a list of Overseers that shows that Mr Potter served from 1801 to 1805, and Mr Percival from 1806 to 1820.<sup>71</sup> Long service of this kind will have ensured continuity. As there were three Overseers for the parish and the other two changed more frequently, the effects of familiarity would have been minimised and some sort of check was provided on the activities of individual Overseers. As four parishes are being considered with Overseers usually elected annually, and a spread of more than sixty years, no doubt the quality of Overseers varied considerably, and some will have been more able and better educated than their fellows. Committee books for the combined poorhouse for the parishes of Abbey and St James exist for much of the period, and these suggest that the vestry met regularly and were diligent in the discharge of their duties with regard to the poorhouse and its inmates.<sup>72</sup> The main concerns of the committee were the appointment of suitable masters for the poorhouse, and costs, particularly in 1800 and 1801 when poor harvests meant price rises. The committee took complaints seriously and insisted on adequate food for the poorhouse inmates. 'Payments to Paupers' for Abbey parish for the period 1785-1791 and 1822-1835 record details of parish pensions and one-off payments that, from cursory inspection, suggest accounts were kept in some detail for these periods at least.<sup>73</sup> Except for evidence of fraud by Walcot Assistant Overseers in the early nineteenth century, there is no evidence that the Overseers in Bath were corrupt or negligent.<sup>74</sup> The Poorhouse Committee opposed the proposed Poor Law legislation which suggests that they thought they were working efficiently as can be seen from an entry in the minutes for 19 May 1835:

Resolved – That it is the opinion of the Committee that the Bill now before the House of Commons entitled a Bill for the Amendment and Better Administration of the Laws relating to the Poor in England and Wales is in many parts highly objectionable and that it is our bounden duty to oppose (*sic*) the same. That this meeting is of the opinion that it is highly necessary that Parochial Meetings should be immediately (*sic*) called to adopt such methods as shall be considered necessary to prevent the same passing into Law and that a petition to that effect be submitted to such meeting for its adoption – (signed) J. Curry, Chairman  
That the thanks of this meeting be given to Mr Curry for his efficient conduct in the Chair. (signed) P. Townsend.

With the possibility of the Poor Law Amendment Act being passed by Parliament, parishes would have lost control of much of the administrative function of the poor law so they were not, of course, unbiased.

For the period 1815-1818 the Overseers for the parish of St Michael were recorded as already relieving 17 out of the 25 examinees (68 per cent).<sup>75</sup> In Walcot for the period 1821-1824, 37 out of 55 (67 per cent) were already receiving relief when they were examined.<sup>76</sup> Overseers were not required by law to relieve paupers unless they had a legal settlement in their parish and this could not be established without a formal examination, so this suggests that the parish Overseers in St Michael's and Walcot were prepared to relieve the destitute while they were awaiting examination as to settlement. It may be that the Overseers were prepared to allow relief in the hope that, if the examinee had a settlement out of the parish, their home parish would grant non-resident relief. If, as Jeremy Boulton suggested, Overseers had to shoulder the financial burden of relief until the matter was settled, this was a risky undertaking. The notebook of the overseer for Walcot for 1793-1794 shows that he made a number of one-off payments, for example, he recorded that on 10 December 1793, he paid Mary Lancaster five shillings for her lying-in, and later in the same month, he gave Charlotte Hine seven shillings and sixpence to take herself and her three children to London, no doubt a better option financially for the parish than maintenance or an expensive formal removal.<sup>77</sup> Neither of these women will have appeared before the Justices: Mary Lancaster received a one-off payment for relief of short-term economic stress: hopefully, Charlotte Hine and family were successful in London. The Overseers were able to be flexible in the relief of immediate short-term need.

The Sturges Bourne Act of Parliament in 1819 authorised the appointment of paid, permanent assistant Overseers.<sup>78</sup> The 1834 *Report* was ‘unanimous as to the general utility’ of assistant Overseers.<sup>79</sup> They were ‘invariably intelligent, attentive, zealous, and possessing great knowledge of the laws’.<sup>80</sup> The parish of Walcot was the largest and richest of the Bath parishes and included many of the ‘best’ addresses in the city as well as some of the worst slums. It is not surprising, therefore, to find that Walcot was one of the 3,249 parishes to employ an assistant overseer.<sup>81</sup> John Curry was employed by the parish from 1811 to 1831 and his diary is the subject of closer examination in a later chapter.<sup>82</sup> The other parishes do not appear to have employed assistant Overseers. The steady flow of settlement examinations, removal orders and pauper apprenticeship indentures, from the parishes to the justices, suggest that the Overseers and justices worked together to relieve and control the poor at the same time safeguarding the ratepayers.

### **Justices of the Peace**

The Bath bench consisted of the mayor and two justices, one of whom was always the out-going mayor, who were sworn in annually.<sup>83</sup> The inclusion of both the present and the out-going mayor ensured continuity. In Bath the justices were members of the Corporation and, therefore, part of the ruling elite in the city. Their case load increased over the period from 700 cases in 1776/7 to over 1000 in 1793 and poor law affairs was the second most frequent issue with which they dealt.<sup>84</sup> Joanna Innes and Nicholas Rogers have drawn attention to the increased work-load of urban justices with the result that it was not always possible to find suitable people to serve in this capacity.<sup>85</sup> Although the burden of Poor Law cases became heavy, it would appear that in Bath there was no problem in finding suitable people and, in order to relieve individual Justices, the number in the city was increased from four to nine.

Refusal by Overseers to give poor relief to a number of the poor could result in unrest, particularly at times when a large proportion of the parish were in need of assistance. Steven King has claimed that magistrates were aware of the need to ensure social order and, when necessary, overruled Overseers’ decisions.<sup>86</sup>



Hitchcock and Black have claimed as unfounded the criticism of eighteenth-century magistrates, particularly those of Middlesex, who were thought to have been of low social status and, therefore, more likely to become corrupt.<sup>87</sup> In *A Polite and Commercial People*, Paul Langford wrote that increasingly the bench was made up of lesser gentry, men of business and clergy.<sup>88</sup> Hitchcock and Black have suggested that 'eighteenth-century snobbery' may colour our perceptions. They claimed: 'contemporary contempt for the low social status of Middlesex justices was based on the belief that people of this modest status (traders, merchants and professionals) would necessarily be open to bribery and corruption'.<sup>89</sup> One critic of Middlesex magistrates, W.A. Cassell, wrote in 1972 in 'The parish and the poor in New Brentford, 1720-1834' that Middlesex experienced a lack of suitable candidates, in the form of the gentry, to act as magistrates.<sup>90</sup> The job was, therefore, given to tradesmen. He claimed that they were uneducated and corrupt. There was also, according to Cassell, an increasing reliance on non-resident clergymen who had little local knowledge.

Bath magistrates were not gentry but neither were they uneducated: many were businessmen and several were medical men of some repute. George Norman and William Tudor were both founder members of the Royal College of Surgeons, and several, like the Anderdon family, were bankers.<sup>91</sup> They lived, as far as can be ascertained, in the city and were involved with the city and the Corporation, in some instances, over several generations. They served as trustees on a number of charities in Bath.<sup>92</sup> They were merchants, retailers, developers and professional men. Although unpaid, justices may have seen membership of the bench, like membership of the Corporation, as conferring status and aiding personal advancement. As Borsay suggested, Bath was an optimal location for the acquisition and expression of status, therefore, membership of the ruling elite was certainly status enhancing.<sup>93</sup> It would seem, therefore, that the quality of the Poor Law administration was higher in Bath than in Middlesex. Although the parishes were administered independently, paupers from all parishes were taken before the same justices. There is nothing in the records to suggest that there was an inequality in the way Justices dealt with individual parishes or their paupers.

Bath was a compact city and Justices of the Peace who met to examine paupers did so frequently and there would appear to have been little difficulty in finding two justices to do this.<sup>94</sup> In February 1773, Walter Wiltshire and John Chapman met seven times and examined ten individuals. In addition, on 2 February, Walter Wiltshire was the signatory to the examination of Elizabeth Alford.<sup>95</sup> In other parts of England Petty Sessions were used to deal with settlement business, but it would appear that Bath magistrates dispensed settlement business quickly without undue delay for the examinee or the parish. It may be that the volume of settlement examinations and other Poor Law work was such that Justices felt the need to hold examinations frequently. It may also be true that the Justices did not want to encourage begging or, even worse, social unrest among unrelieved paupers.

### **Pauper Examinations**

From the records we can trace an individual's employment and migration records, the reason given for their settlement, their marital status and we can gain some insight into life-cycle poverty. Of the 284 examinations between 1770 and 1774 for the city of Bath, 59 involved families with between two and ten children.<sup>96</sup> A further 56 involved families with one child. Just under half of this latter group were single women newly delivered. The remainder were women who had been either widowed or deserted. Couples with young children, and single women with a child or children, were particularly vulnerable to poverty and to examination.

**Figure 2.1. The numbers of examinants year on year for Bath, 1770-1774.**

	1770	1771	1772	1773	1774
Jan	0	0	0	7	8
Feb	0	0	1	11	5
Mar	0	0	8	17	1
Apr	0	0	12	6	4
May	8	0	3	14	9
Jun	1	0	11	10	2
Jul	0	1	4	9	2
Aug	0	1	9	6	7
Sep	0	0	3	11	4
Oct	0	4	9	16	6
Nov	0	2	8	20	1
Dec	0	2	12	7	0
<b>Total</b>	<b>9</b>	<b>10</b>	<b>80</b>	<b>134</b>	<b>49</b>

Source: ‘City of Bath Pauper Examinations, 1770-1774

In Bath there were particular problems. Bath was dependent on the fashionable company descending on the city for the season, and it might be expected, therefore, that pauperisation would become a problem during the out-of-season months of June to September. Women were particularly vulnerable to seasonal and low-paid work such as domestic service, millinery and dressmaking. The earlier records for the city of Bath, 1770-1774, tend to confirm this view and suggest that the season may have affected pauper examinations in the earlier period, as shown in Figure 2.1. These figures need to be put in context.

Although the timing of the Season changed throughout the eighteenth century, from 1780 the Season had settled into the nine-month period from September to May.<sup>97</sup> The records for 1770 and 1771 are most likely incomplete and there are no records for December 1774. These figures refer to a total number of examinations in all four parishes. It can be seen that for 1772 the highest numbers appear in April, June and December. As 73 per cent of those examined in these months were women it may be that the end of the Season affected April and June. The higher figure for December might be due to winter weather resulting in the cessation of building work leading to an increased number of applicants for poor relief. In this case, we would expect men

to feature more than women. The figures, however, although small, show that men and women applicants were almost evenly distributed. The figures for 1773 show a similar trend with 17 in March, 14 in May, and a high of 20 in November. The March and May figures show that 70 per cent of those examined were women which suggested that an economic downturn at the end of the Season was affecting women more than men. The 1774 figure for May shows 78 per cent of women being examined. These figures, although small, show the effect the end of the Season had on women's employment. The fact that more paupers were not examined or removed may reflect the importance to the city of an easily accessible reserve of labour. Hitchcock has argued that poor relief was about maintaining a supply of seasonal labour at lowest expense to the ratepayer.<sup>98</sup> If, as has already been suggested, some able paupers left Bath voluntarily, the authorities might have thought it desirable to maintain some paupers in the off-season.

Despite the seasonal nature of employment in the city, the figures for removal orders from St James for 1799-1803, and settlement examinations in St Michael's parish for 1815-1818 give no suggestion that examinations and removals were more likely in the out-of-season months.<sup>99</sup> It may be that the figures involved are too small to be significant. Alternatively, it may be that by the beginning of the nineteenth century Bath had enough of a resident population, particularly as most of the building boom was over, that the unemployed could find alternative employment. This suggests a change over time as Bath became a more residential and settled city.

## **Migration**

Landau has questioned Snell's assumption that settlement examinations were conducted as the result of an application for poor relief.<sup>100</sup> She has asserted that examinations were used by parish officials to regulate in-migration of individuals and families who were not necessarily impoverished. The amount of migrant labour that was needed in Bath, first to build the city and then to serve the Company during the Season, was considerable. Neale has estimated that the population of the city grew from 15,000 in 1771 to 51,000 in 1831, and the stock of houses in the city grew from 2,030 in 1771 to 3,946 in 1801.<sup>101</sup> Neale has also highlighted the period 1787 to

1793 as the time when Bath grew most rapidly.<sup>102</sup> Both Landau and Snell were dealing with rural parishes where it might have been possible to monitor in-migrants but in a busy urban parish it seems unlikely that parish officers will have been able to do this.

Although in-migration was crucial to the rapid growth and popularity of Bath, it is important to remember that despite Neale's assertion that the labouring population was 'a mere shifting agglomeration of people' there was a stable native population.<sup>103</sup> During the years 1770 to 1774, in 172 cases (60 per cent) the parish of birth was recorded.<sup>104</sup> Of these examinees 36 (21 per cent) had been born in Bath. These people may have moved parish within Bath but they cannot rightly be considered as immigrants. In Walcot, between 1821 and 1824, out of a total of 55 examinees 10 had no parish of birth recorded. From the remaining 45, seven (15 per cent) examinees had been born in Bath.<sup>105</sup> Neale has claimed that 56 per cent of those examined and claiming poor relief were migrants, but it seems likely that the examinees were being examined in connection with an application for poor relief, rather than as an attempt to monitor in-migration.<sup>106</sup>

By looking closely at the records, it is clear that the labouring population moved freely to wherever they thought there might be employment opportunities. For the period 1770-1774 for the city, 32 examinees claimed a settlement in Somerset: 12 of those were from parishes surrounding Bath, such as Lyncombe and Widcombe and Weston, but some came from as far afield as Taunton, Nether Stowey and Clotworthy, Devon.<sup>107</sup> Of the 17 examinees who claimed a settlement in Wiltshire, 6 had a settlement in Bradford (on Avon). This, perhaps, reflects the declining woollen industry in Bradford. There was also a degree of movement around the city parishes. Of the 18 people who claimed to have a settlement in Abbey parish, only 4 were still living in that parish. In the same way, out of the 21 belonging to St James's parish, only seven were still living there. Movement within the city may reflect the dwindling fortunes of individual paupers as they moved from cheap lodging house to even cheaper lodgings as a way of combating their poverty. Such movement also demonstrates the impossibility of monitoring migration in compact urban parishes. Movement around the city was common and probably did not affect claims for poor relief as it would have been possible for paupers to claim non-resident relief from a

neighbouring parish without the parish incurring the expense of removing paupers, although applications between parishes caused problems for some.

In January 1784, Sarah Brimble wrote to the overseer of St Michael's that, having been left on her own with two small children, she was no longer able to manage without some assistance.<sup>108</sup> She has been unable to find work and had twice attempted to make a personal approach to the overseer but had lost courage. Her husband's settlement had been in Abbey parish as he had been apprenticed there, and Brimble had already been in touch with the parish officers in Abbey but they had told her to apply to St Michael's. Quite possibly the overseer for Abbey did not relish the prospect of a woman still of child-bearing years, already with two small children, on his parish 'books' if they could be deflected to St Michael's. Brimble would appear to have fallen between two parishes while the officers decided where she belonged. Her story demonstrates what contemporaries saw as the inefficiency of the poor laws. Brimble seems to have been clear that she was entitled to relief from somewhere and was prepared to take her courage in both hands even if she found this 'desagreeable' (sic).

Some examinees' travels were sufficiently extensive to make them worth further consideration. Anne Merrick was born in St Giles, Westminster, in 1738.<sup>109</sup> In 1753, Anne was apprenticed to a capmaker in Moorfields in the City of London where she stayed for five years to complete her apprenticeship, and where she remained with her master for a further two years as a servant. In 1761, she was married to William Maccarty, a Roman Catholic, in a private house in Ropemakers Ally (*sic*), Moorfields, by a 'Romish priest'. Following the 1753 Hardwicke's Marriage Act, the Maccarty's marriage would not have been recognised as legal which is probably why she was applying for poor relief in her own name.<sup>110</sup> At the time of her claim in 1773, Anne and William had three children: Elizabeth who was eleven and who had been born in St Luke's, Middlesex, Charles, aged 5, and William, aged 18 months, both of whom had been born in Walcot. On 18 March 1773, William Wiltshire and John Chapman examined Anne Merrick as to her settlement. Two weeks previously William Maccarty had died and had been buried in Walcot cemetery. Anne had moved from St Giles, Westminster, to Moorfields, City of London, then to St Luke's, Middlesex, and then to Bath. This story not only serves to highlight the flexibility of

labour in the 1770s but also shows how precarious life was for the poor. Within two weeks of William's death, Anne was in need of poor relief.

The records reveal a number of tangled relationships as well as extensive migration patterns. Abraham Simms was born in Broughton Gifford in Wiltshire.<sup>111</sup> He had no memory of his parents as they had both died when he was very young. When he was eleven he was apprenticed to Henry Richards of Limpley Stoke, Wiltshire, who was a broadweaver (weaving was by now a dying trade in the South West), probably as a pauper apprentice. At some point, Simms married Hannah, who bore him ten children. After eleven years of marriage Hannah died. On Hannah's death, Abraham moved his children to Bath where he worked as a labourer. He then married Sarah Combes who was a widow with no children. When he was examined in February 1774, Abraham was living in St Michael's and still had three children living with him: Mary, 25; Isaac, 23, and Jacob, 13. He claimed a settlement in the parish of Limpley Stoke as he had been apprenticed there. It is not clear whether Abraham's three children are contributing to a family income, but the early death of a spouse and consequent remarriage is a common feature of the records and, in some instances, indicates the importance of two wage-earners in a family to ensure economic sufficiency. Hitchcock and Black found a similar migratory pattern for Chelsea.<sup>112</sup> Bath, like London, proved a magnet for labour from the surrounding counties but also attracted migrants from further away, and 'there appears to have been a significant internal movement within and on the periphery of the capital'.<sup>113</sup> In this respect Bath and London would appear to have been alike.

### **Claiming a settlement**

As we have seen, Abraham Simms claimed a settlement in Broughton Gifford as did Martha Gore who was examined in July 1773.<sup>114</sup> Simms's claim was that he had been apprenticed there and Martha was taking, as she was entitled to as a single woman, her father's settlement. As 198 of the 284 records (69 per cent) for the city of Bath, 1770-1774, concerned women, it is not surprising that the most used 'heading' was that of a father's or husband's settlement. Figure 2.2 shows the claims

made under various ‘headings’. That of serving as a parish official has been omitted as no claims were made under this heading in the years reviewed.

Although the figures for settlement examinations for St Michael’s parish and Walcot parish are small (St Michael’s 20, Walcot 43), it can be seen from Fig. 2.2 that the numbers for whom no claim was recorded drop considerably.<sup>115</sup> This may reflect a change in recording, more persistent questioning by the justices, or it may suggest that individuals were paying more attention to where their settlements lay. The number of paupers in St Michael’s claiming a settlement through service reflects the make-up of the parish. It was an area of low-cost housing with a high proportion of servants recorded in the 1831 census.<sup>116</sup>

**Figure 2.2 Claims of settlement by percentage for City of Bath, 1770-1774, St Michael’s parish, 1815-1818, and parish of Walcot, 1821-1824. (Actual numbers in brackets.)**

Claim	City of Bath	St Michael’s	Walcot
Birth/Father/Husband	33.6% (80)	45.0% (9)	65.0% (28)
Apprentice/Property/Service	27.0% (64)	45.0% (9)	32.6% (14)
No claim	39.0% (91)	10.0% (2)	4.6% (2)

Source: Pauper Examinations, Bath 1770-1774, St Michael’s Parish, 1815-1818, Walcot Parish 1821-1824.

**Bastardy Examinations**

Illegitimate children gained a settlement in the place of their birth. Parishes, therefore, were required to support such children until at around ten years of age they could be apprenticed, the indentures being paid from the poor rates, when it was hoped that a new settlement would be established.<sup>117</sup> The mothers of illegitimate children were expected to reveal the name of the father of their child, and parish officers attempted to trace putative fathers in order either to persuade them to marry the mother, or to provide financially for her lying-in and for the maintenance of the



child.<sup>118</sup> Alysa Levene *et al.* have drawn attention to the importance of the social construct of illegitimacy, and of the fluidity of marriage at the end of the eighteenth and beginning of the nineteenth centuries.<sup>119</sup> Thomas Nutt has sought to reinstate the role of fathers in illegitimacy and we can see from John Curry's 'Diary' the extent to which parishes were prepared to go to seek out putative fathers.<sup>120</sup>

The settlement examinations give us details of the age, marital status and employment history of the examinees. The bastardy examinations give us fewer details of the lives of those examined, but they deal with one of the most vulnerable sections of society. Hitchcock and Black claim that bastardy examinations were a way of enforcing the right of the mother and child against that of the father.<sup>121</sup>

Although this is true, naming the father led, on occasion, to the separation of mother and child. It was not unusual for mothers to be allowed to remain with their babies for 'nutrition only' – in other words only until the child was weaned.<sup>122</sup> Although it might have been possible to remove the mother from the parish, if the father could not be traced and made to pay, the parish would bear the burden of the child, quite likely for ten or more years. It would be naive to assume that all the putative fathers named by women were indeed the real fathers, particularly in a city like Bath where there was a constantly changing population of visitors and their servants.<sup>123</sup> The Poor Law Amendment Act of 1834, Thomas Nutt has reminded us, 'incorporated new procedures governing affiliation, aimed at resolving the problems caused by the apparent ease with which women could false-swear paternity and manipulate the system to their advantage'.<sup>124</sup> Women were under some pressure to reveal the names of the putative fathers, but, if, as one imagines, some of the women were pregnant as a result of prostitution, it would have been difficult for them to name their child's father with any accuracy.<sup>125</sup>

In the examinations for Bath, 1770-1774, a few women appear twice or even three times. For example, on 6 April 1772 Frances Bennett, described as a singlewoman, deposed that she was pregnant and the father of her child was John Gay, servant to Cornelius Crossley, a wine merchant in the city.<sup>126</sup> Frances appeared again on 3 August 1772 having just given birth to a baby boy. Elizabeth Alford first appeared in the records on 5 October 1772 when she was described as a singlewoman and a servant.<sup>127</sup> She came back again two days later on the 7 October to depose that she

was pregnant and that the father of her child was William Beard, a waiter at the Angel Inn. On 2 February 1773 she appeared for a third time, now having given birth to a son whom she had christened William Beard. Susanna Cribb came before the justices on 17 December 1772 having given birth to a son on 20 October.<sup>128</sup> She had named the boy Henry Tennear, after his father. These multiple court appearances are not apparent for the later periods of 1815-1818 (St Michael's) or 1821-1824 (Walcot). It seems unlikely that the illegitimacy rate in Bath had fallen, as Peter Laslett has shown that for the period from 1770 the bastardy rate rose steadily to a peak of 5.4% of all births for the period 1820-1824.<sup>129</sup> The figures for Bath are too small and the record of bastardy examinations is too crude a source for any useful deductions concerning a bastardy rate to be made.<sup>130</sup> What is perhaps more interesting is that two of the women named their babies after the child's father, making very public where they thought responsibility lay.

Mary Robins's appearances before the justices reveal a complex narrative.<sup>131</sup> On 1 June 1772 Mary appeared for the first time. She was single and living in Walcot although she claimed that her parish of settlement was St Michael's as she had worked there as a servant for some years. On the 20 July, Mary appeared again and this time she was living in St James and claimed Abbey as her parish of settlement, again as she had worked there as a servant. By 22 August, Mary was living in Abbey and deposed that she was pregnant although no further details were recorded. Her final appearance in the records was on 16 October 1772. She was now living in St Michael's and on 20 September she had given birth to a girl whose father, she claimed, was John Bailey, a servant. In five months, Mary Robins had lived in all four city parishes and she must have been several months pregnant at her first appearance before the justices. Her odyssey suggests the need for a poor pregnant woman to move around the city from one cheap lodging house to another while attempting to obtain poor relief. It may also suggest a stigma attached to unmarried motherhood that, together with her poverty, meant Mary Robbins was considered undesirable as a lodger. All 46 of the single women who were pregnant when examined named a putative father, most of whom were servants or apprentices. Several were tradesmen and a few were no longer in Bath. Young single women were vulnerable not only to insecurity of employment, but also to fellow male servants, masters and the sons of masters.

Women and the Poor Law

Out of a total of 284 examinees in the city of Bath for the period 1770 to1774, 196 (69 per cent) were female.<sup>132</sup> Alannah Tomkins recorded that in the period 1700-1850 a disproportionate section of the poor were women,<sup>133</sup> and Hitchcock and Black found that widows, single mothers and deserted wives were particularly vulnerable to economic conditions and that it was these groups who were most likely to be examined.<sup>134</sup> They claimed, therefore, that the creation of poor law records was largely directed at women. The findings in Bath confirm the conclusions reached by Tomkins and Hitchcock and Black.

Married women, widows and deserted wives

As can be seen from Figure 2.3, in the city of Bath, 30 widows and 32 deserted wives were examined.<sup>135</sup> Landau posited that ‘many widows and deserted wives were afflicted by temporary amnesia when questioned about their husband’s settlement’.<sup>136</sup> For the earliest records, 1770 to1774, just over half the widows and deserted wives who were claiming a settlement, through their husbands, knew where that settlement lay. For the latest period, 1821 to 1824, all six of the widows knew and claimed their husbands’ settlement. Of the deserted wives two out of the three women both knew their husband’s settlement and claimed it as their own. These figures would appear to neither agree nor contradict Landau’s assertion concerning ‘amnesia’. They show that at the later date more women were aware of their parish of settlement.

Figure 2.3 Number of single women, widows and deserted wives examined.

	Bath, 1770-1774	St Michael’s, 1815-1818	Walcot, 1821-1824
Single women	122 (62%)*	8	12 (21%)
Deserted wives	32 (16%)	0	3 (5%)
Widows	30 (15%)	2	6 (10%)

\*Figures in brackets represent percentage of total number of women examined. The numbers for St Michael’s have not been included as they are too small to be significant. Source: Pauper Examinations, Bath, 1770-1774; St Michael, 1815-1818; Walcot, 1821-1824

Whether or not husbands had genuinely deserted their wives and families can be called into question. The doubt is that men may have left the family home and moved away not in an attempt to escape their familial duties but to find work elsewhere in the belief that the parish would take care of their wives and families in their absence. This as an issue that can, perhaps, be illustrated by a letter from Ann Miller addressed to Mr John Bowring, overseer for St Michael's.<sup>137</sup> The letter is undated but is in a bundle of various lists and letters that are dated in the 1780s. Ann Miller had been told that she would not receive any relief until she revealed the whereabouts of her husband. She replied to Bowring that her husband could be found at 'The White Swan, picidily'(*sic*).

Another letter in the same bundle was written in April, presumably also in the 1780s.<sup>138</sup> It was written by Edward Jones to his wife who was in Bath. Jones wrote about the pension that he expected to receive when he left the army. He had been promised a pension by several officers but had to attend a Board in London to obtain his discharge. Penelope Lane has identified women passing themselves off as the wives of military men, and, therefore, entitled to relief, as a strategy used by poor women.<sup>139</sup> If this was perceived as a possibility, Jones's wife may have had to produce his letter to the overseer as proof of her situation.

As a deserted wife who had remarried, Jane Hewlett revealed a tangled web when she was examined in February 1821.<sup>140</sup> She was born in Compton Dando in Somerset in 1759, and, in 1785, she had married John Hewlett. In 1796 John enlisted in the army and was sent to Plymouth to do garrison duty. Jane went with him and in 1799 their first son, John, was born, followed by Charlotte in 1802 and Mary in 1805. Also in 1805, the family moved to Bath, where John absconded, leaving Jane 'on The Quay in Bath'. Three years later, Jane heard from John's sister that John was dead. She subsequently married Thomas Brown and bore him a daughter, Frances. Jane received relief from Walcot for both Mary and Frances. Mary Hewlett, Jane's daughter, who was also examined, claimed that she had met her father by chance two years earlier, in 1819, in Avon Street. If we are to believe Mary and her father was still, in fact, alive then Jane's marriage to Thomas Brown was bigamous and Frances was a bastard.<sup>141</sup> Bigamous marriages and illegitimacy did not mean poor relief was unavailable but it did complicate the issue of settlement.

Although Lawrence Stone has suggested bigamy was rarely detected, the *Proceedings of the Old Bailey* give details of 300 indictments for bigamy in the period January 1770 to December 1835.<sup>142</sup> Mary Peat was indicted for bigamy and her trial took place on 14 February 1821.<sup>143</sup> Mary's husband, John Peat, had left her in 1817. She had then gone as a housekeeper to William Staines who, it would appear had eight children. After two years, when she had heard that her first husband was dead, she and Staines had married and had two children, but John Peat was later found to be alive. Mary was found guilty of bigamy, with a plea for mercy, and judgment was respited so the chances are she was never punished. This case would appear very similar to that of Jane Hewlett although Jane Hewlett, as far as I am aware, was never indicted. These two cases highlight the problem for women in a time of poor communications and no easy way to divorce. Jane Hewlett had already been receiving relief for her two youngest children so the parish officers for Walcot had felt some responsibility towards them. While it is frustrating not to know the outcome, the story of Jane Hewlett demonstrates the complexities that must sometimes have been encountered by justices when attempting to ascertain a legal settlement.

A number of married women were examined. For the period 1770 to 1774, one woman deposed that she was living apart from her husband; two had recently discovered that they were married bigamously, and two were married to soldiers.<sup>144</sup> The later period of 1821-1824 shows a similar pattern. Out of the 10 women recorded as married one was Jane Hewlett who has already been mentioned. Maria England was married to a soldier: Jane Powell's husband was now in prison: Elizabeth Beam's husband had been 'apprehended and not returned' as he owed rent for their room in Gibbs Court.<sup>145</sup> All these stories serve to emphasise how precarious were the lives of poor women. Absent husbands, either having absconded, or having become soldiers, left women in need of poor relief, and, no doubt, sometimes their need was urgent. King has alerted us to the problems of entitlement in a number of ways.<sup>146</sup> Parishes were free to define 'deserving' and 'undeserving' as they saw fit. 'Need' like 'poverty' was socially constructed and could be defined differently by Overseers in different places and at different times.

## Singlewomen and the Poor Law

Martha Gore was born in Broughton Gifford.<sup>147</sup> When she was sixteen she had come to Bath to live with her aunt, Mary Harding, in Walcot. Her aunt gave her ‘meat, drink, washing and lodging and occasional money for working in the house’.<sup>148</sup>

Martha described herself as a servant. She very soon became pregnant and returned to Broughton Gifford to have her baby. She named him John Harding so it is quite likely that her uncle, or possibly a cousin, was the father. Martha’s second child, Benjamin, was also born in Broughton Gifford. Benjamin was just eight months old when Martha, back in Bath, appeared before Walter Wiltshire and John Horton on 19 July 1773. She claimed a settlement in Broughton Gifford through her father. Her children, if the putative fathers were not traced, would have gained a settlement in the parish in which they were born, in this case Broughton Gifford. Martha’s return to Broughton Gifford for the births of her sons may not only have been to gain familial support. She may also have been ensuring that her sons had the same settlement as herself, thereby avoiding the possibility of their being separated from her. In this way, Martha was employing a strategy available to the poor – that of using the Poor Law to their own advantage. Poor women were not always helpless victims but retained a degree of autonomy.

The situation of single women, particularly if they were also mothers, was often precarious. Bridget Hill claimed that single women lived on ‘the margins of economic viability’.<sup>149</sup> We have to take care here with terminology as Judith Spicksley reminded us in her review of Bridget Hill’s *Women Alone*.<sup>150</sup> Spicksley pointed out that in the past authors have applied the definition ‘single woman’ to widows and deserted wives as well as the never married. In this section the definitions given in the examinations are adhered to. The group of single women may, indeed, include widows and deserted wives but we have no option but to take the records at face value. Between 1770 and 1774, 196 women were examined: 121 (62 per cent) were described as single.<sup>151</sup> Hill wrote of single women as figuring largely as recipients of parish relief. She added that single women were seen as ‘an anomalous minority’ and a threat to married men and women.<sup>152</sup> In *Adapting to Capitalism*, Pamela Sharpe commented that such women were maintained with

increasing reluctance.<sup>153</sup> Single women were seen as a source of vice and, as Hill commented, taking them into the workhouse kept them off the streets but also ensured a supply of cheap labour when needed for the season.<sup>154</sup> The opportunity for employment for young single women in Bath led to a disproportionate number being examined and removed.

Writing about women without men, Olwen Hufton asked ‘What became of the unmarried, female servant who, on approaching her thirties, has failed to save enough for a dowry?’<sup>155</sup> A simplistic answer would be to say that a significant number of them featured in poor law records. Writing of an earlier period, Tim Meldrum has also highlighted the vulnerability of female servants to ‘macro-economic fluctuations in the late eighteenth and early nineteenth centuries that demonstrated the financial vulnerability of female servants’.<sup>156</sup> Many of those examined in Bath described themselves as servants and the problem for them was that domestic service was low-paid and insecure. In the statements made by servants during settlement examination, a significant minority stated that they worked for board and lodging and only received money intermittently. Some worked ‘for vails only’ – in other words for tips which customers might, or might not, give them. Meldrum has drawn attention to the importance of non-wage earnings, what he calls ‘the moral economy of service’, but it is fair to wonder whether those who worked at an inn for vails only were also working as prostitutes.<sup>157</sup> The large number of permutations on the board, food, drink, clothing, laundry, money wages theme makes any analysis of wages impossible. It may also be that in Bath, as Pamela Sharpe found in Colyton, poor financial circumstances made marriage chances lower for women which added to the economic vulnerability of single women.<sup>158</sup>

Hill claims that single women were subjected to greater surveillance than other women and that parish officers put more time and effort into removing them than to any other section of society.<sup>159</sup> John Curry, overseer for Walcot,<sup>160</sup> spent a great deal of time attempting to find putative fathers but in order to test whether Bridget Hill’s argument holds good for Bath we will look at a selection of the removal orders from Bath parishes in the next chapter.

## Conclusion

During the eighteenth century, debate intensified around the issue of the deserving and the undeserving poor. It was agreed that the former were worthy recipients of assistance but the latter group should be encouraged in independence and self-help. Present day historians have taken a more optimistic view of the old poor law than did earlier writers who made the condemnation apparent in the *Poor Law Report* serve their early twentieth century needs.

The purpose of settlement examinations was to establish the legal settlement of an applicant for poor relief before either granting relief or initiating removal. It was not, as far as can be seen, a way of monitoring migration although we can now use the records to this effect. The sources used in this chapter, while previously neglected, give valuable insights into the lives of individual paupers and to the administration of the poor laws in Bath.

Parish Overseers, working with the justices, responded speedily to establish settlement and, in the mean time, were prepared to relieve those in need. Those Overseers we have been able to trace were tradesmen and, as such, their personal prosperity was tied to the prosperity of the city, but no evidence has been found of corruption or incompetence, in contrast with the contrived findings of 1834 and the views of contemporaries at national level. They worked conscientiously to balance the needs of paupers and the needs of ratepayers. As they were also ratepayers in the parish and, in particularly economically harsh years, might also need relief themselves, it was in their own interests to act fairly and honestly. With the needs of the city in mind they may have maintained some paupers as a supply of seasonal labour when required.

The Justices were educated men with, as bankers, medical men and business men, an interest in the success of Bath. They were unpaid but worked efficiently to fulfil their responsibility, in conjunction with Overseers, to the poor of the city. They will have gained social status from their involvement with the bench as they will have as members of the Corporation. Many of them were also part of the charitable elite of



Bath and their work on the bench and with charities will have meant a close relationship with the poor. Although mindful of the needs of the poor, they were also aware that Bath, as a spa resort, depended on visitors, and, later, on genteel residents. In the quality of the Justices, Bath was different from Middlesex.

The records provide some measure of insight into the lives of the poor. It would appear that the labouring population was mobile and moved over long distances as well as around and about the city. It may be that, contrary to some commentators' fears, they were enabled to move around because of, rather than despite, the settlement laws. Over the period 1770 to 1835 increasing numbers of applicants were recorded as knowing their parish of settlement.

Some applicants showed complex migratory and familial relationship details, and it became obvious that the loss of one wage-earner in the family often led to poverty. Desertion, remarriage, illegitimacy and bigamy were all issues which arose for the poor and although not necessarily barriers to obtaining poor relief, such cases serve to highlight the complexities in the lives of the poor and in the administration of the poor laws on a day-to-day basis.

Women have long been identified as particularly vulnerable both to life-cycle poverty and to economic fluctuations and seasonality. Deserted wives formed a significant number of those examined as did single women, whether never married, widowed or deserted. Young single women, especially domestic servants, were vulnerable to pregnancy which often led to poverty. Bastardy examinations reveal that the fathers of the consequent illegitimate children were often also servants. The fathers were almost always named, although we have to be aware of the issue of false-swearing paternity.

It can be seen from the pauper examinations that Bath was an important source of employment for rural migrants. The building boom in the city attracted tradesmen and the consequent increase in superior housing, together with the rise of consumerism, gave opportunities to young women. Within an overall impression of booming prosperity, the poor law records emphasise the precariousness of economic life for the poor in Bath.

- <sup>1</sup> Neale, *Bath, A Social History*, p.79.
- <sup>2</sup> King, *Poverty and Welfare*, p.1.
- <sup>3</sup> 1601, 43 Eliz. c.2.
- <sup>4</sup> For a detailed assessment of the legal framework see King, *Poverty and Welfare*, Chapter 2.
- <sup>5</sup> 1662, 13 & 14 Car. II.
- <sup>6</sup> 36 Geo.III c.23. K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England 1660-1900*, (Cambridge, 1985), p.18. Snell found no significant change in policy in rural parishes following the 1795 Act. See also, King, *Poverty and Welfare*, p.25/6.
- <sup>7</sup> Snell, *Annals of the Labouring Poor*, p.75/6.
- <sup>8</sup> Adam Smith, *The Wealth of Nations*, first published 1776, (reprinted London, 1999), Bk.1, p.245. Adam Smith was a critic in this respect.
- <sup>9</sup> Arthur Young, *Political Arithmetic. Containing observations on the present state of Great Britain; and the principles of her policy in the encouragement of agriculture. ... By Arthur Young, ...*, London, 1774, Based on information from *English Short Title Catalogue. Eighteenth Century Collections Online*. Gale Group. <http://galenet.galegroup.com/servlet/ECCO>.
- <sup>10</sup> On 8 June 1770, Elizabeth Lee, singlewoman, was examined in Bath. She had been born in Compton in Dorset, and had then moved to Melcombe Regis, Dorset, as a servant. She had subsequently moved to Bath where she worked as a servant for some years. Shortly before she was examined she had been a servant to Thomas Boddely, printer, but after eleven months Boddely's sister had 'thrown her out' She had received a full year's wages but had failed to gain a settlement in Bath. At the time of her examination she was living in St James. On 27 January 1821, Henry Stevens was in Walcot. He had been born in Minchinhampton, Glos., and had been apprenticed by the parish to a mason in Stroud but had not gained a settlement. He had been working as a mason in Bath but was now unemployed and in need of poor relief.
- <sup>11</sup> Dunkley, *The Crisis in the Old Poor Law*, p.1.
- <sup>12</sup> See chap. 6 of this thesis.
- <sup>13</sup> David Eastwood, *Government and Community in the English Provinces 1700-1870*, (London, 1997), p.47.
- <sup>14</sup> Eastwood, *Government and Community*, p.62
- <sup>15</sup> John M'Farlan, *Inquiries Concerning the Poor. By John M'Farlan, ...* Edinburgh, 1782. Based on information from *English Short Title Catalogue. Eighteenth Century Collections Online*. Gale Group. <http://galenet.galegroup.com/servlet/ECCO>; *Some observations on the bill now pending in Parliament, for the better support and maintenance of the poor. Prepared for the use of the Trustees of the Poor of the parish of Kensington, ...* London, 1797, p.4, ECCO; John Vancouver, *An Enquiry into the Causes and Production of Poverty, and the State of the Poor: together with the proposed means for their effectual relief. By John Vancouver*, London, 1796, p.8, ECCO; William Bleamire, *Remarks on the Poor Laws, and the Maintenance of the Poor. By William Bleamire, ...* London, 1800, p.19, ECCO.
- <sup>16</sup> M'Farlan, *Inquiries Concerning the Poor*, p.23.
- <sup>17</sup> Bleamire, *Remarks*, p.19.
- <sup>18</sup> Thomas R. Malthus, *An Essay on the Principle of Population, as it affects the future improvement of society. With remarks on the speculation of Mr. Godwin, M. Condorcet, and other writers*, London, 1798, p.94. ECCO
- <sup>19</sup> Malthus, *An Essay*, Chap V passim.
- <sup>20</sup> Malthus calculated that in 1798 'nearly three millions are collected annually'. Malthus, *An Essay*, p.74.
- <sup>21</sup> Malthus, *An Essay*, p.83 & 86.
- <sup>22</sup> *The Poor Law Report*, p.64.
- <sup>23</sup> *The Poor Law Report*, p.185.
- <sup>24</sup> Webb, *English Poor Law History*, p.167.
- <sup>25</sup> Marshall, *The English Poor*, p.10.
- <sup>26</sup> King & Tomkins, *The Poor in England*, p.4.
- <sup>27</sup> Snell, *Annals of the Labouring Poor*.
- <sup>28</sup> Solar, 'Poor relief'.
- <sup>29</sup> Solar, 'Poor relief', p.2.
- <sup>30</sup> Stapleton, 'Inherited poverty'
- <sup>31</sup> Stapleton, 'Inherited poverty', p.342-343.

- <sup>32</sup> Stapleton, 'Inherited poverty', p.344 n19.
- <sup>33</sup> Stapleton, 'Inherited poverty', p.345.
- <sup>34</sup> Tim Meldrum, *Domestic Service and Gender, 1660-1750: Life and Work in the London Household*, Harlow, 2000.
- <sup>35</sup> Pamela Sharpe, 'Poor children as apprentices in Colyton, 1798-1830', in *Continuity and Change*, 6, (1991); L. Botelho and P. Thane (eds.), *Women and Ageing in British Society Since 1500*, (Harlow, 2001); P. Thane, *Old Age in English History: Past Experiences, Present Issues*, (Oxford, 2000).
- <sup>36</sup> Botelho and Thane, *Women and Ageing*, p.10.
- <sup>37</sup> Jeremy Boulton, 'Going on the parish: the parish pension and its meaning in the London suburbs, 1640-1724' in Hitchcock, et al., *Chronicling Poverty*, pp.19-46.
- <sup>38</sup> Peter King, 'Pauper inventories and the material lives of the poor in the eighteenth and early nineteenth centuries', in Hitchcock et al., *Chronicling Poverty*, pp.155-191.
- <sup>39</sup> Tim Hitchcock, 'The English workhouse: a study in institutional poor relief in selected counties, 1696-1750' unpublished PhD Thesis, Oxford, 1985.
- <sup>40</sup> Hollen-Lees, *The Solidarities of Strangers, 1700-1948*.
- <sup>41</sup> King, *Poverty and Welfare in England*, and Steven King, 'Making the most of opportunity: the economy of makeshifts in the early modern north', in King and Tomkins, *The Poor in England*, pp.228-257.
- <sup>42</sup> Tim Hitchcock, 'Unlawfully begotten on her body: illegitimacy and the parish poor in St Luke's, Chelsea', in Hitchcock et al., *Chronicling Poverty*; Tim Hitchcock and John Black, *Chelsea Settlements and Bastardy Examinations, 1733-1766*, London, 1999; John Black, 'Illegitimacy and the urban poor in London, 1740-1830', unpublished PhD, London, 1999.
- <sup>43</sup> John Black, 'Who were the putative fathers of illegitimate children in London, 1740-1810?', in Alysia Levene, Thomas Nutt and Samantha Williams (eds.), *Illegitimacy in Britain, 1700-1920*, (Basingstoke, 2005), pp.50-65; in the same volume, Thomas Nutt, 'The paradox and problems of illegitimate paternity in old poor law Essex'.
- <sup>44</sup> Tim Meldrum, 'London domestic servants from depositional evidence, 1660-1750: servant-employer sexuality in the patriarchal household' in Hitchcock et al., *Chronicling Poverty*, pp.47-69; Tim Meldrum, *Domestic Service and Gender 1660-1750: Life and Work in a London Household*, (Harlow, 2000) also uses parish records and the archives of great houses and families; Heather Shore, '“An old offender tho' so young in years”: the criminal careers of juvenile offenders in Middlesex in the 1830s', in Hitchcock et al., *Chronicling Poverty*, pp.192-210.
- <sup>45</sup> Alysia Levene, 'The mortality penalty of illegitimate children: foundlings and poor children in eighteenth-century England', in Levene et al., *Illegitimacy in Britain*, pp.34-49; Tanya Evans, *'Unfortunate Objects' Lone Mothers in Eighteenth-Century London*, (Basingstoke, 2005).
- <sup>46</sup> Samantha Williams, '“A Good Character for Virtue, Sobriety, and Honesty”: unmarried mothers' petitions to the London Foundling Hospital and the rhetoric of need in the early nineteenth century', in Levene et al., *Illegitimacy in Britain*, pp.86-101, p.87.
- <sup>47</sup> Pamela Sharpe, '“The bowels of compation”: a labouring family and the law, c.1790-1834', in Hitchcock et al., *Chronicling Poverty* pp.87-108.
- <sup>48</sup> James Stephen Taylor, 'Voices in the crowd: the Kirkby Lonsdale township letters, 1809-1834', in Hitchcock et al., *Chronicling Poverty*, pp.109-126.
- <sup>49</sup> Thomas Sokoll, (ed.) *Essex Pauper Letters, 1731-1837*, (Oxford, 2001).
- <sup>50</sup> Sokoll, *Essex Pauper Letters*, p.4.
- <sup>51</sup> Sokoll, *Essex Pauper Letters*, Chap. 4.
- <sup>52</sup> Tim Hitchcock, *Down and Out in Eighteenth-Century London*, (London, 2004).
- <sup>53</sup> King and Tomkins, *The Poor in England*, p.10; King, *Poverty and Welfare*, Chap 9.
- <sup>54</sup> 'City of Bath Pauper Examinations 1770-1774, Book 4', (hereafter Bath Pauper Examinations), Margaret Parfitt, 10 May 1770, Bath Record Office
- <sup>55</sup> Bath Pauper Examinations, Sarah Atkins, 10 May 1770.
- <sup>56</sup> Bath Pauper Examinations, Sarah Atkins, 17 May 1770.
- <sup>57</sup> 'Pauper Examinations for the Parish of St Michael, 1815-1818', (hereafter St Michael's Pauper Examinations); 'Pauper Examinations for the Parish of Walcot, 1821-1824' (hereafter Walcot Pauper Examinations).
- <sup>58</sup> St Michael's Pauper Examinations, Hannah Mead, 16 February 1816.
- <sup>59</sup> Walcot Pauper Examinations, John Francis, 21 February 1821.
- <sup>60</sup> John Chapman, *Sermons Preached in the Abbey Church at Bath, by the late dignified clergyman ...* Vol. 2. Oxford, 1790. 2 vols., ECCO as before.

- <sup>61</sup> William Leigh, *A Sermon preached at Bath, during the month of December, at the parish Church of Walcot, ... pointing out the necessity of building a free church. To which is added an appendix by several gentlemen, giving an account of their proceedings in the prosecution of the plan.* (Bath, 1793). ECCO as before.
- <sup>62</sup> Leigh, *A Sermon*, p.18.
- <sup>63</sup> *The Poor Law Report of 1834*, (first published in 1834, republished 1973), pp.180-188.
- <sup>64</sup> *The Poor Law Report*, p.185.
- <sup>65</sup> *The Poor Law Report*, p.181.
- <sup>66</sup> *The Poor Law Report*, p.181.
- <sup>67</sup> *The Poor Law Report*, p.182 and p.186.
- <sup>68</sup> 'The Casualty Hospital, Bath, Rules and Orders', (hereafter Rules and Orders), Welcome Library for the History and Understanding of Medicine, Manuscript No. 1094. 11 March 1788.
- <sup>69</sup> Jeremy Boulton, 'Going on the parish', p.36.
- <sup>70</sup> John Curry, 'Diary of the journeys undertaken in the course of his duties 1811-1831', Bath Central Library. See Chap. 4 of this thesis.
- <sup>71</sup> 'Overseers' Accounts for the Parish of Walcot 1799-1831', (hereafter Walcot Overseers' Accounts), Bath Record Office.
- <sup>72</sup> 'Poorhouse Committee Book, St Peter and St Paul and St James' (hereafter Poorhouse Committee Book), runs from 1784-1812 with a gap from December 1791 until August 1798, Bath Record Office; 'Abbey and St James Poorhouse Committee Accounts, 1828-1836', (hereafter Poorhouse Committee Accounts), Bath Record Office.
- <sup>73</sup> 'Abbey, Payments to Paupers 1785-1791', 'Abbey, Payments to Paupers 1822-1835', both at Bath Record Office.
- <sup>74</sup> There is evidence of major fraud by assistant Overseers in Walcot in the nineteenth century. See Chap. 4.
- <sup>75</sup> St Michael's Pauper Examinations.
- <sup>76</sup> Walcot Pauper Examinations.
- <sup>77</sup> 'Walcot – Overseer's Notebook 1793-1794'; Steven King, Thomas Nutt, Alannah Tomkins (eds), *Narratives of the Poor in Eighteenth century Britain*, (London, 2006) p.xxxvii.
- <sup>78</sup> Sturges Bourne Act, 59 Geo.III, c.12.
- <sup>79</sup> *The Poor Law Report*, p.188.
- <sup>80</sup> *The Poor Law Report*, p.189.
- <sup>81</sup> *The Poor Law Report*, p.188.
- <sup>82</sup> John Curry, 'Diary'.
- <sup>83</sup> Fawcett, *Bath Administer'd*, pp.66/7. After 1794 the number of justices was increased from four to nine.
- <sup>84</sup> Fawcett, *Bath Administer'd*, p.66. Poor law affairs were second to indictment for common assault and related breaches of the peace.
- <sup>85</sup> Joanna Innes and Nicholas Rogers, 'Politics and government 1700-1840', in *The Cambridge Urban History of Britain, Vol.II, 1540-1840*, (Cambridge, 2000), pp.529-574, p.533.
- <sup>86</sup> King, *Poverty and Welfare*, p.31/2.
- <sup>87</sup> Hitchcock and Black, *Chelsea Settlement*, p.xiii.
- <sup>88</sup> Paul Langford, *A Polite and Commercial People: England 1727-1783*, (Oxford, 1989), p.196.
- <sup>89</sup> Hitchcock and Black, *Chelsea Settlement*, p.xiii.
- <sup>90</sup> W.A. Cassell, 'The parish and the poor in New Brentford, 1720-1834' in *Transactions of the Middlesex Archaeological Society*, 23, (1972), p. 182.
- <sup>91</sup> Justices of the Peace for the years 1770-1774 included Thomas Atwood, plumber & glazier, architect and banker; Francis Bennett, linen draper, a substantial creditor of the corporation and mayor; John Chapman, mayor; John Horton, apothecary and mayor; Joseph Phillott, developer and member of a prominent Bath family, (other members were bankers and clergymen); Walter Wiltshire, mayor, and William Wiltshire, gentleman, also a substantial creditor of the corporation. Neale, *Bath a Social History*, pp.117, 180, 255/6, 311/12; Derry, 'Notes on various visitors'.
- <sup>92</sup> William Anderdon served as a Trustee of the Casualty Hospital for some years, as did George Norman, see chap. 6. Charles Phillott became President of the Bath General Infirmary after serving forty-three years as Treasurer; Edmund Anderdon was also President of the Infirmary; Joseph Phillott was surgeon at the Infirmary for some years. Anne Borsay, *Medicine and Charity in Georgian Bath*.
- <sup>93</sup> Borsay, *The Image*, p.290.

- <sup>94</sup> Norma Landau, 'The laws of settlement and surveillance of immigration in eighteenth century Kent', *Continuity and Change* 3 (3) (1988), pp391-420, p.420, Landau claimed that there were problems in some areas in getting two justices together to conduct examinations.
- <sup>95</sup> Bath Pauper Examinations, Elizabeth Alford, 2 February 1773.
- <sup>96</sup> Bath Pauper Examinations
- <sup>97</sup> Davis and Bonsall, *Bath, a New History*, p.40.
- <sup>98</sup> Hitchcock, et al, *Chronicling Poverty*, p.11.
- <sup>99</sup> 'Removal Orders from the Parish of St James, 1799-1804'; St Michael's Pauper Examinations, Bath Record Office.
- <sup>100</sup> Landau, 'The laws of settlement' p.391; Snell, 'Pauper settlement and the right to poor relief in England and Wales', in *Continuity and Change*, 6:3 (1991), pp.375-415, King and Tomkins, *The Poor in England*, p.8.
- <sup>101</sup> Neale, *Bath, A Social History*, Table 2.1 p.44. Neale admitted that there were no reliable population figures before 1801 and his figures for the period before 1801 were based on the number of houses multiplied by occupancy rates from the 1801 census.
- <sup>102</sup> Neale, *Bath, A Social History*, p.87.
- <sup>103</sup> Neale, *Bath, A Social History*, p.93.
- <sup>104</sup> Bath Pauper Examinations.
- <sup>105</sup> Walcot Pauper Examinations.
- <sup>106</sup> Neale, *Bath: A Social History*, p.70/1.
- <sup>107</sup> Bath Pauper Examinations.
- <sup>108</sup> 'Miscellaneous Papers', D/P/ba.mi. 9/4/6, Somerset Record Office, Taunton, Somerset
- <sup>109</sup> Bath Pauper Examinations, Anne Merrick, 18 Mar 1773.
- <sup>110</sup> Hardwicke's Marriage Act, 26 Geo.II. c.38, made invalid marriages not taking place in a church, under the auspices of the Church of England. Any subsequent children would be illegitimate.
- <sup>111</sup> Bath Pauper Examinations.
- <sup>112</sup> Hitchcock and Black, *Chelsea Settlements*, pp.xviii-xix.
- <sup>113</sup> Hitchcock and Black, *Chelsea Settlements*, p.xix.
- <sup>114</sup> Bath Pauper Examinations, Martha Gore 17 July 1773; Abraham Simms 10 Feb 1774.
- <sup>115</sup> These are the figures for Settlement Examinations excluding Bastardy Examinations.
- <sup>116</sup> The 1831 census recorded 38 male servants, 6 of whom were under twenty years old, and 401 female servants. The term 'female servant' will have covered a great number of employments. The 1831 census, Bath Central Library.
- <sup>117</sup> See Chap. 5.
- <sup>118</sup> See Chap. 4.
- <sup>119</sup> Levene *et al.*, *Illegitimacy in Britain*, pp.10-12.
- <sup>120</sup> Thomas Nutt, 'The paradox', pp.102-121; Chap. 3 of this thesis.
- <sup>121</sup> Hitchcock and Black, *Chelsea Settlements*, p.viii.
- <sup>122</sup> In December 1792, Eleanor Harding with her new-born son, William, was removed from Walcot (the part outside the liberties of Bath) to St James, but when he was weaned he was to return to Walcot; Martha Rowney, 18 Feb 1796, was removed with thirteen week old George, from St Michael's 'for nutrition only'. 'Removals to St James, 1792-1796', Bath Record Office.
- <sup>123</sup> Bath Pauper Examination, 12 May 1770, Ann Hales claimed that the father of her child was John Connor, labourer, now in London; 2 May 1772 Martha Shell named Thomas Gates, Minchinhampton; and on 9 March 1772, Mary Lewis named Peter Barratt, deceased surgeon, as the father of her child.
- <sup>124</sup> Nutt 'The paradox', p.105/6.
- <sup>125</sup> Prostitution was a problem to the authorities in Bath throughout the period. This is dealt with in Chap. 7.
- <sup>126</sup> Bath Pauper Examinations, Frances Bennett, 6 April and 3 August 1772.
- <sup>127</sup> Bath Pauper Examinations, Elizabeth Alford, 5 and 7 Oct 1772, 2 Feb 1773.
- <sup>128</sup> Bath Pauper Examinations, Susanna Cribb, 17 Dec 1772.
- <sup>129</sup> Peter Laslett, *The World We Have Lost – Further Explored*, (London, 1965, 3<sup>rd</sup> edition 1983), p.159.
- <sup>130</sup> For a critique of Laslett and the problems of the demography of illegitimacy see Levene *et al.*, *Illegitimacy in Britain*, Introduction, pp.1-17
- <sup>131</sup> Bath Pauper Examinations, Mary Robbins, 1 June, 20 July, 22 Aug and 16 Oct 1772.
- <sup>132</sup> Bath Pauper Examinations, 1770-1774.
- <sup>133</sup> Alannah Tomkins, 'Women and poverty' in Barker and Chalus, *Women's History*, p.153.
- <sup>134</sup> Hitchcock and Black, *Chelsea Examinations*, p.xx.

- <sup>135</sup> Bath Pauper Examinations, 1770-1774.
- <sup>136</sup> Landau, 'The laws of settlement' p.413.
- <sup>137</sup> D/P/ba.mi. 9/4/6, Somerset Record Office, Taunton, Somerset.
- <sup>138</sup> D/P/ba.mi. 9/4/6, Somerset Record Office, Taunton.
- <sup>139</sup> Penelope Lane, 'Work on the margins: poor women and the informal economy of eighteenth and early nineteenth-century Leicestershire' in *Midland History*, (GB) 22, 1997, pp.85-89, p.94.
- <sup>140</sup> Walcot Pauper Examinations, Jane Hewlett, 12 Feb 1821.
- <sup>141</sup> Lawrence Stone, *The Family Sex and Marriage in England 1500-1800*, (London, first published 1977, reprinted 1988), p.383, claimed that bigamy and clandestine marriage were both common before 1800. If, as Stone suggested detection was almost impossible, it is doubtful that this would have made a difference to Jane Hewlett's claim.
- <sup>142</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), 11 July 2006).
- <sup>143</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), 11 July 2006) February 1821, trial of Mary Peat (t18210214-126)
- <sup>144</sup> Bath Pauper Examinations, Jenny Greenaway, 23 May 1770; Sarah Bailey, 4 Mar 1773; Mary Briggs, 6 May 1773; Johannah Twyford, 2 Nov 1772; Mary Taylor, 13 Nov 1773.
- <sup>145</sup> Walcot Pauper Examinations, Maria England, 11 Feb 1822; Jane Powell, 12 Feb 1823; Elizabeth Beam, 23 Jan 1821.
- <sup>146</sup> King, *Poverty and Welfare*, p. 78 and p.113.
- <sup>147</sup> Bath Pauper Examinations, Martha Gore, 19 July 1773.
- <sup>148</sup> It may not have been uncommon for young people to be taken in by relatives as some form of unofficial apprenticeship. This is something to be remembered when considering whether kinship ties were lost as a result of urbanisation.
- <sup>149</sup> Bridget Hill, *Women Alone – Spinsters in England 1660-1850*, (Yale, USA, 2001) p.98.
- <sup>150</sup> Judith Spicksley reviewed Bridget Hill's *Women Alone* in *Social History*, Vol. 28, No 1, p.121-2.
- <sup>151</sup> Bath Pauper Examinations.
- <sup>152</sup> Hill, *Women Alone*, p.2.
- <sup>153</sup> Sharpe, *Adapting to Capitalism*, p.136.
- <sup>154</sup> Hill *Women Alone* p.100.
- <sup>155</sup> Olwen Hufton, 'Women without men: widows and spinsters in Britain and France in the eighteenth century' in *Journal of Family History*, Vol.9, 1984, p.359.
- <sup>156</sup> Meldrum, *Domestic Service*, p.206.
- <sup>157</sup> Meldrum, *Domestic Service*, pp.195-205.
- <sup>158</sup> Pamela Sharpe, 'Literally spinsters: a new interpretation of local economy and demography in Colyton in the seventeenth and eighteenth centuries', in *Economic History Review*, XLIV, 1 (1991) p.56.
- <sup>159</sup> Hill, *Women Alone*, p.122.
- <sup>160</sup> John Curry, 'Diary'.

## Chapter 3: Removal Orders

### Introduction

In 1795 legislation laid down that the removal of a pauper to his or her parish of settlement could only take place when a person actually became chargeable rather than when they were thought likely to become chargeable. K.D.M. Snell, however, found there was little difference in the records before and after the 1795 legislation.<sup>1</sup> If the applicant was not settled in the parish where an application had been made, there were a number of alternatives available to the parish officers concerned. In the case of illness or confinement, for example, they could offer short term relief, as we saw from Mary Lancaster's experience in the previous chapter.<sup>2</sup> Secondly, the overseer might contact his counterpart in the applicant's parish requesting non-resident relief. Both of these alternatives would have been attractive to overseers in Bath if the applicant was likely to be needed in the near future as part of the labour force in the city. Finally, if the applicant was felt to be a possible threat to the parish, in other words likely to be in need of long term relief, the overseers were able to apply for a removal order and remove the applicant to his or her parish of legal settlement.

This chapter will examine closely removal orders in order to discover how the parish officers and justices used their powers and which groups in particular were being removed. Parish officers in Bath, while on occasions showing compassion to the sick, concentrated their efforts on removing women, and single women in particular: this confirms Hitchcock and Black's findings for Chelsea. They found that widows, deserted wives and single mothers were the groups that the parish officers were most likely to want removed.<sup>3</sup> Children were also subjected to removal, either on their own or as part of families. We will see that the parish officers acted pragmatically, moving paupers, particularly women, across to neighbouring parishes, thereby ensuring that women remained available to the labour pool.

The settlement laws disadvantaged women by restricting the number of ways in

which they could acquire a settlement in their own right. Few women claiming poor relief would have had the means to buy or rent property of the required value.<sup>4</sup> Women could gain a settlement through apprenticeship or service, provided the apprenticeship was completed, and that the period of service was a full year. As we have already seen, mothers of illegitimate children could find that they were settled in one parish and their children in another.<sup>5</sup> Young mothers were not the only group to suffer as a result of the settlement laws. Widows, and abandoned wives, who had their husband's settlement, may have, on occasion, found themselves removed to a parish that they had never previously visited.<sup>6</sup> Removals rose in the parish of Walcot in the early years of the 1830s, a time of economic depression, and this may indicate a change in policy by the vestry. From the removal orders we can see the amount of time, money and effort parishes were prepared to put into the administration of the poor law. How effective they were is more debateable.

## Historiography

In 1774 Arthur Young wrote criticising the settlement laws as 'mischievous' and 'pernicious' and criticisms continued to be expressed into the early nineteenth century.<sup>7</sup> The laws were criticised on three main counts: firstly, the cost of administering the poor law; secondly, the inequity of removing paupers to places of which they knew little; and, thirdly, on the basis that the settlement laws interfered with the freedom and liberty of the individual.

Contemporaries were unable to reconcile an apparent increase in the wealth and prosperity of the nation and, at the same time, a rise in poor rates. In 1797, Thomas Ruggles published *The History of the Poor* in which he deplored the 'great additional expense' to ratepayers of determining settlements.<sup>8</sup> He claimed that, 'settlements now occupy no small portion of the attention of the King's Bench; and reports of the determinations in that court, respecting them, are become voluminous'. The amount raised in poor rates was a subject which, according to Thomas Malthus, was frequently a matter of debate.<sup>9</sup> It was always



a matter of surprise, he claimed, that, despite the large sum raised in poor rates (nearly £3 million pounds annually), there was still much visible distress among the poor. The usual consensus, according to Ruggles, was that this must be due to the dishonesty and mismanagement of parish officers. The cost of the litigation caused by settlement disputes was also taken up by William Bleamire.<sup>10</sup> He posited the abolition of the settlement laws as, ‘this would prevent the great trouble and enormous expense’ which attended the removal of paupers. Bleamire made the point that the amounts spent on removals ‘would have kept the wretched creature in ease and comfort for years’, which is a point taken up by the writer ‘September’ in a letter to *The Times* in October 1818.<sup>11</sup> ‘September’ claims that the amount spent on law-suits would support the poor for years to come. The rise in poor rates was the main thrust of an editorial in *The Times* on 23 March 1818.<sup>12</sup> *The Times*, on that day, published an abstract of the Report of the Committee on the Poor Laws which allowed comparison of the poor rates over half a century. In the earlier period the poor rate had averaged ‘little more than 700,000l’, but by 1818 the rate had risen to ‘upwards of ten times that amount’, and the amount expended on removals and settlement litigation ‘should be estimated at upwards of 2,000,000l.’, an increase well ahead of the population increase in the same period. The editorial ends with a demand for reform of the system.<sup>13</sup>

The removal of paupers was, according to Ruggles, ‘a restraint on the poor, in many instances cruel; in all, unjust’.<sup>14</sup> Bleamire also made the point that it was hardly fair for a parish to support, when old and impotent, someone who had not in his youthful vigour contributed to the stock and opulence of the parish.<sup>15</sup> *The Times* in October 1818 printed a letter that pointed out that ‘the poor *must* belong to *some* parish; therefore the mere shifting them about is not a public good, but, on the contrary, a great public as well as private evil’.<sup>16</sup> The writer continued that it was hard on a man and his family if, after residing and working for years in a parish, ‘misfortunes overtake them, they must be removed miles to some place they know nothing of, except that the man, when young, lived there a year in servitude’. Bath overseers did their share of ‘mere shifting about’ of the poor, and of removing them long distances.

It was a concern for justice that led to the third strand of criticism – the loss of freedom and liberty. Both Ruggles and Malthus claimed to be concerned for the freedom and liberty of their fellow subjects, Malthus claiming that the whole business of settlement was utterly contradictory to all ideas of freedom.<sup>17</sup> He saw the attempt to relieve misery as a contract where ‘the common people’ were told that if they submitted to tyrannical regulations they should never be in want. ‘They’ submitted and performed their part of the contract but ‘we’ could not perform ‘ours’. ‘Thus the poor sacrifice the valuable blessing of liberty, and receive nothing that can be called an equivalent in return’.<sup>18</sup> From these contemporary writers we can detect a hardening of attitudes in favour of reform, even total abolition, of the settlement laws, a concern about the rising poor rate, the apparent lack of material effect on the lives of the poor, and a growing concern around the nexus of freedom, liberty and the poor.

Dorothy Marshall saw what she called ‘a more sympathetic attitude’ to the poor in the 1770s.<sup>19</sup> She wrote, ‘by the seventies, however, there were increasing signs that writers had progressed as far along these lines [tightening the administration of the poor laws] as they intended to go, and that a reaction in favour of more lenient treatment towards the Poor was setting in’.<sup>20</sup> John Rule, however, saw in the last years of the eighteenth century and the first decade of the nineteenth attitudes ‘hardening’ towards the ‘rate-receiving’ poor.<sup>21</sup> The economic situation was caused, according to Rule, by population growth, poor harvests and ‘soaring’ poor rates. K.D.M. Snell has also written that there were strains after about 1780 brought about by unemployment and rising poor rates.<sup>22</sup> Writing of the impact of pauper settlement on both the poor and parishes, J.S. Taylor posited that settlement restrictions were essential to any welfare system based on the compulsion of the parish to provide for their poor.<sup>23</sup> As Taylor pointed out, ‘there are no open-ended public welfare systems this side of paradise’.<sup>24</sup> Neale has shown that in Bath in the parishes of Walcot and St James poor relief increased by half between 1799 and 1801. In the years 1800 and 1801 it totalled more than £8000 and, according to Neale, ratepayers were ‘reluctant to go on paying such high rates of relief to the poor’.<sup>25</sup>

In his introduction to *Charity, Self-interest and Welfare in the English Past*,

Martin Daunton raised a number of issues with regard to welfare provision.<sup>26</sup> He suggested that welfare provision could be categorised under four headings; market, charity, government and family. Over time the ratio of provision between the headings has varied, public choice theory suggesting that individuals made choices as to which heading to support according to which would result in most personal benefit. At one time philanthropy might appear the best option in order to purchase deference and social stability, at another government provision might appear more advantageous. Why, at any given time, there was a shift from one source of provision to another is addressed by Joanna Innes in *Charity, Self-interest and Welfare*. Innes has drawn attention to the advantages of ‘a mixed economy of welfare’ comparing poor relief, charity and crisis funds.<sup>27</sup> She has pointed out the benefits of charity as being the hope that charitable giving would invoke feelings of gratitude by the poor towards the better-off, thereby guarding against future dissent. Crisis funds were preferred, for example, in times of bad harvests, as increasing the poor rate would have plunged poorer ratepayers into dependence.<sup>28</sup> Innes has also detected a change in attitude later in the eighteenth century with a re-evaluation of the role of private charity and a move against public relief administration.<sup>29</sup>

Using a case study approach, Richard Connors has sought to rescue poor women from E.P. Thompson’s ‘enormous condescension of posterity’, and has shown how micro-histories can illuminate the macro-historical subjects of poverty and poor relief.<sup>30</sup> Connors has highlighted the plight of poor pregnant women in particular, but has also shown that they were by no means passive victims but able to take on male poor law officers and justices. Pamela Sharpe takes up the theme of the agency of the poor in her chapter in *Chronicling Poverty* where she uses Essex pauper letters to make the case that the poor were well aware of their rights to relief, and were able to employ strategies to obtain a higher level of relief or regular payments.<sup>31</sup> The strategies used by the poor to obtain relief, also from Essex pauper letters, have been foregrounded by Thomas Sokoll.<sup>32</sup> Sokoll found that paupers often used the threat of removal to encourage parishes to continue non-resident relief with the inference that removal would be the much more expensive option for a parish. There were other arguments against removal: that, sometimes by going to a parish in which he or she had never lived, or had

only known for a short time some years previously, the pauper would lose the possibility of casual work, would lose the possibility of social capital and would lose a support network of neighbours.<sup>33</sup> He claimed that the Old Poor Law provided a platform on which paupers and parish officers could negotiate.<sup>34</sup>

*Chronicling Poverty*, to which Sharpe and Sokoll were both contributors, brought together historians 'who's writing is based on a hitherto largely neglected set of sources' in order to explore 'a more nuanced history from below'.<sup>35</sup> Poor Law records, including settlement and bastardy examination and workhouse records, charity records, church court depositions, pauper letters and pauper inventories are put to good use and many of these records have produced further research and writing.<sup>36</sup> The strategies used by the poor, their belief in their right to relief and, to use Pamela Sharpe's words, 'an abiding sense of localism' are emphasised using a variety of parish records.<sup>37</sup> The use of sources and the notion that the poor employed various strategies to deal with their poverty are what have influenced this thesis.

The contributors to *The Poor in England* have advanced the concept of makeshifts from what the editors have called 'a rather woolly label' to a more precise definition.<sup>38</sup> The place of charity, work, pawn-broking, crime and kinship support are all themes of the book and help to clarify what is meant by the economy of makeshifts of the title. There are parallels to the work of Innes described above. A geographical, regional element is supplied by Sam Barrett and Steven King, and the editors have reminded us of the danger of extrapolating data from one region and applying it to another. Regional differences, as King and Tomkins have written, stand out strongly both in the provision of poor relief and in the alternatives available to the poor.<sup>39</sup> Sarah Lloyd's chapter on charity and the economy of makeshifts has been a particular influence and the notion that charity was about more than material benefits, and that donors and recipients had different agendas was relevant to a later chapter concerning philanthropy.<sup>40</sup>

## Sources

Removal Orders *from* St James parish for the years 1780-1784, 1792-1796, and 1799-1804, years of particular strain in Bath, have been examined.<sup>41</sup> The last decade of the eighteenth century and the first years of the nineteenth century were years in Bath of economic uncertainty because of the crisis in the building trade, and food shortages due to poor harvests. Removals *to* St James for the same periods were also considered.<sup>42</sup> Had the efforts extended by the parish overseers in removing paupers resulted in an overall diminution of paupers in the parish? Removals from the parish of Walcot for the period 1827-1834 were also examined to bring the period under review up to the time of the Poor Law Amendment Act of 1834.<sup>43</sup> Reference will also be made to the diary of one of the overseers for the parish of Walcot.<sup>44</sup> John Curry was assistant overseer for a number of years and his diary provides an valuable insight into his work for the parish.

Although Bath removal orders are a valuable source there are a number of details which they do not include but which would be useful to the historian. Except in the case of young children, no ages are mentioned. If a family group included young children it is reasonable to suppose that the parent or parents were young. It is not always possible to assess how many of those removed were elderly. In some cases the occupation of a man being removed was recorded but in no case is there any mention of the women as having an occupation. For example, Thomas Newman was described as a post-chaise driver when he was removed from St James to Stratton in Somerset in December 1793.<sup>45</sup> Although some of the women being removed may have worked as servants prior to their removal, there is no indication of this in the records. It is not possible, therefore, to gain any impression of which female occupations were most likely to be removed. Except where they are recorded as being children, women were exclusively described by their relationship to men, as single, married or widowed. As A.J. Kidd has reminded us, 'the law of settlement and removal embodied women's dependant status'.<sup>46</sup>

As the records consist of bundles of removal orders it is not possible to say categorically that they form a complete picture as some of the orders may not have survived. Moreover, in only one case, that of Elizabeth Spriggs, was it possible to link removal orders from Walcot with paupers referred to as being removed in John Curry's 'Diary'.<sup>47</sup> In March 1827, Curry recorded that he had taken Elizabeth Spriggs with her four bastard children to four different counties. The records for Walcot also have mention of Elizabeth Spriggs. This time her bastard son, Thomas Salter, alias Spriggs, was removed to Rutland. Elizabeth and her first four children do not feature in the records apart from this, so it would seem that some at least of the records for Walcot are missing. One other general point must be made before looking more closely at the orders themselves. The numbers involved are very small. For example, in 1780 four removal orders were signed for St James. This involved four adults and two children. Thirteen orders were signed in 1781, ostensibly a rise of 31 per cent, but with such small figures it is unwise to make any broad assumptions. Nonetheless, even if the numbers are small and some records are missing removal orders are still a valuable source, particularly when complemented by John Curry's 'Diary'. They give us an insight into the movement of paupers to and from the parishes in the city and intriguing glimpses into the lives of the poor such as Elizabeth Spriggs and her five illegitimate children.

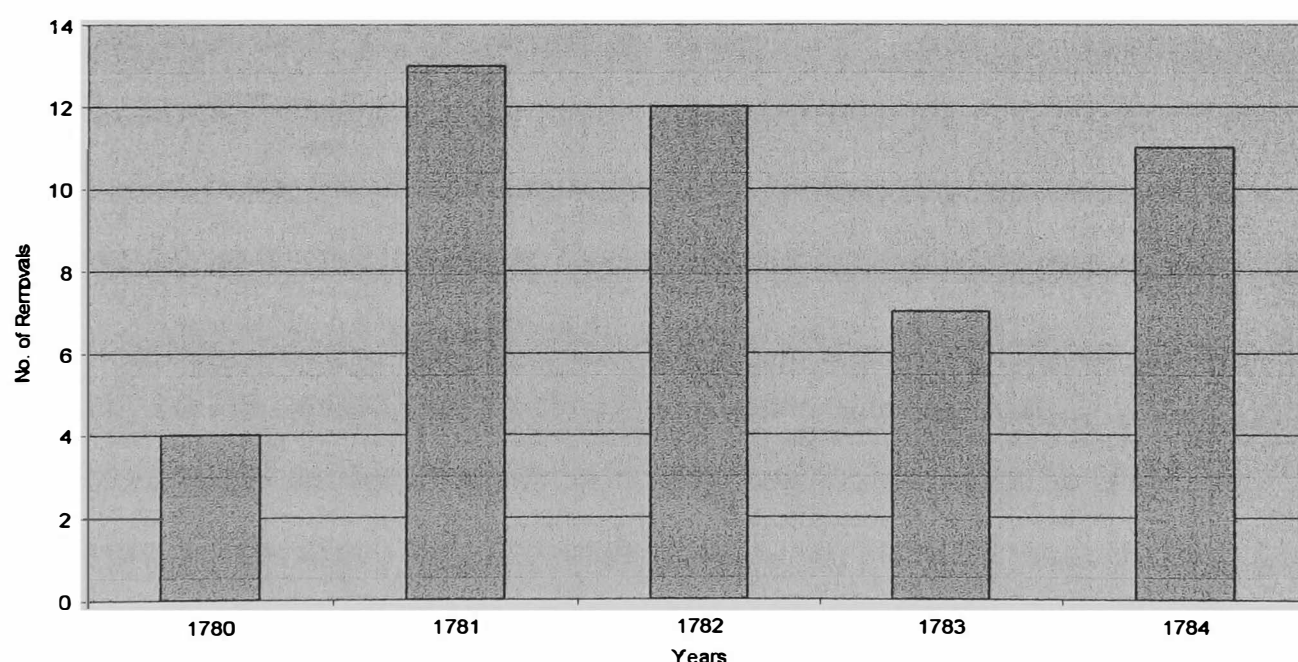
## **Removal orders in Bath**

### **Removal Orders, Parish of St James, 1780-1784.**

In a previous chapter we saw that pauper families often had complex histories, and death and remarriage frequently led to step-families. The subsequent death of a step-parent left children unsupported by family, as the removal of Samuel and Henry Cox will demonstrate.<sup>48</sup> Although the numbers of orders signed is low they sometimes involved large families, so far more individuals were removed than orders were signed.<sup>49</sup> We will see that single women were removed to other parishes in Bath ensuring that they remained in the labour pool.<sup>50</sup> National

crises, such as war, had an effect on women and children as, with their primary wage-earners enlisted as soldiers, women and children became a burden on the rates and vulnerable to removal. A removal order was signed on 20 January 1794 concerning the family of Thomas Gillard, previously a weaver and now a soldier. Elizabeth Gillard and their four children were removed to Devon.<sup>51</sup> A question we can ask is whether joining the army was an ‘approved’ form of abandonment? In removing the families of serving soldiers the Bath authorities were demonstrating a lack of patriotic fervour. This suggests that they were more concerned with local than with national affairs. It was the ratepayers of the parish who footed the bill for poor relief and not the national government. Parish officers were largely shopkeepers and tradesmen and they were apparently most concerned with keeping the rate bill as low as possible while maintaining the image of Bath as a thriving spa.

**Fig.3.1 Removals from St James 1780-1784.**



Source: Parish of St James Removal Orders, 1780-1784, Bath Record Office.

On 31 January 1780 an order was signed for the removal of Joseph Morgan to Weston, a village on the outskirts of Bath.<sup>52</sup> In February of the same year Lidia Deverall, a singlewoman, was removed to Abbey parish with her daughter Ann, aged six, and a new-born girl.<sup>53</sup> Lidia first appeared in the records before the

justices on 29 November 1773 when she was trying to establish a settlement in Abbey. She appeared again on 30 December 1773 naming the father of her unborn child, presumably her daughter Ann.<sup>54</sup> At the birth of a second illegitimate child, the authorities took action and had a removal order signed. Whether Lidia was physically removed with her family to the neighbouring Abbey parish, or whether the overseer agreed to pay non-resident relief, is unclear. As can be seen from Fig. 3.1, there were 13 Removal Orders in 1781, 12 in 1782, 7 in 1783 and 11 in 1784. Neale has suggested that economic activity slowed during the early years of the 1780s.<sup>55</sup> Certainly, throughout these years the parish officers of St James made attempts to reduce the number of paupers receiving relief by removing them. Although the number of those removed is small, what is more interesting is the sort of paupers that were being removed.

In the period 1780-1784 a total of 47 Removal Orders were signed. Of these 15 (32 per cent) related in the first instance to men and 37 (68 per cent) to women. Two of the males were young boys who have already been mentioned. Their stories show clearly the lack of stability in the lives of pauper children, particularly for those with step-parents. Samuel Cox, aged ten, was removed to Warminster, Wiltshire, with his three-year-old brother, Henry.<sup>56</sup> They were described as being the children of Humphrey Taylor, recently deceased. The fact that they do not share Humphrey Taylor's name suggests that they may have been his step-children, their mother having married twice. With Humphrey Taylor dead they had no one to support them. William Camebridge and his sister Ann, aged thirteen and ten respectively, were sent to Corsham, also in Wiltshire.<sup>57</sup> They were the children of Robert Camebridge. On his death their mother, Mary, had married a George Simkins who had since absconded leaving Mary and her two children unsupported. The children were presumably being removed to their father's parish of settlement. There is no removal order for Mary Simkins so it would appear that the family was being split up. Writing in *The Solidarities of Strangers* Lynn Hollen Lees claimed that the English welfare system identified the old and children as especially in need of assistance.<sup>58</sup> She continued: 'Unfortunately, orphans, deserted children and the illegitimate found that the mercies of the parish were not very tender'.<sup>59</sup> William and Ann Camebridge had already suffered the loss of their father through death, and abandonment by their



step-father. Now they were being parted from their mother. Although in some areas the authorities in Bath can be seen as humanitarian this does not always extend to their treatment of children. As William was thirteen years old and Ann ten, they were both of an age when the parish overseer could have sent them out as apprentices. Instead they were removed to Corsham, Wiltshire.

Of the remaining orders for the period 1780-1784 relating to men, Joseph Morgan, Thomas Francis, labourer, James Wright, shearman, and Thomas Nowell, stonemason, were on their own and may well have been too old or enfeebled to be able to work.<sup>60</sup> As Graham Davis and Penny Bonsall have noted, the number of houses in the city increased by 45 per cent between 1780 and 1793, so any man who was capable of labour should have been able to find work.<sup>61</sup> The remaining 7 men had wives and families. Two families had four children and William Panes, woolcomber, and his wife, Mary had six children – Mary, aged thirteen, Ann, eleven, Frances, nine, William, seven, George, five, and nine-month old James.<sup>62</sup> Although the three oldest children might have been expected to contribute to the family income, if suitable work was available, or obtain pauper apprenticeships, the parish officials may have felt that with the Panes family the parish was facing years of expensive relief and they opted to remove them. Poor children were expected from an early age to work to contribute to the family wage and were often apprenticed by the parish at the age of nine or ten.<sup>63</sup>

Women were the subject of the majority of removal orders (68 per cent). Of these 5 were widows, 4 of whom had no children and may have been elderly. Another woman, Sarah Flower, was described as the widow of William Flower and was being removed to Charterhouse Hinton, a parish in Somerset, near Bath, presumably her late husband's parish of settlement.<sup>64</sup> She was accompanied by her four-year old son, James, who was described as a bastard which suggests that he had been born in the parish but not in Bath.

Of the women removed in their own name nearly 69 per cent were described as single women. Of these 3 had children who were removed with them. Lidia Deverall has already been mentioned.<sup>65</sup> Leah Gillard had a daughter, Sarah, aged two years three months,<sup>66</sup> and Ann Bence had a newborn baby whose date of

birth was the same as that on the removal order.<sup>67</sup> The remaining nineteen women were not described as having children. The number of single women who were removed in this period suggests that the parish officers were concentrating their efforts on single women.<sup>68</sup>

The civic elite in Bath was always conscious of the image of the city as a resort and spa. During the period covered by this thesis, 1770-1835, the city was increasingly anxious to display an image of sober respectability as it worked to 'market' itself as a city of genteel residence.<sup>69</sup> Women begging on the streets or propositioning visitors and residents did not accord with the image the civic elite wished to project. Some of the single women applying for poor relief may have been prostitutes, although there is no direct evidence for this. Single women were seen as both disruptive and, if they were young, the parish officials may have seen them as a potential bastard-bearers and a drain on resources in the future. How many of them were pregnant at the time of their removal is not recorded, but the Pauper Examinations for the City of Bath suggest a fair number of them may have been.

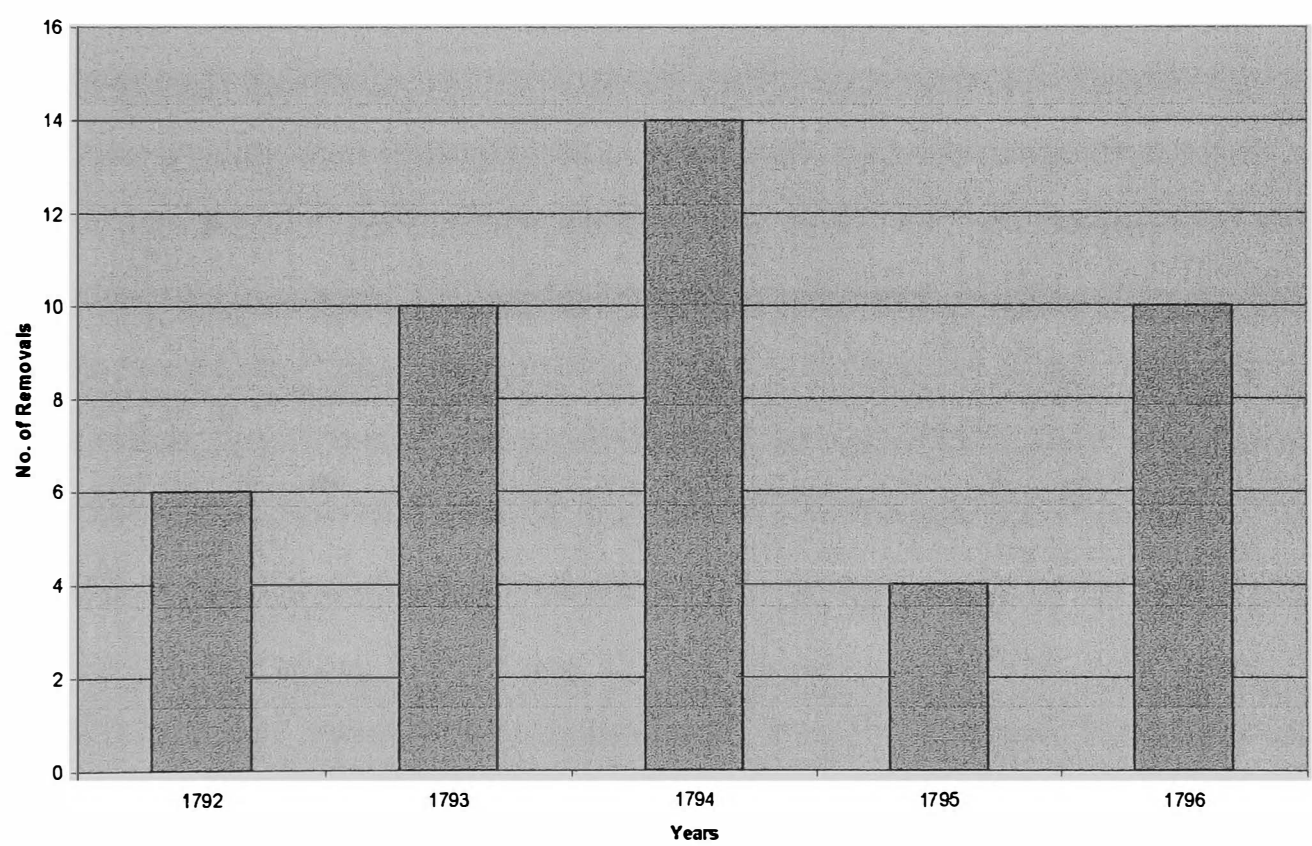
Of the total 47 removal orders during the period 1780-1784, 12 people were removed to other parishes in Bath. A total of 13 adults and a newborn girl were removed to adjoining parishes. Of the adults only 2 were men, 11 were females, only one of whom was removed as a wife. The parish officials in St James were attempting to shift a disproportionate number of unmarried females into nearby parishes. This would ensure that the women were not a financial drain on St James but would still be available to join the workforce when required. At the same time parish officials in the other parishes were doing the same. Fourteen orders were signed removing 15 adults (13 women and 2 men), and six children to St James from other Bath parishes.<sup>70</sup> This meant that St James actually received more paupers than they were able to move on themselves.

### **Removal Orders, St James, 1792-96.**

As can be seen from Fig.3.2, the number of removals between 1792 and 1796

rose to a high of fourteen in 1794. Neale identified 1793 as a particularly difficult year for the labouring population in Bath.<sup>71</sup> The outbreak of war with France led to the collapse, in March 1793, of several Bath banks. This, in turn, led to the bankruptcy of a number of developers and builders, and building work in Bath stopped. The comparatively high number of removals for 1793 and 1794 reflects the downturn in Bath's fortunes. Removals might have been higher for 1793 but for the fact that 253 men were recruited into the army.<sup>72</sup> The total number of Removal Orders signed for the period was 44 of which 16 (36 per cent) recorded males and 28 (64 per cent) involved females.<sup>73</sup>

**Fig. 3.2 Removals from St James, 1792-1796**



Source: Parish of St James Removal Orders, 1792-1796, Bath Record Office.

If we consider the males who were removed, we find that 5 did not have a wife removed with them. This includes John Caller who was only two years old when he was removed to Uffculm, Devon, and Isaac Beer who was described as a lunatic and was removed to a parish in Somerset in 1796.<sup>74</sup> John Somerville was removed with his three children aged between two and six years.<sup>75</sup> No wife is mentioned so presumably he was widowed, or had been deserted. Joseph Smith, carpenter, was removed in May 1796, to Bishop Canning, Wiltshire, with his

wife, Sarah, their two young children and Phoebe, aged eighteen, the daughter of a former wife.<sup>76</sup> It would have been more usual for a girl of Phoebe's age to find employment outside the family home. One family had four children and the largest family was that of Robert Noyes, labourer, and his wife, Jane.<sup>77</sup> They had five children aged from eighteen months to eight years of age.

In the removal orders relating to women, in three cases the women, with their children, were being removed as their husbands were now soldiers. Ann Marsh with her one-year-old son was removed on 15 April 1793.<sup>78</sup> Hestor Cantle and Elizabeth Gillard were both removed in 1794.<sup>79</sup> These removals are an indication of the effect of the French Revolutionary Wars on the poor of the country. As men were taken into the army they were no longer present to support a wife and family. To the almost destitute, joining the army may have seemed like a solution to economic problems. With the husband unable to support a wife and children, the parish was legally obliged to take action, even if this meant removing them to another parish where they would receive poor relief. As these examples show, the authorities in Bath were not constrained by any sense of patriotism but were prepared to remove the wives of soldiers and their families. Once again, the parish officers, with the assistance of the justices who signed the orders, show themselves to have been parochial in a time of national crisis and economic hardship.

One of the women recorded as married found herself in a not unusual position. Gainer Bull was married to Benjamin Bull who was a tailor.<sup>80</sup> They had six children, the oldest being Harriet who was nine. When their youngest child, Phoebe, was six weeks old Harriet found herself and her family deserted by Benjamin and being removed to Castle Cary in Somerset. As will be discussed in more detail later, men found it relatively easy to escape family responsibilities either by joining the army or by absconding. There are no documented instances in the records of Bath that were examined of women absconding.

There were six widows removed from St James within this period. Four of them had young children. Possibly the other two were elderly and no longer able to contribute economically to the parish. The plight of elderly widows is

highlighted by one of the inquests recorded in the Coroners' Records for Bath.<sup>81</sup> On 16 April 1827, an inquest was held regarding the body of Ann Williams. Mrs Williams was a widow living in Gibbs Court, an area of deprivation, who was found by a neighbour hanging from the wainscot in her one room. The jury found that she had hanged herself while lunatic and not of sound mind, memory or understanding. It may be that Mrs Williams understood only too well. Although she had apparently lived in Bath all her life it appeared that she had no family to care for her and the alternative was the poorhouse. To Mrs Williams death may have been preferable. If Mrs Williams was a widow, as seems likely, it may be that she had never visited her husband's parish of settlement, to which she could have been removed. Lynn Hollen Lees has suggested that the welfare system privileged the elderly but only if they stayed in their parish of settlement.<sup>82</sup> Steven King has claimed that in the south and east of England the old were treated with 'generosity *and* benevolence'.<sup>83</sup> It is difficult to see the removal of elderly women as either generous or benevolent.

There were 11 single women removed from St James during this period. Two of them had children. As the example of Mary Hambleton demonstrates, the time between coming to Bath, making a claim for relief, and ultimate removal, might be very brief.<sup>84</sup> Mary Hambleton had given birth to a daughter on 3 November 1792. The baby was born in the parish of St. Clement Dains (*sic*). By the time the baby was five weeks old Mary had travelled with her to Bath from whence she was removed to Froome Selwood (*sic*) on 11 December 1792. Why Mary came to Bath is unknown, but her stay in Bath was brief and suggests that she had no resources or kin in Bath. Her story also demonstrates the rapid response a single woman, with a child, could expect from the parish overseer.

In total, 50 adults and 44 children were removed from St James during this period. Of those 10 adults and 11 children went to other Bath parishes - all of them in fact went to Walcot. St James received a total of 18 adults and 14 children. It would appear, therefore, that during this period the parish of St James managed to reduce the number of paupers dependant on the parish to the benefit of the ratepayers. When we look at the records for women only, it becomes apparent that 26 women, 12 of whom were recorded as being single, were

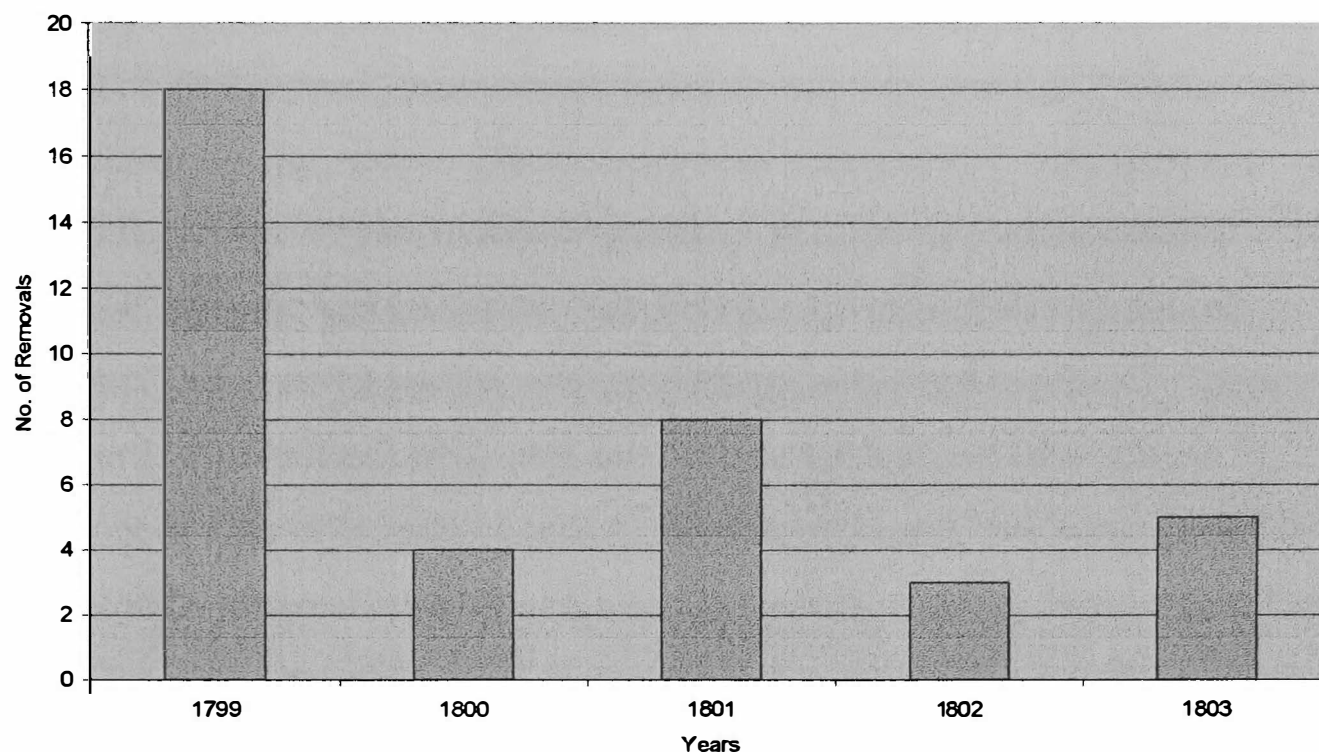
removed from St James but 13 women were sent *to* St James, 6 being recorded as single. Again it would appear that St James was successful in reducing the number of single women living in the parish. Bath held a considerable draw for young female labour who then became un- or under-employed in out-of-season months. Bath parishes appear to have shunted female paupers around the city. This may indicate an attempt to maintain such labour until it was needed again, or it may be that female paupers tended to be local and have settlements in Bath. The Pauper Examinations for Walcot, 1821-1824, show, however, that only 24 per cent of the females who were examined had a settlement in the city.

One of the Removal Orders from St Michael's *to* St James concerned Martha Rowney who was described as single and who had a thirteen-week-old son, George.<sup>85</sup> George was being removed to St James and Martha was allowed to accompany him 'for nurture only then she must return to St Michael's'. In other words, once George was weaned his mother must leave him in St James, presumably in the poorhouse where his chances of survival were low, and return to St Michael's. It was not uncommon for mothers to accompany, for a short time, children who were being removed in order for them to be able to continue to breastfeed their babies. As can be seen from the experience of Martha Rowney, the situation becomes complex, especially when a number of city parishes are involved, and particularly when one side of a street was in one parish and the other side in another.

### **Removals Orders, St James, 1799-1803**

Between 1799 and 1803, Bath suffered a period of severe hardship following successive years of bad harvests.

**Fig. 3.3 Removals from St James, 1799-1803**



Source: Parish of St James Removal Orders, 1799-1803, Bath Record Office.

The annual number of removals during this period shows a great variation: 18 were signed in 1799. This represents more from St James than in any other year at any time during the period covered by this research. If we look more closely at these 18 orders we can see that in total 12 females were removed: this included a young child and a widow, as well as four wives removed with their husbands. . Six men were removed and 14 children. There is nothing extraordinary about the details of these orders, only the volume of orders that occur in this particular year. This suggests an attempt by the overseer to clear the parish of paupers when an increase in requests for poor relief, because of suffering due to food shortages following bad weather and poor harvests, threatened to overwhelm the parish. The figures are low for the rest of the period – only 20 during the remaining four years. During these years, 1799 to 1803, poor relief by the parishes of Walcot and St James increased by a half. It totalled £8000 in both 1800 and 1801.<sup>86</sup>

Three things stand out in the data for these years: the number of women removed, twice as many as the number of men; the fact that pregnancies are being recorded; and, finally, the number of orders that were not executed immediately due to the ill-health of the pauper. While the parish officers for St James took action to

remove young women and children, they were prepared to be sympathetic to the effects on a family of ill-health.

A total of 38 Removal Orders were signed during this period, 23 (60 per cent) concerning females, and 15 (39 per cent) concerning males. Of the female removals one was Elizabeth Marsh, the only woman recorded as married.<sup>87</sup> Her husband, Thomas, was a soldier. Sarah Conduit, ten months, was sent to Timsbury, Somerset, a mining village about seven miles from Bath.<sup>88</sup> There was no record of her parents so we can assume that she been either orphaned or abandoned. One of the adult women, Elizabeth Edwards, was recorded as being a widow and a removal order was signed sending her, with her three-year-old son, James, to Swindon, Wiltshire.<sup>89</sup> However, it is recorded that James had smallpox and was too ill to be moved so the execution of the order was delayed from 29 April 1799, to 30 May 1799.

Eight women are recorded as single women and of these six were pregnant. This is the first time that pregnancies have been recorded although, no doubt, many of the previously recorded single women had also been pregnant. Some sensitivity was exercised by the overseer as five were recorded either as 'too far gone' or 'too ill' to travel. Two of these orders were executed approximately four months after the date on the orders. The others have no date of execution recorded. In fact, according to Richard Connors, the overseers were acting illegally in bringing pregnant women before the justices until one month after their confinement as this contravened 6 George II, c.31 which offered women some consideration in the light of their circumstances.<sup>90</sup> As Connors pointed out, instances of pregnancy, settlement and removal remind us of the vulnerability of poor women and 'illustrates the power relationship and tensions between paupers and their social and political superiors'.<sup>91</sup>

When orders were delayed because of the ill-health an amount of money is usually recorded against the pauper's name. This represents the amount the parish of St James paid out for them to be treated and kept by the parish until they were sufficiently recovered to be moved. This amount would then have been recovered from their parish of settlement. In the case of young James Edwards,

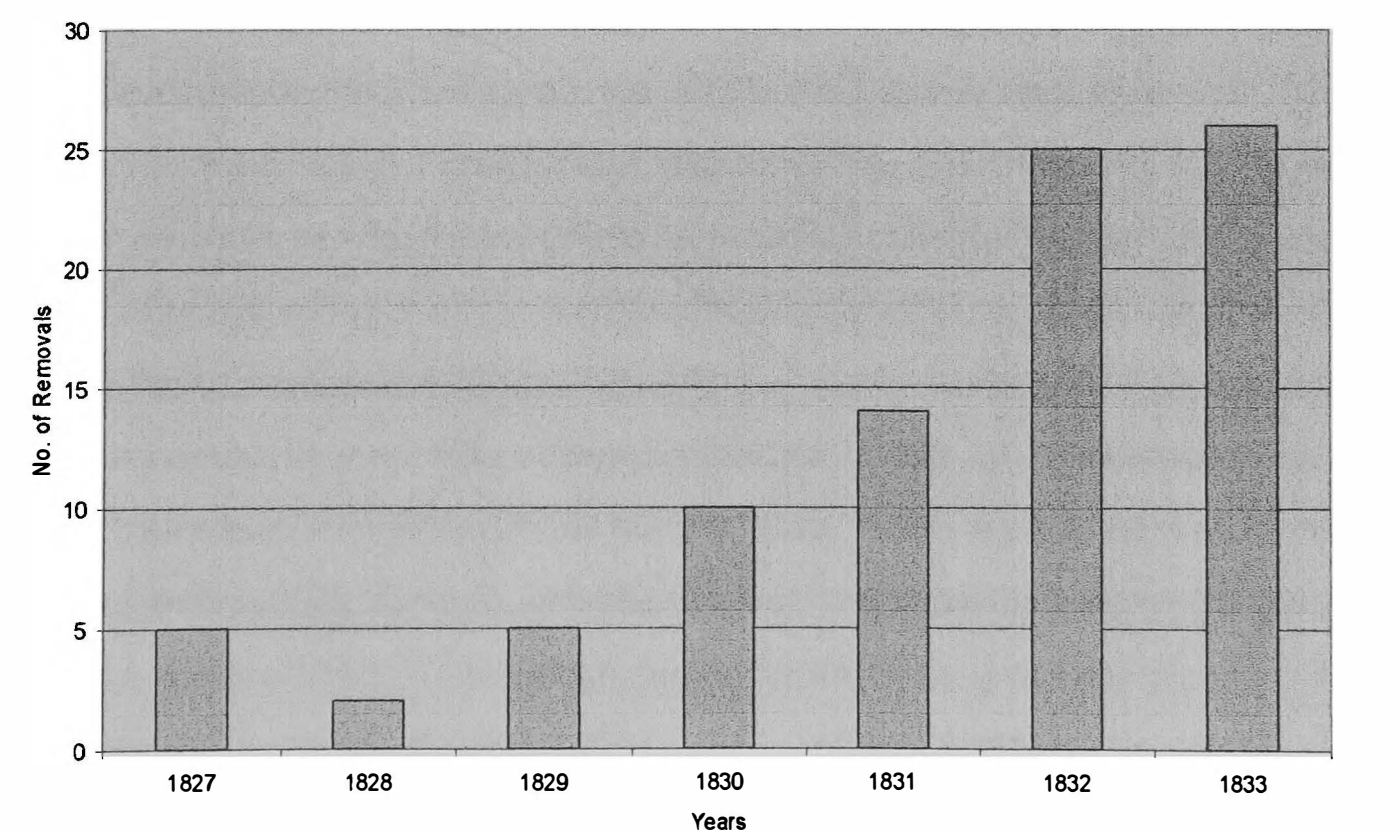


his extra time in St James cost the parish 19/6d, an amount that would have been recovered from Swindon, his parish of settlement.<sup>92</sup> The largest amount recorded was £3. 8s.0d spent on Isaac Long when he was too ill to travel with his wife, Ann, to Temple, Bristol, in November 1799.<sup>93</sup> This shows a humanitarian approach to the removal of paupers, but whether this came from the overseers or the Justices of the Peace, it is impossible to say. Justices required an assurance, in the form of a certificate signed by a surgeon, apothecary or physician, that the person was sufficiently recovered for the order to be executed.

**Removal Orders, Walcot, 1827-33**

When we consider the Removal Orders for the parish of Walcot for the years 1827-1833 we can see from Fig.3.4 that the number of Orders signed increased significantly during the period. The biggest rise occurred between 1831, when 14 orders were signed and 1832 when 25 orders appear in the records.

**Fig.3.4 Walcot Removals, 1827-1833.**



Source: Parish of Walcot Removal Orders, 1827-1833, Bath Record Office.

According to Neale, food prices in Bath, including the price of bread, fell between 1831 and 1832, but as wages also fell the decrease was slight.<sup>94</sup> Neale showed that a low level of real wages was associated with a high number of removals.<sup>95</sup> Wages were lower in Bath than in Somerset, Wiltshire and Gloucestershire in 1832, but it may be that the reason for the rise in the number of removals was not only economic.<sup>96</sup> The rise may indicate a change in policy by overseers, supported by the Justices of the Peace. If this was a response to the increase in expenditure on poor relief it was part of a national trend.<sup>97</sup> Although this is a somewhat later reaction to that noticed elsewhere in the records, it equates with a change in attitude to the poor identified in other aspects in 1820s Bath.

A total of 89 orders were signed during the period of which 53 (59 per cent) were for females. Only five removals were to other Bath parishes, three to St James and two to St Michael's.<sup>98</sup> This shows a variation on the pattern discerned in earlier years for the parish of St James where much higher numbers of removals involved other Bath parishes. Again, this may indicate a change in policy in an attempt to rid Bath of excess labour. The low number of removals within Bath parishes also suggests that the population was increasing by in-migration, mostly from Somerset and Wiltshire. Although Neale has shown that wages were actually lower in Bath, it may be that migrants coming in to the city still thought there were more employment opportunities in Bath than in the rural hinterland.

Of the 36 males removed eight were children. In two cases, although the child is the first named, their mothers accompanied them. John Jones was twelve months old when he was removed with his mother, Mary.<sup>99</sup> We do not know the age of Thomas Salter, alias Spriggs, when he was removed with his mother, Elizabeth Spriggs, singlewoman.<sup>100</sup> Elizabeth and her children have already been mentioned. On 25 March 1827 John Curry, overseer for Walcot, recorded undertaking a journey by coach to Birmingham where he took another coach to Leicester, travelling via Coventry and Nuneaton.<sup>101</sup> He continued to Rutland and Northampton and returned home via London. He undertook this journey in order to establish a settlement for each of Elizabeth's children, and on 27 March he

repeated the journey, this time accompanied by Elizabeth Spriggs and her four children. He recorded that all four children had settlements in different counties. Either Elizabeth returned to Bath where she became pregnant again with Thomas, or Thomas was, for some reason, left in Bath when Elizabeth and his siblings were removed the first time. Walcot authorities were prepared to spend time, effort and money to ensure that Elizabeth did not burden the ratepayers with responsibility for her, or her children. Elizabeth must have represented, for a number of reasons, the sort of pauper the parish would be anxious to remove. With young children and frequent pregnancies she would have been unlikely to earn enough to keep her family.

Among the men who were removed there were six labourers, two servants, a cutler, a mason, a musician, a cabinetmaker, a carpet weaver and a painter. Edward Toulson, cabinetmaker, was too ill in February 1832 when he was destined for St George's, Hanover Square, Middlesex.<sup>102</sup> John Ricketts, the carpet weaver, was returned to Kidderminster in October 1833, where, no doubt, he had learned his trade.<sup>103</sup> The painter, William Calloway, was removed with his wife, Frances, their four daughters and their eighteen-month old son, to Lyme Regis, Dorset.<sup>104</sup> William was too ill to move in May 1833 so the order was not executed until the following month. The labourers, the servants and the mason might be thought of as essential workers although unskilled labourers and servants were probably not difficult to find in Bath. The other jobs that were recorded represent the luxury trade and their removal may reflect the decline of the presence of the Company for the season. By the 1830s, Bath had become a city of residence for retired merchants and civil servants, among others, and was no longer quite the fashionable place, patronised by the aristocracy, that it had once been.

Of the females mentioned in the first instance two were children. One child was Mary Ann Fox.<sup>105</sup> No age is given for her but a note on the Order records that her mother, Mary Fox, has been committed for trial for a felony. Mary Ann was removed to St Phillip and St Jacob in Gloucestershire. The other child was Mary Ann Brown, aged five, who was removed to Wiltshire with her three-week old brother, William.<sup>106</sup> Their father, Thomas Brown, was dead and there was no

mention of their mother. Thomas Brown's brother-in-law, Thomas Surridge, cordwainer, had been approached but was not able, or not prepared, to take the children and so they became a charge on the rates.

Fifteen of the females were married, of whom nine had been deserted by their husbands. Deserted wives were one of the most vulnerable groups among the poor. Elizabeth Denning's husband, Charles, was serving a transportation sentence to Van Dieman's Land.<sup>107</sup> He had been away for eight years so neither of Elizabeth's children, aged five years and sixteen months, could have been his. Sarah Jennings, whose husband had been in America for five years, was pregnant.<sup>108</sup>

The remaining six women had husbands. Jane Abraham's husband, John, was in the United Hospital.<sup>109</sup> Jane Truebody's husband, David, was in prison for neglecting his wife; Sarah Hancock's husband, John, was in Bath Gaol; Sarah Baker's husband, John, was in Shepton Mallet gaol.<sup>110</sup> Sarah Bryant and her husband, Joel, were destined to be removed with their daughter, May, but May was in the poorhouse and too ill to be moved.<sup>111</sup> Why the Removal Order relating to Sarah Fowler, her husband, John, and their two sons was initiated in Sarah's name rather than John's is not clear.<sup>112</sup>

Single women accounted for nearly 53 per cent of the women removed. Of these, 20, or over 70 per cent, were pregnant. In *Adapting to Capitalism*, Pamela Sharpe posits that as a consequence of a rising population in the late eighteenth century, towns could not absorb the numbers of women moving in to them.<sup>113</sup> She also found that single women found it difficult to obtain relief.<sup>114</sup> The result was a rise in vagrancy and prostitution, both issues of concern to the civic elite in Bath. As towns became overpopulated women experienced underemployment. Sharpe found that in Essex single pregnant women often returned home to their parents and applied for relief there. The number of single pregnant women removed from Walcot in the period 1827-1833 suggests that young single pregnant women were staying in Bath until removed by the authorities, although we have no record of women who moved voluntarily. Sharpe has also written that the poor law authorities played a significant role in manipulating female labour supply.<sup>115</sup>

Between 1827 and 1833, 78 children were removed from Walcot, some as part of family groups, some on their own. According to the national return for 1802/3 children made up 30 per cent of persons relieved.<sup>116</sup> As Lawrence Stone has written: ‘For those without property, security or prospects, children were sometimes an unmitigated nuisance. There was the cost of feeding and housing them and the opportunity cost in the removal of the wife for a time from productive labour....’<sup>117</sup> Stone was writing about the cost to the family but the same costs were incurred by the parish. After the age of seven children could expect to be found waged work of some kind, always supposing there was a call at that time and place for child labour. That so many were removed suggests, perhaps, a decline in the need for child labour that may be linked to the change in the social structure of the city to a place of genteel residence.

## Conclusion

Hitchcock, in his introduction to *Chelsea Settlement and Bastardy Examinations 1733-1766*, highlights widows, unmarried mothers and deserted wives as being among the most vulnerable of the poor, and among those most likely to be examined by parish officers in order to be removed.<sup>118</sup> He also wrote: ‘In a very real way, therefore, the system of relief and settlement which ensured the creation of these records affected and was largely directed at women’.<sup>119</sup> This was certainly true in Bath for the years under review, a slightly later period than that which Hitchcock was considering. In all the years that have been studied closely, removal orders concerning women have been in the majority, and the majority of those have concerned single women. Although in the earlier years no record was kept of pregnancy, the later years and the Poor Law Examinations for Bath suggest that many of the women were pregnant.<sup>120</sup> That there was a change over time in the recording of pregnancy demonstrates a concern in the 1820s and 1830s regarding the number of single, pregnant women in the city. The 1820s were years of economic crisis in Bath following the loss of the Company. The removal of so many single women reflects the authorities’ concern about the

image of Bath as a respectable place of retirement and their fear that this image would be tarnished by the presence of female vagrants who, as Hitchcock has told us, were invariably seen by the public as prostitutes whether they were or not.<sup>121</sup> The movement of female paupers from one city parish to another is interesting and reflects the parochial mentality of parish officials.

Deserted wives, and wives whose husbands had joined the army or navy, perhaps a more sanctioned form of desertion, also constituted a pressure on the poor rates. The Bath authorities showed little sign of patriotism in removing the wives and children of serving soldiers and sailors, and in moving women around the city they proved themselves to be driven more by parochial rather than national concerns.

Children were also vulnerable, both as members of a family or if illegitimate. John Curry spent a considerable amount of time travelling the country to track down putative fathers. If illegitimate children could be found to have a settlement in another parish that was all to the good and the children were removed, even if it meant parting them from their mothers. A significant number of the children removed from Walcot were under the age of seven and would, therefore, have remained the responsibility of the parish for a few years, at least until they were old enough to be put out as pauper apprentices. A possibility of an increase in the number of illegitimate children in the parish will have given the authorities a further incentive, if one were needed, to remove single pregnant women.

Although apparently far from humane in their attitude to the plight of children, the civic authorities dealt more kindly with those who were ill and removal was delayed until a certificate was received from a surgeon or physician giving assurance that the pauper was fit to travel. Pregnant women who were close to confinement also had their departure delayed until after the birth of their child.

Parish officers for St James and Walcot concentrated their efforts on removing women and children. This made economic sense in order to protect the ratepayers of the city. Payment of poor relief rather than removal helped to guarantee a pool of labour that would be available during the season. This may

explain why the figures are not higher, and why single men were not often removed. In some years, particularly in the early years of the nineteenth century, the line between ratepayer and recipient became blurred. What has become clear is that the poor law authorities and justices in Bath were more likely to respond, on occasions with alacrity, to parochial imperatives rather than to local or national crises and by moving paupers to other Bath parishes may have achieved little overall in the number of paupers in the city. Overseers and justices expended time, energy and money in unravelling individual histories in order to establish settlement and effect removal. Just how much vestries were prepared to expend will be revealed through John Curry's 'Diary' in the next chapter.

- <sup>1</sup> Snell, *Annals of the Labouring Poor*, p.17.
- <sup>2</sup> See Chap.2, p.13.
- <sup>3</sup> Hitchcock and Black, *Chelsea Settlement*, p.xxi.
- <sup>4</sup> There are two recorded exceptions to this. In November 1824 Ann McCoomb, when examined by the magistrates, claimed a settlement in the parish of St Peter and St Paul, Bath, as she had rented property in Wade's Passage. On a visit to London in August 1827 John Curry estimated that the value of the property in Lambeth previously rented by Elizabeth Webber was well in excess of £10. John Curry, 'Diary'
- <sup>5</sup> See Chap. 1, n.123.
- <sup>6</sup> J. S. Taylor, 'The impact of pauper settlement 1691-1834', *Past and Present*, No.73 (Nov 1976) pp. 42-74, p.47 There is no specific example of this in the Bath records. The reactions of widows and abandoned wives were not recorded, or whether they had ever been to the parish to which they were removed. Logic, however, suggests that this must sometimes have been the case.
- <sup>7</sup> Arthur Young, *Political Arithmetic*, p.93.
- <sup>8</sup> Thomas Ruggles, *The History of the Poor: their rights, duties, and the laws respecting them: in a series of letters. A new edition corrected, and continued to the present time. By Tho. Ruggles, ...* London, 1797, letter xiii, p.88, ECCO as before.
- <sup>9</sup> Malthus, *An Essay*, p.74.
- <sup>10</sup> Bleamire, *Remarks on the Poor Laws*, p.21.
- <sup>11</sup> Bleamire, *Remarks on the Poor Laws*, p.24; *The Times*, 1 October 1818.
- <sup>12</sup> *The Times*, 23 March 1818.
- <sup>13</sup> Joanna Innes has suggested that the total raised at the beginning of the eighteenth century amounted to £400,000, and that this rose to £4 million by the end of the century. This rise cannot be accounted for by either population or price rises. Joanna Innes, 'The "mixed economy of welfare" in early modern England: assessments of the options from Hale to Malthus (c.1683-1803)', in Daunton, *Charity, Self-interest and Welfare*, pp.139-180, p.144.
- <sup>14</sup> Ruggles, *The History of the Poor*, p.88.
- <sup>15</sup> Bleamire, *Remarks on the Poor Laws*, p.22.
- <sup>16</sup> *The Times*, 1 October 1818.
- <sup>17</sup> Ruggles, *The History of the Poor*, p.87; Malthus, *An Essay*, p.92.
- <sup>18</sup> Malthus, *An Essay*, p.98/99.
- <sup>19</sup> Marshall, *The English Poor*, p.14.
- <sup>20</sup> Marshall, *The English Poor*, p.23.
- <sup>21</sup> John Rule, *The Vital Century: England's Developing Economy, 1714-1815*, (London, 1992), p.296.
- <sup>22</sup> Snell, *Annals of the Labouring Poor*, p.108.
- <sup>23</sup> Taylor, 'The impact', p.45.
- <sup>24</sup> Taylor, 'The impact' p.45.
- <sup>25</sup> Neale, *Bath: A Social History*, p.83.
- <sup>26</sup> Daunton, *Charity, Self-interest and Welfare*, pp.1-22.
- <sup>27</sup> Innes, 'The "mixed economy"', passim.
- <sup>28</sup> Innes, 'The "mixed economy"', p.146.
- <sup>29</sup> Innes, 'The "mixed economy"', p.163.
- <sup>30</sup> Connors, 'Poor women', pp.126-148.
- <sup>31</sup> Sharpe, ' "The bowels of compation" ' in Hitchcock, et al., *Chronicling Poverty*, pp.87-108.
- <sup>32</sup> Thomas Sokoll, 'Old age in poverty: The Record of Essex Pauper Letters, 1780-1834' in Hitchcock et al., *Chronicling Poverty*, pp.127-154.
- <sup>33</sup> Sokoll, 'Old age', p.139.
- <sup>34</sup> Sokoll, 'Old age', p.147.
- <sup>35</sup> Hitchcock et al., *Chronicling Poverty*, p.1.
- <sup>36</sup> Hitchcock and Black. *Chelsea Settlement*; Thomas Nutt, 'The paradox' in Levene et al., *Illegitimacy in Britain*, pp.102-121; and Sokoll, *Essex Pauper Letters*; and more recently the impressive King, Nutt, and Tomkins, *Narratives of the Poor in Eighteenth-Century Britain*, Vols 1-5, (London, 2006).
- <sup>37</sup> Sharpe, ' "The bowels of compation" ', p.103.
- <sup>38</sup> King and Tomkins, *The Poor in England*, p.25.
- <sup>39</sup> King and Tomkins, *The Poor in England*, p.30.
- <sup>40</sup> Lloyd, ' "Agents in their own concerns"? ' pp.100-136. See also Chap.6.



- <sup>41</sup> Parish of St James, Removal Orders, Bundles 8, 15 & 16, Bath Record Office, (hereafter St James Removal Orders).
- <sup>42</sup> Removal Orders to the parish of St James, 1780-1784, 1792-1796, 1799-1804, Bath Record Office, (hereafter Removal Orders to St James).
- <sup>43</sup> Parish of Walcot, Removal Orders, 1827-1833, Bath Record Office, (hereafter Walcot Removal Orders).
- <sup>44</sup> John Curry, 'Diary', John Curry is the subject of a separate chapter, see Chap. 4.
- <sup>45</sup> St James Removal Orders, Thomas Newman, 2 December 1793.
- <sup>46</sup> A.J. Kidd, *State, Society and the Poor in Nineteenth-Century England*, (Basingstoke, 1999), p.38.
- <sup>47</sup> John Curry, 'Diary', 27 March, 1827; Walcot Removal Orders, Thomas Salter, 30 May 1828.
- <sup>48</sup> St James Removal Orders, Samuel Cox, 4 July, 1783.
- <sup>49</sup> On 11 February 1799 an order was signed to remove to Meare in Wiltshire Azariah Alford, his wife, Mary Ann, and their three daughters. Their departure was delayed for a month as in February Mary Ann was too ill to move. St James Removal Orders, Azariah Alford, 11 February 1799.
- <sup>50</sup> For example, between 1780 and 1784 Mary Bartlett and Ann Fisher went to Lyncombe and Widcombe, an adjoining parish, Jane Fidoe and Ann Thomas went to St Michael's and Elizabeth Beaton, Sarah Sugar and Ann Welch went to Abbey. None of these women had children and all were described as single. St James Removal Orders, 1780-1784.
- <sup>51</sup> St James Removal Orders, Elizabeth Gillard, 20 January 1794.
- <sup>52</sup> St James Removal Orders, Joseph Morgan, 31 January, 1780.
- <sup>53</sup> St James Removal Orders, Lidia Deverall, 24 February, 1780. Lidia first appears in the records before the justices on 29 November 1773 where she is trying to establish a settlement in Abbey. She appears again on 30 December 1773 naming the father of her unborn child, presumably Ann.
- <sup>54</sup> Bath Pauper Examinations, Lidia Deverall, 29 November 1773 and 30 December 1773.
- <sup>55</sup> Neale, *Bath, A Social History*, Appendix A, p.386/7. Neale uses the tolls on the Avon Navigation as an indicator of economic activity. Tolls fell considerably in 1781-2 and did not recover their high of 1768-9 until 1789-90. Corporation spending also declined during the early years of the 1780s. Neale attributed this to the effect of the Gordon Riots, pp.91 and 311, and the effect of the American War, p.237. Neale's assertion that many of the company left Bath after the Gordon Riots is speculative and the concerns shown by Francis Bennet, reflect the unease of the corporation, p.311/2. Peter Borsay claims that guides and histories published close to such events as the riots of 1780 minimised events or ignored them completely. Borsay, *The Image*, p.45.
- <sup>56</sup> St James Removal Orders, Samuel Cox, 4 July 1783.
- <sup>57</sup> St James Removal Orders, William Cambridge, 6 June 1782.
- <sup>58</sup> The national return of 1802-3 records that children accounted for 30 per cent of persons relieved. Kidd, *State, Society and the Poor*, p.17.
- <sup>59</sup> Hollen Lees, *The Solidarities of Strangers*, p.53.
- <sup>60</sup> St James Removal Orders, Joseph, 31 January, 1780; Thomas Francis, 29 October, 1781; James Wright, 31 December 1781; and Thomas Nowell, 2 June 1784.
- <sup>61</sup> Davis and Bonsall, *A History of Bath*, p.127.
- <sup>62</sup> St James Removal Orders, William Panes, 18 June 1784.
- <sup>63</sup> Sharpe, *Adapting to Capitalism*, p.135.
- <sup>64</sup> St James Removal Orders, Sarah Flower, 4 August 1784.
- <sup>65</sup> St James Removal Orders, Lidia Deverall, 24 February 1780.
- <sup>66</sup> St James Removal Orders, Leah Gillard, 29 July 1782.
- <sup>67</sup> St James Removal Orders. Ann Bence 6 March 1783.
- <sup>68</sup> Connors has shown that for the parish of Hackney for an earlier period, 1731-1753, 37 per cent of appeals for poor relief involved single women. Connors, 'Poor Women', p.140.
- <sup>69</sup> Borsay, *The Image*, pp.38-45; Davis and Bonsall, *A History of Bath*, p.151.
- <sup>70</sup> St James Removal Orders to the parish, 1780-1784.
- <sup>71</sup> Neale, *Bath, A Social History* p.262.
- <sup>72</sup> Neale, *Bath, A Social History*, p.89.
- <sup>73</sup> St James Removal Orders, 1792-1796; Peter Borsay writing of an earlier period has pointed out the dichotomy for justices: on the one hand needing to rid the streets of 'undesirables' but on the other wishing to maintain a 'caring and paternal image' Peter Borsay, *The English Urban Renaissance: Culture and Society in the Provincial Town, 1660-1700*, Oxford, 1987, p.299.
- <sup>74</sup> St James Removal Orders, John Caller, 18 July 1796; Isaac Beer, 4 July 1796.
- <sup>75</sup> St James Removal Orders, John Somerville, 22 September 1796.
- <sup>76</sup> St James Removal Orders, Joseph Smith, 16 May 1796.

- <sup>77</sup> St James Removal Orders. Robert Noyes, 18 July 1795.
- <sup>78</sup> St James Removal Orders, Ann Marsh, 15 April 1793.
- <sup>79</sup> St James Removal Orders, Hestor Cantle, 29 May 1794; Elizabeth Gillard, 20 January 1794.
- <sup>80</sup> St James Removal Orders, Gainer Bull, 7 April 1796.
- <sup>81</sup> 'City of Bath Coroners' Examinations and Inquisitions, 1776-1835' (hereafter Coroners' Records). The inquest following the death of Ann Williams is dated 16 April 1827 Bath Record Office.
- <sup>82</sup> Hollen Lees, *The Solidarity of Strangers*, p.53.
- <sup>83</sup> King, *Poverty and Welfare*, p.169.
- <sup>84</sup> St James Removal Orders, Mary Hambleton, 11 December 1792.
- <sup>85</sup> St James removal orders to the parish, Martha Rowney, 18 February 1796.
- <sup>86</sup> Neale, *Bath: A Social History*, p.83. The national poor relief expenditure for 1783-5 was £2,004,238. By 1802 this had risen to £4,267,965. Dauntton, *Progress and Poverty*, p.448.
- <sup>87</sup> St James Removal Orders, Elizabeth Marsh, 5 February 1801.
- <sup>88</sup> St James Removal Orders, Sarah Conduit, 2 December 1799.
- <sup>89</sup> St James Removal Orders, Elizabeth Edwards, 29 April 1799 and 30 May 1799.
- <sup>90</sup> Connors, 'Poor women', p.131.
- <sup>91</sup> Connors, 'Poor women', p.134.
- <sup>92</sup> St James Removal Orders, James Edwards, 29 April 1799.
- <sup>93</sup> St James Removal Orders, Isaac Long, 18 November 1799.
- <sup>94</sup> Neale, *Bath, A Social History*, Appendix D, p.408/409 and Appendix E, p.414.
- <sup>95</sup> Neale, *Bath, A Social History*, p.89.
- <sup>96</sup> Neale, *Bath, A Social History*, p.414. Dauntton has alerted us to the problems regarding any discussion of the movement of wages. Dauntton, *Progress and Poverty*, Chap.16, pp.420-446.
- <sup>97</sup> See n.57.
- <sup>98</sup> Walcot Removal Orders, 1827-1833.
- <sup>99</sup> Walcot Removal Orders, Mary Jones, 2 August 1831.
- <sup>100</sup> Walcot Removal Orders, Thomas Salter, 30 May 1828.
- <sup>101</sup> John Curry 'Diary' 12 and 27 March 1827.
- <sup>102</sup> Walcot Removals, Edward Toulson, 18 February 1832.
- <sup>103</sup> Walcot Removals, John Ricketts, 6 October 1832.
- <sup>104</sup> Walcot Removals, William Calloway, 11 May 1833.
- <sup>105</sup> Walcot Removals, Mary Ann Fox, 9 June 1831.
- <sup>106</sup> Walcot Removals, Mary Ann Brown, 24 September 1832.
- <sup>107</sup> Walcot Removals, Elizabeth Denning, 18 November 1833.
- <sup>108</sup> Walcot Removals, Sarah Jennings, 2 August 1833.
- <sup>109</sup> Walcot Removals, Jane Abraham, 3 April 1833.
- <sup>110</sup> Walcot Removals, Jane Truebody, 22 October 1832; Sarah Hancock, 22 July 1833; Sarah Baker, 29 November 1833.
- <sup>111</sup> Walcot Removals, Sarah Bryant 18 April 1831.
- <sup>112</sup> Walcot Removals, Sarah Fowler, 25 August 1830.
- <sup>113</sup> Sharpe, *Adapting to Capitalism*, p.150.
- <sup>114</sup> Sharpe, *Adapting to Capitalism* p.137.
- <sup>115</sup> Sharpe, *Adapting to Capitalism*, p.138. See also Valenze, *The First Industrial Woman*, p.133, and Hill, *Women Alone*, p.101.
- <sup>116</sup> Kidd, *State, Society and the Poor*, 17.
- <sup>117</sup> Stone *The Family, Sex and Marriage*, p.295.
- <sup>118</sup> Hitchcock and Black, *Chelsea Settlements*, p.xx.
- <sup>119</sup> Hitchcock and Black, *Chelsea Settlements*, p.xx.
- <sup>120</sup> Bath Pauper Examinations.
- <sup>121</sup> Hitchcock, *Down and Out*, p.93.

## **Chapter 4: John Curry, Overseer for the Poor for the parish of Walcot, Bath, 1811-1831. <sup>1</sup>**

### **Introduction**

Parish officers and justices were particularly concerned with three aspects of the administration of the Poor Laws – bastardy, settlement and removal. These three elements in the day-to-day working of the parish become apparent from the diary of John Curry, one of the Overseers for the poor for the parish of Walcot. Curry served the parish for twenty years as a paid official. This diary throws light on the administration of the poor laws in Bath in a number of ways. A close reading shows the time, money and effort expended by the parish in the period from 1811 to 1831, covering a time in which a number of changes of attitude towards the poor occurred. Read in conjunction with the concurrent vestry minutes, we can build up a picture of the practical problems encountered by the parish on a day-to-day basis. The cost of transport, mode of travel, the difficulty in finding putative fathers and the cost of removing paupers, sometimes over long distances, all posed challenges.

This chapter will look at the strategies employed by the Overseer and his role as one of the most important figures in the structure of parish Poor Law administration. We will, through the vestry minutes, consider some of the problems Walcot encountered with Overseers and the responses of the vestry. From John Curry's diary we will gain an insight into the lengths to which parishes were prepared to go in the administration of the Poor Laws to protect the parishioners from rising poor rates. Curry was honest and hardworking and served the parish well. We can view John Curry's work as part of a determination by Walcot select vestry to demonstrate probity in the administration of the Poor Laws. Curry also represented the growing trend for professionalism. He kept an account of the miles he travelled and the number of days he was away from home, written in a good clear hand.

## The eighteenth century Overseer

Before examining the diary in detail, it is necessary to have an understanding of the function of an eighteenth century Overseer for the poor. The function of the Overseer was to collect the poor rate, as set by the parish vestry, and to distribute poor relief to those applicants deemed 'deserving' and with an appropriate settlement. The position of Overseer was unpaid and could be time consuming, particularly onerous for men who were concerned with running their own businesses. Writing in 1799 James Nasmith raised the problem of financing the poor law.<sup>2</sup> He claimed that the Overseer advanced his own money for the relief of the poor but was not reimbursed until towards the end of his term of office. Nor could an Overseer raise a poor rate in retrospect to cover his disbursements. This, on occasions, led to corruption and one way of guarding against this was to appoint paid assistants to the Overseers, although, as we shall see later, this was not foolproof.

Overseers were selected annually from 'substantial householders' in the parish at the Easter vestry.<sup>3</sup> Their appointment was then confirmed by a justice of the peace. They were usually tradesmen in the parish and, when, in March 1788, the Trustees of the Casualty Hospital met with officers of several Bath parishes, the Overseers were variously described as a grocer, a shoemaker, a perukemaker, a cheesemonger, a builder and a carpenter.<sup>4</sup> They were not universally popular. Collecting the poor rate could cause problems particularly in areas of the parish where many of the parishioners were already on the verge of pauperism. Some of the parishioners would undoubtedly have been neighbours or trade customers of the Overseer, in which case denying poor relief may have been difficult.

Overseers were untrained in administration but were not short of instructional literature.<sup>5</sup> Probably the most read volume was Richard Burn's *The Justice of the Peace and Parish Officer* that, first published in 1755, went to some thirty editions, half published after Burn's death in 1785.<sup>6</sup> Burn covered all aspects of the law relating to the work of justices and parish officers, including the

appointment of Overseers, settlements, removals, the treatment of apprentices and bastards and Overseers' accounts. The Society for Bettering the Condition and Increasing the Comforts of the Poor also published a number of pamphlets that were available to Overseers.<sup>7</sup>

Paul Langford has suggested that the role of parish officer was the most important defining factor in an emerging middle class hierarchy<sup>8</sup> According to Langford, there were on the one side, respectable gentlemen and successful tradesmen, and on the other, artisans such as carpenters, bricklayers, glaziers and painters. The first group did not serve as parish officers but the latter group did.

Dorothy Marshall drew attention to the possibilities for corruption among parish officers in large city parishes. Decisions concerning the poor rates were taken in the vestry and 'it was not difficult for the parish vestrymen to use the Poor Rates in such a way as to benefit their own pockets'.<sup>9</sup> The Webbs were also critical of the Old Poor Law and wrote of 'scandalous maladministration' 'tyranny and cruelty' and a 'great amount of inhumanity'.<sup>10</sup> More recent historians have taken a more benign view but Steven King has drawn attention to the difficulties involved in assessing the welfare system and, consequently, the work of Overseers.<sup>11</sup> King also highlighted the variety of welfare provision, as has A.J. Kidd. Kidd has written of: 'the diversity of outcome one is likely to find in such a decentralised, locally financed welfare system, especially where the unit of administration (the parish) is so small'.<sup>12</sup> What can be said at a national level is that the system gave parish officers, and in particular Overseers, who were disenfranchised, considerable control over the poor and, therefore, considerable power at a local level. Rosemary Sweet emphasised the importance of vestries in incorporated cities such as Bath. She reminded us, 'that the authority of even the most hegemonic corporations was not monolithic, and the parish vestry always represented considerable influence, if only on account of its responsibility for the management of poor relief'.<sup>13</sup>

## **The Sturges-Bourne Acts of 1818 and 1819.<sup>14</sup>**

John Curry was working as an assistant Overseer before the passage of these acts enabled the formation of a select vestry. All parishioners were entitled to attend an open vestry but these two parliamentary acts, known together as the Sturges-Bourne Acts, named after their originator, William Sturges-Bourne, enabled parishes, should they wish, to elect a select vestry to act in the place of the open vestry. Open vestry meetings could be large and noisy and difficult to manage and voting was on the basis of one vote to each parishioner. A select vestry was far more manageable and productive, but the voting was weighted in favour of the propertied. Select vestries can, therefore, be seen as tending to be oligarchic rather than democratic.<sup>15</sup> The select vestry was charged with considering each application for poor relief on the merits of the character and circumstances of the applicant. In this way it was thought that the select vestry would be able to distinguish more clearly between the ‘deserving’ and ‘undeserving’ poor.<sup>16</sup> In addition, the 1819 Act required two justices rather than one to overturn the decision of a parish Overseer.<sup>17</sup> More importantly for our purpose, the 1819 Act allowed for the appointment of a paid assistant Overseer to help with administration.

In addition to his poor law administrative duties, assistant Overseers were also required to represent the parish at petty and quarter sessions.<sup>18</sup> Anthony Brundage pointed out that this represented a growing professionalism in the administration of the poor laws, as paid officials were more effective than annual Overseers who were only in office for a year and the system consequently lacked continuity. Assistant Overseers were also appointed annually but, unlike parish Overseers, were paid and, possibly therefore, not only willing but anxious to work for the parish for more than one year. Importantly, they were often drawn from outside the parish thereby avoiding some of the problems experienced by parish Overseers in allowing or denying poor relief to their neighbours, kin and customers.<sup>19</sup>

## The Parish of Walcot

The parish of Walcot was the largest of the central Bath parishes with only part, inner Walcot, being in the city. It covered a wide social range of housing including both some of the 'best' addresses, Royal Crescent and The Circus, and some of the worst overcrowded courts and alleys adjoining Avon Street. Neale claimed that by the 1780s the parish of Walcot was the second wealthiest parish in the country.<sup>20</sup>

The Easter vestry minutes for 1819 show us that Joseph Lansdowne and Mr Maddox were Overseers, and George Percival was assistant Overseer.<sup>21</sup> At this meeting a committee was appointed to look into the parish books to 'control expenditure and advise on matters relating'. The parish would not appear to have been short of funds, however, as they awarded the parish clerk £50, and gave a total of £60 to various local medical charities.

Early in May of 1819, the vestry resolved to inform the parishioners, through the Bath newspapers, of the powers of the general vestry to elect a select vestry.<sup>22</sup> By 9 May, a select vestry had been appointed and George Percival confirmed in his appointment as assistant Overseer. He gave his bond in the penalty of £500 but was not asked for sureties, although this lack was recorded in the minutes. On 10 August 1820, John Curry was appointed assistant Overseer.

From a note written in the same hand as the diary, and pasted into the back of the book, we are given a brief history of the Overseers for the parish. There is no similar source concerning Overseers of other Bath parishes, but it would appear that Walcot was particularly unfortunate in its employees. We are told that Mr John Hooper had been Overseer for many years until 1792.<sup>23</sup> He had a salary of £70 per annum and when he resigned in 1792 he was succeeded by Randal Gaunton at the same salary. He, in turn, was succeeded in 1793 by '----- Cogswell'. In April 1794, John Higgins was officially appointed assistant Overseer still at £70 per annum. John Higgins died in December 1795 owing the parish £336. 3s. 6d. William Potter succeeded John Higgins at a salary of 150

guineas a year, an increase which may reflect the increased burden of the job. We can see from the Overseers' Accounts that William Potter served from 1801 until 1805.<sup>24</sup> The note in the diary indicates that William Potter died in 1805 'minus several hundred pounds but the exact sum was never ascertained'.<sup>25</sup>

Following Potter's death George Percival was appointed in his place in 1806. He held the office until 1820. The note claimed that Percival, for some years prior to his resignation on 25 March 1820, was being paid £400 per annum. It is probable that George Percival employed John Curry from 1811 to assist him. Curry was certainly busy with parish Poor Law administration from 1811. It would seem that the select vestry had suspicions by Easter 1819 regarding Percival's accounts. The note in the diary stated that after Percival's resignation it became apparent that the parish owed Messrs Clement and Tugwell, bankers in the city, the sum of £869 'and upwards'. The vestry minutes for 21 June 1820 show that the parish was resolved to have Percival summoned before magistrates to deliver the parish books to the remaining two unpaid Overseers. The amount of the debt was confirmed in the vestry minutes for 22 April 1821 when the Overseers were instructed to pay to Messrs Clement and Tugwell the sum of £869. 14s. 1d. as the vestry was satisfied that the parish did indeed owe this sum to the bankers.

At the time of Curry's appointment, Walcot took the decision to change the function of the Overseer. They separated the function of rate collector from that of distributor of poor relief. John Curry was to undertake all the duties of an Overseer except for the collection of the poor rates and was to be paid £150 per annum. He had to give a bond of not less than £500 and supply two sureties. Two further paid Overseers were also appointed. John Vaughan was appointed to collect the rates for inner Walcot, and Charles Newman for outer Walcot. Vaughan was to be paid at the rate of 1 per cent of monies collected and paid in, and Newman, with the larger portion of the parish, was to be paid 1.25 per cent. They also had to supply bonds and sureties and it was agreed that the three new appointees could employ a clerk to be paid out of the poor rates. No further mention is made of Vaughan's or Newman's employment so it is impossible to gauge how effective these steps were in securing them as long-term employees, but Curry continued as assistant Overseer until his resignation in October 1830,



when he was persuaded to continue until January 1831. The vestry minutes reveal that when Curry resigned there were twenty-five applicants for the position of Overseer. The select vestry interviewed all the applicants and selected Luke Harrington. His appointment was confirmed on 23 December 1830 as assistant Overseer and master of the workhouse. His salary was to be £150 with an apartment at the workhouse, coal and candles. The note in the back of the diary finishes with 'Luke Harrington Absconded April 25<sup>th</sup> 1836, minus £779. 3s. 8d'.

A number of points can be made about this slice of Walcot parish history. It is apparent from the note attached to John Curry's diary that Walcot was paying Overseers from the 1780s, nearly forty years before the Sturges-Bourne Acts of 1818 and 1819. These acts, like the Gilbert Act of 1782, were enabling acts that made legal arrangements that already existed. Although the parish, long before it elected a select vestry, was employing paid Overseers, two unpaid officials were elected each year as well.<sup>26</sup> If these were intended to monitor the work of the paid official they proved ineffective in preventing fraud.

It would seem that the parish of Walcot was particularly unlucky in its choice of Assistant Overseers but it is interesting that the corruption disclosed concerned paid officials and not the annual Overseers so reviled by the *Poor Law Report* and, consequently, Dorothy Marshall. The authors of the *Poor Law Report* wrote of annual Overseers:

The Overseers are chosen from so low a class of petty tradesmen, that it is notorious that they use the balance of parish money in their hands to carry on their own businesses; being little removed above the paupers they are not able to resist them, and there is the constant temptation to lavish relief supplied on the articles in which they deal.<sup>27</sup>

Contributors to the *Poor Law Report* were effusive in their praise of assistant Overseers. They were 'invariably intelligent, attentive, zealous, possessing great knowledge of the laws and saving expense'.<sup>28</sup> Dorothy Marshall claimed that parishes that appointed assistant Overseers did so in order to check corruption and to secure a more efficient administration.<sup>29</sup> It would appear that if increased

efficiency and decreased corruption was the intention in Walcot, if they managed the first, they failed in the latter.

The losses incurred by the parish involved significant sums of money. George Percival apparently embezzled just over £869. This amounted to more than twice his annual salary. We do not know how much William Potter was found to be short on his death, but John Higgins appears to have embezzled an amount that was nearly five times his annual salary. John Higgins's annual salary earned him in excess of £1 a week. If, as Neale estimated, the average weekly wage of an unskilled labourer in Bath was 8s. in 1780 and 9s. 6d. in 1801, it is disturbing to think of the number of paupers who might have been relieved with the amount missing on Higgins's death in 1795.<sup>30</sup>

The problems faced by the parishioners of Walcot were not occurring in a political vacuum. This, the early decades of the nineteenth century, was a time when corruption was being attacked in the press by radical journalists, and when the national government was legislating to effect some reform of the system of sinecures, pensions and reversions.<sup>31</sup> This was in response to calls from radicals alarmed at the rise in taxation and the growth of state bureaucracy as a result of the highly expensive wars with France. Philip Harling has put the start of the decline in 'old corruption' at 1805 following evidence of malfeasance during the war and the trial of Henry Dundas for misappropriation of public money.<sup>32</sup> Harling has also claimed that, after 1815, most politicians sought to project an image of probity.<sup>33</sup> He has described a 'rational administrative structure' seen as desirable by radicals, as 'promotion according to merit, and payment according to performance of clearly defined duties'. This description fits well with what the select vestry of Walcot appear to have been attempting to secure. Rosemary Sweet has suggested that historians have displayed a 'whiggish tendency' to associate calls for reform with attacks on the old corporate system and an unreformed electorate.<sup>34</sup> She has drawn attention to the importance of civic pride at times of parliamentary elections, and has suggested that this was equally important 'in movements to revive and strengthen accountable government and the existing institutions of urban administration'.<sup>35</sup> We need to insert the concept of civic pride and accountable government into our understanding of power and

politics at a local level and it is in the light of Sweet's work that we can view the appointment of John Curry. It was in this national and local political climate that Walcot was attempting to inject a degree of professionalism and decency into parish affairs.

## **John Curry**

While little biographical information is available, we know that John Curry was born in 1774 and died in 1850. He was Overseer for the poor for the parish of Walcot from 1811 to 1831. Unlike parish Overseers, assistant Overseers did not necessarily live in the parish in which they were operating. Certainly there is no record of a John Curry in the 1831 census for Walcot.<sup>36</sup> In the 1833 Silverthorne Bath Directory there is listed a John Curry living at Vineyard Cottage, Tiney Lane, Walcot.<sup>37</sup> In the 1841 census there is a John Curry recorded as living in Tynning Court in Walcot. He is described as a carver and is living with his two daughters, Helen, aged thirteen, and Mary who was nine. He was aged thirty-five and is recorded as having been born in Bath. Both his daughters were born in Scotland. He could not, of course, have been our John Curry but might possibly have been a son. The census suggests that the name was not common in Bath at this time.<sup>38</sup>

There is no record of how much George Percival was paying Curry but when Curry was officially appointed assistant Overseer his salary was £150 per year paid quarterly. In 1824 this was raised to £200 per year. This gave Curry an income of £3 to £4 per week, a significant amount in the 1820s. What other income, if any, Curry may have had is not known, nor do we know what qualifications he had for the position of Overseer. He was thirty-seven when he was appointed and whatever his way of earning a living before his appointment he had some education, wrote a good, clear hand and, judging by his diary, appears to have been a punctilious record keeper. Curry remained in office for twenty years but, as Percival was in office for fifteen years, his long term was not unique in Walcot.

## **The diary**

We are fortunate in that Curry kept a diary detailing the journeys he took on behalf of the parish throughout his time in office. He kept meticulous details of the mileage he covered and the number of days he was away from home. He kept, as far as we know, no details of parish business conducted within the city, so his use of a diary for journeys away from Bath suggests that he was paid travelling expenses and an allowance for his overnight stays. The diary gives us useful insights into the work of an eighteenth century assistant Overseer. It covers the entire period Curry was in office and, after working in the area for twenty years, his local knowledge and his knowledge of the poor laws must have been extensive. As we will see Curry, on occasion, attended the Assizes, and on one occasion accompanied a coroner on the discovery of a body some distance from Bath. It would seem reasonable to assume that his knowledge and experience of legal matters appertaining to the parish would have been valuable to the select vestry and the parishioners of Walcot.

Judging by the uniformity of handwriting, the diary may have been written up some time after the events recorded. If this is so, it must have been written from notes. An Overseer's Notebook for Walcot for the years 1793 to 1794 is also available but the information is sparse in comparison with Curry's diary.<sup>39</sup> The few occasions when Curry recorded celebrations are all the more remarkable. His constant recording of weather conditions is more than understandable from a man who spent many of his working hours travelling outside the post coach. His occasional diversions from the main purpose of the diary, to record mileage travelled and days spent away from home, shows us a human face so often missing from the records. This previously overlooked document indicates a parish that, despite earlier setbacks, had appointed a man who was both active and efficient in administering the poor laws.

While the Walcot Vestry at their Easter meeting appointed Curry annually from 1811 to 1830, Curry seems to have been careful to ensure that he showed interest

in retaining his position. On 30 March 1829 Curry travelled to Taunton for the Assizes in order to prosecute William Smith and his wife for cruelty to their son. He left Taunton in the evening of 1 April in order to return overnight to Bath to attend a meeting at 11 am on 2 April. This was the annual general vestry meeting and his diary tells us he wanted to be present for the nomination of the assistant Overseer. The vestry minutes give us no clue as to why this was so important. It is possible that he was expected to give some form of report on his year's work, or it may have been a courtesy to the vestry that employed him. He left Bath at 1 o'clock and arrived back in Taunton at 11 pm. His journey was successful on two counts. William Smith and his wife were found guilty and remained in Taunton awaiting sentence, and Curry himself was again appointed Overseer. His attendance at the meeting to ensure his re-appointment must have seemed of significant importance for him to expend so much time, energy and expense in returning from Taunton to Bath and back. Although it is difficult to gain any sense of Curry as a person or of his attitude to the poor, this incident indicates a dedicated administrator.

A good part of his travelling seems to have been incurred in establishing paupers' parishes of settlement, or in escorting paupers with removal orders. The first entry in his diary is for 1 June 1811 when he took Ann Davis and her child to Bristol. Ann and her child were en route for Waterford and will have been put on the packet that ran regularly from Bristol to Waterford. Curry then returned to Bath – a round trip of twenty-four miles. He spent some time between 27 February and 2 March 1812 delivering Jonathon Glew to a parish near Chichester, Sussex.

On 9 December he went to Plymouth Dock to interview a Mr Simms, a soldier in the South Gloucester Militia, whose wife and children had been removed to Walcot from Carisbrook on the Isle of Wight.<sup>40</sup> The Simms family was to occupy quite a bit of his time over the next few weeks. On the way back from Plymouth, he called at Halberton and Glastonbury for money owing to Walcot, possibly poor relief for paupers living in Bath but settled in Somerset parishes. He returned to Bath on 14 December having covered 270 miles, and on 17 December he went again to the Isle of Wight to serve the parish officers in Carisbrook with a Notice

to Appeal against Removal. He returned to Bath on 20 December. Between 31 December 1812 and 4 January 1813, he travelled 322 miles on this business taking in London and Brighton. The Appeal concerning the Simms family was heard in Winchester between 10 and 13 January and was attended by John Curry, a Mr Redman, Mrs Simms and one child, presumably still being breastfed. The original Order for Removal from Carisbrook parish was quashed and Mrs Simms and child went on to the Isle of Wight while Curry and Mr Redman returned to Bath. On 29 January Curry, accompanied by his wife, escorted three more Simms children to the Isle of Wight. No doubt Curry felt in need of some female support on such a mission. Whether Mrs Curry was paid for her support or whether this is an example of women being incorporated into unpaid parish work is not clear. They returned home on 1 February and that is the last we hear of the Simms family in the Bath records. Curry had travelled something in excess of 1,000 miles, mostly by coach, and had spent approximately twenty-seven working days on the matter. As Curry travelled a total of 2,164 miles between Easter 1812 and Easter 1813, this represents almost half of the total mileage. He and the ratepayers of Walcot must have felt that this was time and money well spent, the alternative being to support the Simms family for several years. Whether in fact this was, to use a modern term, cost effective is open to question.

This episode demonstrates the lengths to which the authorities in Walcot were prepared to go to avoid having paupers settled in the parish, particularly a woman with four young children. The travelling alone represents a considerable investment in time and money. This episode occurred in the time when it is assumed George Percival rather than the select vestry employed Curry. He was, presumably, taking instructions from Percival but the sources do not reveal whether the decision to take this rather extreme line with the Simms family was Percival's or the vestry's.

It is difficult, in the absence of figures for Walcot, to estimate the potential cost to the parish of the Simms family. There is, however, further information concerning the family that throws some light on the costs of removals.<sup>41</sup> In October 1812 Elizabeth Sims, (*sic*) wife of William Sims, a private soldier in the

Gloucestershire Militia, and her children, namely Eliza Sims, aged eight, Caroline Sims, five, Henry Sims, four, and Jane Sims, two weeks, were the subject of an appeal by St James parish, Bath, against an order removing the family from Carisbrooke, Isle of Wight, to St James. This was quashed and the parish of Carisbrooke was ordered to pay the Overseers of St James the sum of £8. 11s. 6d that they had already expended in poor relief to the family. In addition forty shillings were to be paid to St James in recompense for the trouble and expense of the appeal. On the 6 February 1813, there was a further appeal, this time by the parish of Brightelmstone (Brighton) in Sussex that was also quashed. The amount to be paid this time was £9. 1s 6d plus forty shillings in expenses. It can be seen that the parish of Carisbrooke was determined to be rid of the Simms family and incurred a great deal of costs in the process. It is also intriguing that the parish in Bath named in the Hampshire records as being involved was St James and not Walcot. The Simms family were first removed to St James, Bath, then to Walcot and then to Brighthelmstone but would appear to have returned to Carisbrooke on each occasion.

Further details on the costs of removals can be gleaned from parish records for Walcot in 1831.<sup>42</sup> These show that in May 1831 the parish paid £1. 15s. 0d to remove John Slade, his wife and two children by coach to Lime Regis (*sic*). Also in 1831 there is a voucher for:

Statement of coachfare and expenses to London with Sarah Simmons, pregnant, making enquiries into her settlement, previous to her delivery over to the Overseers of Chelsea, also to Twickenham to enquire as to the circumstances of the father of Isabella Swaisland's bastard and to several places as to her settlement and that of Anne-Marie Lott

Coachfare, coachmen and guards to London	£1 18s 6d
Expenses for pauper	7s
Coachfare from London to Twickenham and back	7s
Coachfare and coachmen back to Bath	£1 3s 0d
4 days expenses	£2 0s 0d
	<hr/>
	£5 15s 6d <sup>43</sup>

It is interesting that it was thought necessary to provide guards to transport one pregnant woman, in the company of the Overseer, from Bath to London. In

September 1831 the parish paid £15. 11s. 6d to remove Joseph Fearnley, his wife and five children to Norwich. It can be seen that removing paupers was an expensive business and must not have been undertaken lightly.

Curry made as much use of travelling as he could, combining journeys wherever possible.<sup>44</sup> He travelled outside on coaches and sometimes overnight for economy. He would, therefore, appear to have been acting as economically as possible with little regard for his own comfort. Although Curry may have made every effort to save the parish travel costs, in the light of the above figures, it would appear that the pamphleteers who wrote deploring the cost of removals had a point.

In January 1827, Curry went to Southampton to seek information concerning the settlement of James Goodwin and family and travelled back overnight on the outside of the mail coach.<sup>45</sup> On 6 February, still concerning the Goodwin family settlement, he took a coach to Woolverton and then walked to Road (*sic*) and on to Bradford (on-Avon, Wilts.). In attempting to establish the settlement of Sarah Lansdown, who was pregnant, he took a coach to London and then walked to Greenwich. A number of shorter journeys were undertaken on foot.

Although Curry does not record what he did or who he saw in order to establish a settlement, he may have been checking details given in settlement examinations before justices in Bath. We can assume that he met with fellow Overseers. That there was a network of Overseers in communication with each other can be seen from correspondence included in a number of letters sent to the Overseers of St Michaels in the 1780.<sup>46</sup> In March and April 1786, S. Webb, an Overseer in Cirencester wrote to Messrs Evenis and Dawson, Overseers in St Michael's in Bath. In Webb's first letter in March, he wrote that he would be interested to know the estimated cost in that year for the support of the poor. He must have received a reply that gave him pause for thought as in his letter, in April of that year, he congratulated the Overseer in Bath 'on the trivial burden laid on your shoulder'. He continued that he had been in the company of an Overseer from Kettering, 'a small town in Northampton', and the cost there was much higher than the cost in Cirencester. He ended the exchange 'therefore, though we may



wish ourselves in St Michael's in Bath, we bless ourselves that we are not at Kettering in Northamptonshire'. Another series of letters suggests a chain of Overseers linking Bath with Liverpool in order to contact an absconded father of six children.<sup>47</sup> Having conferred with Overseers and examined parish records Curry will have been in a better position to make a decision either to refer the matter to the select vestry or to allow poor relief.

In August 1827, Curry combined business with pleasure when he travelled with his wife to London. He was seeking evidence of the settlement of Elizabeth Webber. She had claimed that the premises she had occupied in London were worth less than £10 per annum. If they were in excess of £10 per annum this would have made her legal settlement in London. She would appear to have preferred to stay in Bath but Curry, on looking at the premises, was able to state that they were, in fact, far in excess of her claimed value. As her settlement was in Lambeth, Curry and his wife then dined at Lambeth workhouse – not perhaps the most salubrious eating house in the capital – with the Governor, the Vestry Clerk and other, unnamed, parish officers.<sup>48</sup> Again, this suggests a network of Overseers and parish officers in contact over matters of settlement and, perhaps, the organisation of a workhouse. After dinner, Mr and Mrs Curry visited Vauxhall, the famous pleasure gardens but, unfortunately, left us no idea of their impressions. They left London on the evening of 13 August and travelled home overnight.

One of the most bizarre settlements Curry needed to establish concerned an infant born on board a steam packet in the Bristol Channel.<sup>49</sup> On 25 October 1827, he interviewed at Hotwells, Bristol, the Captain and Stewardess to ascertain the exact whereabouts of the boat when Mary Davis gave birth. They were able to say that the boat had been opposite Pill at the time of birth. On 2 November Curry took a coach to Bristol and then walked to Rownham Ferry and Pill to serve notice on the parish officers of St George's in Pill. Two days later the parish officers of St George's were able to prove that the river belonged to St Stephen's, Pill. So that is where Curry eventually served the notice. This demonstrates, if somewhat strangely, the steps taken, possibly, by all parishes in order to prove or disprove a

settlement, although Curry may have been particularly assiduous in undertaking his duties in respect of settlement.

Not all Curry's travels concerned removals or settlements. At the beginning of April 1812, he went to Bristol to find James Legg who was the putative father of Harriet Warfield's child. Warfield must have either been pregnant or have given birth to a child in Walcot. When examined she must have named James Legg as the father of her child and have indicated that he could be found in Bristol. Curry was, therefore, attempting to find Legg in order to obtain a sum of money towards the cost of Warfield's lying-in and a lump sum towards the maintenance of the child. More importantly, he will have been anxious to trace Legg in order to transfer the child's settlement from Walcot to Legg's own parish. He was not successful in finding Legg so in May he went to Newport (presumably as the result of information gained in Bristol), where he found James Legg's father who signed a Bond of Indemnity. If fathers could not be found, grandparents were expected to take responsibility for their sons' bastards. In this affair, Curry was working to indemnify the parish of Walcot against the future support of Warfield's child. In April 1828, Curry undertook a long journey that took him to Birmingham, Derby and Denby in search of David Stenson, schoolmaster, who was accused of bastardy with Mary Bradley. He does not say whether or not he was successful. In October 1812, however, he was unsuccessful in his search in Winchester for George Thrower.

The avidity with which the parish pursued absent fathers serves to remind us how important the problem of bastardy was to eighteenth century parish officers. The costs incurred in supporting a child in the poorhouse for seven or eight years, and then paying an apprenticeship premium was thought to outweigh any cost incurred in tracking down putative fathers and obtaining bastardy bonds from them.<sup>50</sup> The Walcot vouchers show that in 1831 the parish paid 35s to constables for apprehending seven putative fathers.<sup>51</sup> Also in 1831 at least twenty four men were recorded as either having left a wife and family chargeable to the parish or for bastardy orders.<sup>52</sup> The establishment of a settlement via a father outside Walcot was of great importance to the ratepayers.

On some occasions Curry's work overlapped with that of other officials. At the beginning of December 1812 he set off with a Mr Crew to walk to Durham (Dyrham), Hinton and Wick and Abson in search of a woman who was thought to be the mother of an infant found in Amery Lane.<sup>53</sup> There is no record of an inquest concerning a child or infant for this date so hopefully the infant was found alive.<sup>54</sup> They did not find the woman. Two days later Curry was travelling to Plymouth in connection with the Simms family.

In April 1828, he was requested by Mr Uphill, a Coroner for Somerset, to attend an inquest on the body of a woman who had been taken from the river, near Albion Brewery in West Lydford. Curry undertook a complicated journey across Somerset involving several changes of coach. As the woman had been in the water for approximately three months Curry was unable to identify her. He returned to Bath with Uphill in his gig and the inquest was held that evening. The verdict was that she had died of drowning but who she was or how she came to be in the river was not known.

As assistant Overseer Curry was occasionally required to attend the Assizes. He was called upon to represent the parish and it was expected that an assistant Overseer would have more knowledge of the law than would a parish Overseer. In March 1828, he attended Taunton Assizes to prosecute Loveday Bailes who was accused of infanticide. The Grand Jury threw out the case after Judge Burrows observed that 'she might as well have been committed for horsestealing as there is no proof of the child having been born alive'. In August he was at Wells Assizes to prosecute Richard Blackmore for the rape of a five-year old girl. Blackmore was sentenced to two years in prison. This case indicates a concern for children that is not apparent from the Coroners' Records. The Coroners' Records for Bath, 1776-1830, show that 22% of all accidental deaths involved children.<sup>55</sup> Boys played by and on the river: they fished, swam and made rafts: inevitably some of them drowned.<sup>56</sup> They had the freedom to roam the streets and some of them were involved in accidents involving horses or wheeled vehicles.<sup>57</sup> Girls showed a different pattern as they were more often confined to the home, sometimes locked into rooms, or left to mind younger children.<sup>58</sup> The danger of long clothes and open fires meant that a number of them burnt to death.<sup>59</sup> The fact that there is

no recorded instance of a coroner making any comment concerning these preventable deaths suggests a less concerned attitude to the death of children than that revealed in John Curry's diary. At least one pair of parents was prosecuted for cruelty to their son, and a man was prosecuted for the rape of a five-year-old girl. This is also at odds with the treatment of pauper apprentices, as we shall see. Many apprentices were abused and one, Ann Allen, died as a result of her treatment.<sup>60</sup> There is no indication of the status of the families of the two children involved in the prosecutions mentioned in the diary, but it would appear that while pauper children were less well looked after by society than were some of their peers, the parish was willing to pursue through the courts, if need be, those who abused children who were not paupers.

Curry also prosecuted, at the Taunton Assizes, Mark Anthony Broome who was accused of the manslaughter of Thomas Burrell. During a fight Burrell had sustained a fractured skull and had died nine days later. Broome received fourteen days for his part in the incident. There was at this time nothing resembling a Crown Prosecution Service, and when a crime was detected it was an individual or the parish that brought a prosecution. Curry represented the parish at the Assizes. In bringing these prosecutions, Walcot was demonstrating that the parish was not prepared to permit crimes such as infanticide, rape or manslaughter to go unpunished. The fact that Broome received what may seem to us as a slight sentence for manslaughter demonstrates the English judicial system at this time. Property was privileged over person. Had Broome stolen Burrell's hens he might well have been transported: if he had stolen his horse he might have been hanged.<sup>61</sup>

Curry's heaviest year for travel was 1829-30, when he travelled 3,066 miles and was away from home for fifty-seven days. Perhaps this influenced his decision to retire as he was now fifty-seven years old and for some time had been complaining about the weather, understandable in a man who spent many of his working hours travelling outside on mail coaches, often overnight and in all sorts of weather. In August 1829, after his trip to London with his wife, he was in Gloucester to appeal against an order removing James Heaven, his wife and seven children to Walcot. Of his journey home he reported that: 'it rained torrents and

blew a hurricane for the greatest part of the way'. On a later journey he spent two days in London and reported that the nights were very cold although it was still only early September. On his return from this trip he had covered 554 miles outside the coach and 'mostly in the rain'. His visit to Birmingham in July 1830 was not marred by rain but by the heat – 'as hot as ever it was known in England'. The last entry in his diary is for 6 January 1831 when he visited Ipswich and he 'never suffered so much with Cold in the time of my life'.

## **Conclusion**

John Curry was not elected again as Overseer at the following Easter Vestry meeting. Possibly the constant travelling, often in discomfort, the stays away from home and the rigours of an English climate had taken their toll. It is a relief to see that he lived for another nineteen years. His remarkable diary, however, shows us something of the extent of the work of an early nineteenth century Overseer, although John Curry, as a paid officer, working in one of the largest parishes in Bath, was probably not typical of Overseers. He was literate and kept meticulous records, particularly of the mileages he covered and the number of days he was away from home. We can see from his diary that a good deal of his time was spent in seeking information about settlements and in escorting paupers to their parish of settlement. Curry was also concerned with finding putative fathers and pursuing Bonds of Indemnity. He was prepared to appeal against Orders removing paupers to Walcot and would appear to have pursued every avenue to ensure that the ratepayers of Walcot were not disadvantaged.

Curry attended, when required, both inquests and Assizes to prosecute miscreants which necessitated working with officials other than parish officers. The parishioners must have felt, probably with some justification, that they were getting value for money as he was appointed and then re-appointed year after year and served the parish for twenty years. Curry's diary gives us some indication of the administration of the poor laws and their importance in parish life. It also demonstrates the avidity with which the parish worked, through its officers, in

order to avoid unnecessary expense for the parishioners. It shows us the breadth of work undertaken by an early nineteenth century Overseer and highlights the areas of importance to the parish; the importance of settlement examinations and removals; the need to obtain bastardy bonds. The diary confirms the importance of women and children in the removal orders. It shows a parish determined to enforce the law as quickly and as effectively as possible. It also tells us something of the prevailing attitude to children.

Although it is difficult to gain anything other than an impression from his diary, and there are few biographical details available, John Curry would appear to have been a dedicated, efficient and honest official, no doubt exactly what the select vestry of Walcot was looking for in its determination to project an image of efficiency and probity. The note attached to the back of the diary recorded that, 'resigned the Office October 12<sup>th</sup> 1830 minus £000. Os. Od'.<sup>62</sup>

- <sup>1</sup> John Curry. 'Diary'. 'Curry' and 'Currie' both appear in the literature.
- <sup>2</sup> Nasmith, *The Duties of Overseers, and the sufficiency of the present system on poor laws considered, in a charge delivered to the grand jury*, ... Wisbech, 1799, ECCO p.14.
- <sup>3</sup> James Barry Bird, *The Laws Respecting Parish Matters. Containing the several offices and duties of churchwardens, Overseers of the poor, constables, watchmen*, ... London, 1799, from ECCO, p.26.
- <sup>4</sup> Rules and Orders.
- <sup>5</sup> A number of pamphleteers wrote concerning the administration of the poor laws with instructions on the law for Overseers. Bird, *The Laws Respecting Parish Matters*'; Nasmith, *The Duties of Overseers of the Poor*, are two examples; see also James Shaw, *The Parochial Lawyer: or, churchwardens' and overseers' guide and assistant*, (London, 1829).
- <sup>6</sup> Richard Burn, *The Justice of the Peace, and Parish Officer. By Richard Burn, ... Continued to the present time by John Burn, ... The eighteenth edition: revised and corrected. In four volumes ... Vol.1*, London, 1793. ECCO.
- <sup>7</sup> The Society for Bettering the Condition and Increasing the Comforts of the Poor was established in 1796 and produced pamphlets on such diverse subjects as a spinning school, a parish windmill, the benefit of whitewashing the rooms of the poorhouse, and the manner and expense of making stewed ox's head, [http://www.institutions.org.uk/poor\\_law\\_unions/5\\_account\\_of\\_the\\_society.htm](http://www.institutions.org.uk/poor_law_unions/5_account_of_the_society.htm) accessed 31/07/2006.
- <sup>8</sup> Langford, *A Polite and Commercial People*, p.71.
- <sup>9</sup> Marshall, *The English Poor*, p.60.
- <sup>10</sup> Webb, *English Poor Law History*, pp.155-169. The Webbs were writing from a particular ideological viewpoint that privileged a centralised system of welfare. For an assessment of the Webbs' views see A.J. Kidd, *State, Society and the Poor*, p.6, and Kidd, 'Historians or polemicists? How the Webbs wrote their history of the English poor laws', *Economic History Review*, 50 (1987) pp.400-417.
- <sup>11</sup> King, *Poverty and Welfare*, Chap 3, pp.48-76.
- <sup>12</sup> Kidd, *State, Society and the Poor*, p.18.
- <sup>13</sup> Sweet, *The English Town*, p.32.
- <sup>14</sup> These two acts (58 Geo.III c.69 and 59 Geo.III c.12) were brought in by William Sturges-Bourne, Chairman of the committee to reform the Poor Laws.
- <sup>15</sup> Sweet, *The English Town*, p.31.
- <sup>16</sup> Anthony Brundage, *The English Poor Laws, 1700-1930*, (Basingstoke, 2002), p.50.
- <sup>17</sup> Bath Pauper Examinations show that invariably two justices were in attendance at examinations.
- <sup>18</sup> Brundage, *The English Poor Laws*, p.52.
- <sup>19</sup> Brundage, *The English Poor Laws*, p.52.
- <sup>20</sup> Neale, *Bath: A Social History*, p.80.
- <sup>21</sup> 'The Parish of Walcot churchwardens' Accounts and Vestry Minutes, 1819-1835', Somerset Record Office, D/P/wal.sw 9/1/1, (hereafter Walcot churchwardens' Accounts).
- <sup>22</sup> Walcot Churchwardens' Accounts.
- <sup>23</sup> Curry, 'Diary'
- <sup>24</sup> 'Overseers' Accounts for the Parish of Walcot, 1799-1831', Bath Record Office, (hereafter Overseers' Accounts, Walcot).
- <sup>25</sup> Curry, 'Diary'.
- <sup>26</sup> The Overseers' Accounts recorded, for example, that in 1806 when George Percival was appointed assistant Overseer, Feast and Thornthwaite were also appointed, and in 1822 when John Curry was first officially appointed, Allen and Vezey were also appointed Overseers. Overseers' Accounts, Walcot.
- <sup>27</sup> *The Poor Law Report*, p.186.
- <sup>28</sup> *The Poor Law Report*, p.189. It must not be forgotten, however, that the *Poor Law Report* was written by those wishing to change the poor laws and on flawed evidence. The instances where assistant Overseers were suspected of embezzlement and subsequently removed from office were may have been over.
- <sup>29</sup> Marshall, *The English Poor*, p.73.
- <sup>30</sup> Neale, *Bath: A Social History*, p.80. Neale also points out that real wages fell during the 1790s, Table 3.6, p.86.
- <sup>31</sup> Philip Harling, 'Rethinking "Old Corruption"' in *Past and Present*. 147, (May, 1995), pp.127-158.
- <sup>32</sup> Harling, 'Rethinking', p.132.

- <sup>33</sup> Harling, 'Rethinking', p.131.
- <sup>34</sup> Rosemary Sweet, 'Freemen and independence in English borough politics c.1770-1830', in *Past and Present*, No. 161, Nov., 1998, pp.84-115, p.111.
- <sup>35</sup> Sweet, 'Freemen', p.111.
- <sup>36</sup> Census details are available at Bath Central Library. Bath Record Office also has a name index for Walcot for the 1841 census.
- <sup>37</sup> *1833 Silverthorne Bath Directory*, Bath Central Library.
- <sup>38</sup> The current (2005/6) telephone directory for Bath lists five people in Bath named Curry/Currie.
- <sup>39</sup> 'Overseer's Notebook for the parish of Walcot, 1793-94', Bath Record Office. This may have been kept by Randal Gauton who was the paid Overseer at the time. It contains very little detail other than a number of small casual payments, for example, for 10 December 1793 the entry reads 'Gave Mary Lancaster for her lying in 5/-'
- <sup>40</sup> Curry, 'Diary'. The Simms family occupied Curry from 9 December 1812 to 13 January 1813.
- <sup>41</sup> 'Order Books of the Hampshire Quarter Sessions', Q1/29 (Midsummer 1812 – Easter 1814), Hampshire Record Office, Winchester. I am grateful to the staff of the Hampshire Record Office for their assistance in tracing the Simms family.
- <sup>42</sup> 'Parish of Walcot, Vouchers of expenditure by the Overseers of the Poor, 1831-1832', (hereafter Walcot Vouchers) Bath Record Office.
- <sup>43</sup> Walcot Vouchers, 1831.
- <sup>44</sup> Curry, 'Diary'. On the way back from Plymouth in early December 1812, for example, he called at Halberton and Glastonbury to collect money owing to the parish.
- <sup>45</sup> Curry, 'Diary', 30 January and 6 February 1827.
- <sup>46</sup> 'Miscellaneous papers', D/P/ba.mi 9/4/6, Somerset Record Office. Letters from S. Webb to Messrs Evanis and Dawson, St Michaels, Bath, 22 March 1786 and 17 April 1786. The following quotations come from these letters also.
- <sup>47</sup> 'Miscellaneous papers' 12 November 1783 letter from Rob. Gale and 31 December 1783 letter from Mr Couldrey.
- <sup>48</sup> It was not unknown for a recipient of poor relief to attempt to manipulate the system to their own ends. Lane, 'Work on the margins', p.93.
- <sup>49</sup> Curry, 'Diary', 25 October 1827.
- <sup>50</sup> The cost of apprenticeship indentures varied according to the trade but was often somewhere between £3 and £6. 'Pauper Indentures St James'; Chap. 5, pp.4-5.
- <sup>51</sup> Walcot Vouchers.
- <sup>52</sup> Walcot Vouchers.
- <sup>53</sup> There is no clue as to the identity of Mr Crew.
- <sup>54</sup> Coroners' Records.
- <sup>55</sup> Jan Chivers, 'In the midst of life' - sudden death in Bath, 1776-1835: a study of the Coroners' Examinations and Inquisitions', unpublished MA dissertation, Bath Spa University, 1997
- <sup>56</sup> George Harding, 5 April 1801 and William Symes, 14 June 1802 were both drowned while playing near the river, Coroners' Records.
- <sup>57</sup> John Howell, 2 January 1799, James Head, 19 April 1820 and Charles Plaskett, 27 February 1832 were all killed in road accidents. Coroners' Records.
- <sup>58</sup> Hannah Weeks, 22 August 1808 was 5 years old when she was left in charge of three younger siblings. Elizabeth Madden, 8 August 1827, was only 3 years old when she was left with other children being looked after by a 6-year-old. Coroners' Records.
- <sup>59</sup> Eliza Jillett, 2 April 1821, was throwing dust on the fire when her clothes caught alight and Mary Ann Emery, 24 August 1828, had been left with another child and also burnt to death when her clothes caught fire. Coroners' Records.
- <sup>60</sup> Ann Allen, 26 March 1782. Coroners' Records.
- <sup>61</sup> In July 1824 John Brockwell and Charles Sewell were sentenced to transportation after they were found guilty of stealing five tame fowls worth ten shillings. Old Bailey Proceedings Online ([www.oldbaileyonline.org.uk](http://www.oldbaileyonline.org.uk), 2 August 2006), 15 July 1824, trial of John Brockwell and Charles Sewell, t1840715-43; in January 1818 Charles Wood and John Vale were sentenced to death for the theft of a gelding worth £35. Old Bailey Proceedings Online ([www.oldbaileyonline.org.uk](http://www.oldbaileyonline.org.uk), 2 August 2006), 14 January 1818, trial of Charles Wood and John Vale, t18180114-13.
- <sup>62</sup> Curry, 'Diary'.



## Chapter 5: Pauper Apprentices<sup>1</sup>

### Introduction

A major task facing eighteenth-century Overseers was the putting out of pauper children as apprentices following the Act of 1601.<sup>2</sup> While a considerable number of children were removed with their parents, the parish officers were still left to deal with children, some of whom were illegitimate, orphaned or abandoned.<sup>3</sup> Some may have been from large families, as it was not unusual for Overseers to take into the poorhouse the youngest children from a family requiring poor relief, in the hope that the mother would then be released to contribute to the family income.<sup>4</sup> The law regarding the treatment of pauper children also allowed for children to be placed with a suitable person at a weekly allowance.<sup>5</sup> It was felt that removing children from ‘undeserving’ pauper families and placing them with ‘deserving’ families would be advantageous in the inculcation of ideas of morality and industry.<sup>6</sup> In this way, Overseers provided a home for pauper children and out-relief to the foster parent – a pragmatic solution to a common problem.<sup>7</sup> George, writing in 1925, suggested that the parish officers perceived a major part of their duty to be the putting out of young children to nurse and then the apprenticing of them as soon as they were deemed old enough.<sup>8</sup> This was a cheaper option than leaving the family intact, and paying poor relief until the youngest children were also able to contribute financially. More recently, Frank Crompton has written that, prior to the Poor Law Amendment Act of 1834, the prevailing theory concerning poverty was that it was ‘disease-like, endemic and contagious’. The treatment of pauper children was, therefore, important and urgent as they were seen as ‘blameless for their plight’.<sup>9</sup> At the same time, as Deborah Simonton has written, working mothers, as many poor mothers must have been, were seen as poor role models for their children and the contemporary view was that the sooner children, girls in particular, were removed from their pauper families the better.<sup>10</sup> However they chose to manage this aspect of their work, the Overseers were responsible for the welfare of these children.

By examining surviving apprenticeship indentures for pauper apprentices in St James’s parish, it is possible to gain an understanding of the way that the system

operated in Bath between 1770 and 1795. As K.D.M. Snell has shown, apprenticeship was part of an integrated system with moral, social and economic expectations.<sup>11</sup> By considering the age at apprenticeship, premiums, gender differences and trades to which children were apprenticed, as well as the treatment meted out to apprentices and the reasons for the termination of indentures, it becomes clear that, in Bath, the settlement of pauper apprentices was of primary importance to Overseers and parishes, and training and monitoring of apprentices, if apparent at all, was very much secondary. Overseers in Bath also appear to have used the pauper apprenticeship scheme to manipulate the labour force. By sending out of the city those apprentices who were less likely to benefit the labour force, and, at the same time, keeping within, or near, the city those thought to be of benefit to Bath in the future, the Overseers kept in mind the future requirements of a growing spa city.

## Sources

The parish of St James lay in the south of the city, and was described by Neale as comprising crowded alleys and courts housing, as well as cheap migrant labour, many of Bath's artisans and tradesmen.<sup>12</sup> Pauper Apprenticeship Indentures, comprising 102 records, from the parish of St James from January 1770 to December 1795, are still extant and have been used for this chapter. Pauper apprenticeship records pose two problems: first, it is not at all clear that all of the records survived, so we may be underestimating the number involved: secondly, the numbers throughout are small, but, as Snell has maintained elsewhere, 'even small figures are an advance over our current knowledge'.<sup>13</sup> Some of the examinees noted in 'City of Bath Pauper Examination, 1770-1774' were recorded as former pauper apprentices which provides additional information, but also calls into question the effectiveness of the system in lifting pauper children out of poverty. Although a tax was payable on apprenticeship indentures, and Inland Revenue Returns are used by some historians to illuminate the apprenticeship system, indentures for pauper apprentices were not taxed.<sup>14</sup>

## The apprenticeship system

The apprenticeship scheme originated with the medieval trade guilds. The aim was to pass on the skills and ‘mysteries’ of a trade to enable apprentices, when they had completed the terms of the apprenticeship, to set up in business and, possibly, to gain admission to a town as a freeman.<sup>15</sup> Parish apprenticeships were intended to give poor children access to training. It was also hoped that by controlling large number of adolescents and giving them a trade, vagrancy would be controlled. The terms of apprenticeship were governed by the Statute of Artificers, 1562, which was incorporated into the Elizabethan Act of 1601.

Writing in *Business History*, Mary Beth Rose suggested that pauper apprenticeships were originally designed to alleviate poverty and unemployment.<sup>16</sup> In the short term, apprenticeships did mean that ratepayers, through the poor rates, were not supporting children, but it is unlikely that the system made much difference to the problem of poverty in the long term. In order to relieve poverty, it would have been necessary to ensure that apprentices were able to maintain themselves without recourse to poor relief once they left the scheme. As Rose shows, poor relief increased at the end of the century ‘far in excess of both population growth and the growth of national income’.<sup>17</sup> When the trades to which apprentices were put are examined it will be seen that many were already overstocked or in decline. The system, therefore, did little to alleviate unemployment.

O. Jocelyn Dunlop and Richard Denman claimed that apprenticeship was used to remedy the perceived ills of social unrest, poverty and unemployment.<sup>18</sup> Simonton, writing of both private and parish apprenticeship, identified two aims: the first aim was to provide the skills and training for adult work: the second aim was to transmit ‘the values and behaviour which society considered important’.<sup>19</sup> To these two aims we can add two more: social control of adolescents, and apprenticeship as a form of poor relief.

For families and communities the apprenticeship system had a number of advantages. Throughout puberty, when young people might be finding their feet, they were removed from the family and subjected to the discipline of a master.<sup>20</sup> In private agreements, the master might be an uncle, or even a father, but more usually the master was a tradesman in another parish or in another part of the country.<sup>21</sup> Having paid the apprenticeship premium, parents were no longer responsible for their young people but, may, of course, have taken apprentices of their own. Young people were exposed to other families and communities and received a training that, hopefully, enabled them eventually to become masters themselves. In the case of pauper apprentices where an Overseer paid the premium, frequently, the child was moved from his parish of birth to a new parish where he might well earn a settlement. The possible financial benefit to the parish in ridding itself of potential paupers is obvious. Snell has pointed out that in the first half of the eighteenth century, with a reasonably stable demography, it was in the interests of a parish to train local youngsters with the expectation that they would stay in the parish as part of the settled labour force.<sup>22</sup> With the demographic upturn in the second half of the eighteenth century, trained but unemployed artisans were tempted to migrate elsewhere, particularly from rural to urban parishes, while retaining a settlement in the parish in which they were apprenticed. Their parish of settlement might then become involved in non-resident relief for someone employed hundreds of miles away who might have never contributed to the poor rate or the commercial welfare of their parish of settlement.<sup>23</sup>

## **Premiums**

The premiums paid for apprenticeships varied from trade to trade. For the surgeons at the Casualty Hospital, for instance, the ability to take apprentices was a decided advantage.<sup>24</sup> When, in 1770, William Thomas was apprenticed to Henry Wright, surgeon, the premium paid was £262 10s.<sup>25</sup> This arrangement was, of course, a private apprenticeship and William Thomas's family would have paid the premium. When John Wall was apprenticed to an apothecary the premium paid was £100. William Shrine was apprenticed to a cabinetmaker in 1770 for £20 and, in the same

year, John Connor's parents paid 10 guineas to apprentice him to a perukemaker.<sup>26</sup> Premiums paid by Overseers were considerably less and involved, on the whole, less prestigious trades.

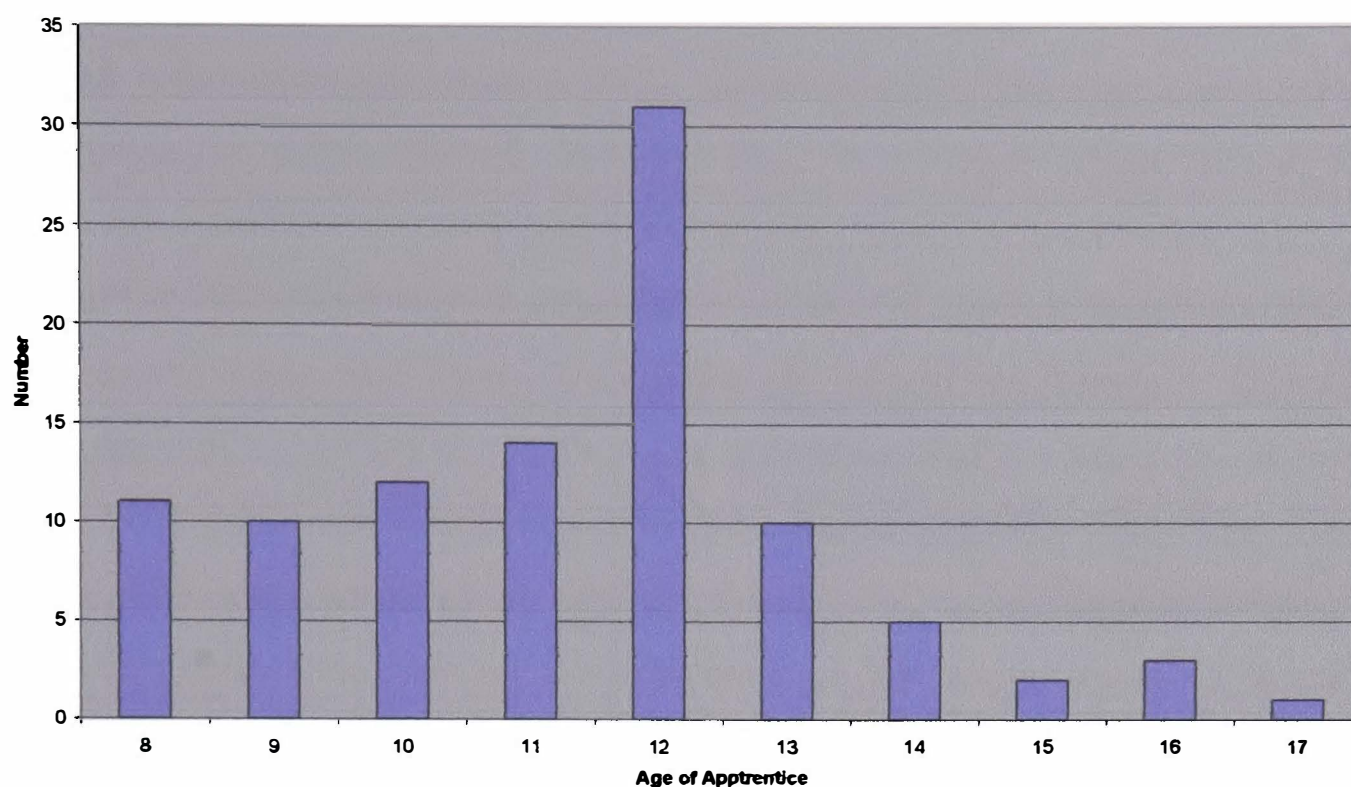
Snell, in *Annals of the Labouring Poor*, suggested that the fees paid by Overseers for female apprentices in housewifery could be as low as £1-2.<sup>27</sup> Crompton found that in Worcestershire premiums paid by Overseers were rarely more than £5.<sup>28</sup> In the records for the Bath parish of St James, the amount of the fee is rarely mentioned. In the few indentures where a fee is recorded it amounted to a low of £3 3s 0d in four cases, two girls apprenticed to learn 'housewifery', and a boy and a girl apprenticed to broadloom weavers. The largest amount recorded was £6 that was paid for a boy to learn perukemaking.<sup>29</sup> Simonton has suggested that low premiums paid for girls devalued female work and female status, and while this may be true, they also reflect contemporary thinking about the value of such work, and the lowliness of its status.<sup>30</sup> The evidence from Bath concerning premiums is too slight to either confirm or refute Simonton's assertion, but it is clear that Bath Overseers were not prepared to pay above the odds in premiums for female pauper apprentices.

Parishioners who, when appealed to by the Overseer, refused to take a pauper apprentice were required to pay a fine. Writing of Lowestoft in the 1730s, David Butcher found fines of four pounds were being imposed.<sup>31</sup> He also found that the fine was then added to the parish funds made available for premiums. This meant that a child could 'earn' money for the parish before being formally apprenticed. When writing in 1815, a guide for Overseers, William Toone advised Overseers that masters who refused to take an apprentice when asked could be fined £10.<sup>32</sup> This may have been the standard fine at the time, as Crompton, writing about Worcestershire in the early years of the nineteenth century, reveals that £10 was levied there.<sup>33</sup> The lack of evidence of fines being collected in Bath in this way does not mean that the city did not operate a similar scheme, but there is no surviving evidence. The lack of evidence may be because of the small numbers of apprentices involved, or it may reflect the appeal of cheap labour to masters in a busy spa.

## Age of Apprentices

The minimum age of children to be apprenticed was set by Act of Parliament in 1698 at seven years. Indentures for St James, 1770-1795, show that the age of the youngest children apprenticed was eight years, while the oldest, Mary Godwin, was seventeen.<sup>34</sup> Mary was apprenticed to David Brimble, a carpenter, whose wife was intending to teach Mary to make 'banboxes'. When, on the 4 October 1773, Edward Dodington was examined in Bath, he claimed that at the age of six he had been apprenticed by the Overseer of Mere in Wiltshire to Jeremiah Morris, a mason, also in Mere.<sup>35</sup> Similarly, James Wilmott claimed to have been six years old when he was apprenticed to Christopher Candy, a tanner of Clowford in Somerset.<sup>36</sup> By contrast Thomas Stevens was twelve when Thomas Evans, basketmaker of St James, took him as an apprentice.<sup>37</sup> Parishes were not entitled to put out children until they were seven years old so we must be wary of accepting that Edward Dodington and James Wilmott were both put out at the age of six. It may be that their parishes were not following the letter of the law, but it is more likely that both men had only a vague idea of their respective ages.<sup>38</sup> It may be that the older children who were apprenticed were not orphans or illegitimate but were apprenticed by the Overseers as a way of giving poor relief to their families.<sup>39</sup>

**Fig. 5.1 Age of apprentices at start of indentures.**



Source: Pauper Apprentice Indentures, parish of St James, Bath.

Beatrice and Sidney Webb, in their work on the English Poor Law, suggested that apprentices were usually bound when they were fourteen, but that sometimes they might be as young as nine or ten.<sup>40</sup> Sharpe found that most poor children in Colyton were, on average, ten and a half when they started their indentures.<sup>41</sup> Sharpe also suggests that eight years was not uncommon. Crompton found that in Worcestershire the age range for apprenticing was between eight and twelve years of age.<sup>42</sup> Crompton found that the younger aged children were apprenticed in rural parishes where young children could undertake the menial tasks needed in housewifery and husbandry whereas urban parishes, such as those in Bath, tended to apprentice children at an older age. Simonton's work on schooling for poor children shows that those children who were admitted to charity schools started their education aged seven or eight years.<sup>43</sup> If, as she suggested, children were admitted to school at seven or eight, early commencement of indentures will have precluded any idea of more formal education for those children.<sup>44</sup> Children left school at the age of fourteen which, Simonton wrote, was consistent with private apprenticeship and entry into service. As can be seen from Fig 5.1, the children in the largest group by age in St James, Bath, were twelve years old. The average age of apprentices in St James was just over eleven and a half years.<sup>45</sup> It would appear from this that the

Poor Law officers in Bath, at least in St James, by the standards of the age, were not unduly anxious to move on poor children at a very young age. Those children housed in the poorhouse appear to have had some rudimentary education as the Poorhouse Committee Book for the joint Abbey and St James poorhouse indicates that some instruction in reading and writing took place.<sup>46</sup> At a meeting on September 1807 Revd Warner asked that more time be given to instructing the children and it was agreed that two hours per day should be set aside.<sup>47</sup> Mary Gibbs was appointed to instruct the children at a weekly wage of two shillings. In April 1808, Mary Gibbs was asked to continue teaching reading from 9 to 10 am, at a wage of one shilling and sixpence. In addition, James Cole was employed to teach reading and writing from 6 to 7 pm, for 2s 6d per week: he was also instructed to accompany the children to church each Sunday. The parish officers for Abbey and St James saw the value of some form of education for the children in their care and were prepared to pay, from the poor rate, for people to undertake this work.<sup>48</sup>

Dunlop and Denman have claimed that children worked from a young age and were expected to maintain themselves as soon as possible.<sup>49</sup> In 'Women, work and welfare', Steven King records a boy of seven years working in a print works in Lancashire and Neil Raven in 'A "humbler, industrious class of female"' records a girl of nine working in a silk manufactory in southern England.<sup>50</sup> Contemporaries saw work for children as having a moral imperative as well as a practical purpose. Hannah More, who lived for a time in Bath, encapsulated the moral purpose of apprenticeship neatly, if not poetically, in *The Apprentice's Monitor*:

*The Apprentice's Monitor;  
Or,  
Indentures in Verse,  
Shewing what they are bound to do.*

*Proper to be hung up in all Shops.*

Each young Apprentice, when he's bound to Trade,  
This solemn vow to GOD and Man has made.  
To do with joy his Master's just commands,



Nor trust his secrets into other hands.  
He must no damage to his substance do,  
And see that others do not wrong him too.  
His Master's goods he shall not waste nor lend,  
But all his property with care defend.  
He shall not buy nor sell without his leave,  
Nor lie, nor injure, nor at all deceive.  
Taverns and ALE-HOUSE he shall not haunt,  
Those snares of Youth, those scenes of vice and want.  
At CARDS and DICE he shall not dare to play,  
But fly from such temptations far away.  
O Youth! Remember thou to this are BOUND  
See that no breach of this in thee be found.<sup>51</sup>

More addressed her verses to male apprentices and, it may be that she saw female apprentices as having different temptations, although the general tenor might have been the same. The apprentice was to be obedient and trustworthy: he was to be honest, industrious and virtuous. There is no mention of what the master was expected to bring to the agreement. Snell claims that the moral and social aspects were once key elements of an integrated system.<sup>52</sup> The indenture used by the Overseers in St James stipulated that the apprentice should work 'according to his power wit and ability', and be honest, orderly and obedient.<sup>53</sup> The master promised to teach and instruct the specific trade and also to provide sufficient 'meat, drink and apparel', 'lodging, washing and all things necessary and fit for an apprentice' and, tellingly, should also provide for the apprentice so that he would not, in future, become a charge on the parish of St James.

Not only were young children expected to start their working life at a young age but they were also sent from their homes, or, in the case of some pauper apprentices, the parish poorhouse as the only 'home' or 'family' that they may have known, to live with strangers. Boarding out in this way was not unusual at this time, although, as Simonton reminded us it was, as a life-cycle stage between childhood and adulthood, a practice unique to England.<sup>54</sup> Increasingly boys and girls of the gentry and

middling sort were sent to boarding schools.<sup>55</sup> Dunlop and Denman claim that the boarding out element of apprenticeship was more important than the teaching of a trade.<sup>56</sup> Certainly as a method of disciplining adolescents it may have had much to recommend it. As Lawrence Stone has pointed out, the period of apprenticeship coincided with puberty and the development of sexuality.<sup>57</sup> He wrote that: 'it greatly reduced the oedipal and other tensions which inevitably arise between parents and adolescent children'. Towards the end of the century, as families began to want more privacy, apprentices more often either lived at home or were lodged near their master. This led to concern as the apprentices, no longer under the direct supervision of their masters, were inclined, as youngsters will, to form groups. John Rule has suggested that eighteenth century apprentices were not unlike some young people depicted as part of today's 'yob' culture.<sup>58</sup> In this respect, the aspect of social control seen earlier in the century declined.

All apprentices were bound for a long period of time. Boys were apprenticed until they were twenty-four, girls until they were twenty-one or they married. Boys were not permitted to marry until they had completed their apprenticeship. Given the young age at which some children were apprenticed it can be seen that a boy might expect to stay with his master for fourteen years. This was a long commitment for both master and apprentice and it is perhaps not surprising that many apprenticeships were terminated early. Apprenticeship, therefore, operated as a constraint on early marriage. Indeed, E.A. Wrigley posited that when this constraint was lifted one result was earlier marriage and a consequent rise in population.<sup>59</sup>

## **Training**

The intention of apprenticeship was that young people would receive a training that would enable them, at the end of their apprenticeship, to be self-sufficient. Whether or not this is what happened is open to debate. The Webbs suggested that apprentices were often taught skills that became irrelevant to the needs of their communities.<sup>60</sup> Dunlop and Denman claim that as the eighteenth century wore on, Overseers gave less and less attention to the quality of training, and pauper

apprentices came to be seen as a source of cheap labour, taken on by those ‘in a poor way of business’.<sup>61</sup> This would appear to be borne out by the Bath records.

Out of 102 apprenticeship records examined for the parish of St James between 1770 and 1795, the largest group by trade, fourteen children (nearly 14 per cent), were apprenticed to weavers although the West Country textile industry was in decline.<sup>62</sup> All of these children were sent into other parishes, several to Bradford (on Avon) in Wiltshire. These children, if they completed their apprenticeships would have gained a settlement in a parish other than St James. Also interesting are the number of children, eleven (11 per cent), taken on as apprentices by cordwainers, labourers, plaisterers and tylers, and shoemakers, all trades that feature prominently in the Pauper Examinations.<sup>63</sup> This calls into question the effectiveness of the apprenticeship scheme as a means of lifting poor children out of poverty. Even some of the building trades that appeared in the records – tyler and plaisterer, glazier and house painter - would have had some requirement for unskilled labour.<sup>64</sup> It is doubtful how much teaching of trade skills and secrets was involved in such apprenticeships. This suggests a desire on behalf of the masters to acquire cheap labour in comparatively unskilled work, and a desire by the Overseers to pass children into another parish in order to relieve the ratepayers of the burden of poor relief for the children. As the apprentice’s indentures required the signature of a Justice of the Peace, the ruling elite of the city must have been aware of the situation and approved of it.

A number of indentures make it clear that although the apprenticeship was in the name of a master it was actually the master’s wife who would be teaching the trade. Almost 18 per cent of the St James’s indentures make it plain that the master’s wife was involved. This was a common occurrence.<sup>65</sup> As we can see from Fig 5.2, six children were involved in the clothing trade. Four of these were girls and two were boys who were to be taught ‘dutch collarmaking’.<sup>66</sup> All those involved in laundry work, mainly ‘clear starching’, were girls, as were the four who were to be taught ‘housewifery’.<sup>67</sup> In Bath at this time it was unusual for a woman to take on apprentices in her own name. For example, only five women (slightly less than 5 per cent) are recorded as taking apprentices. Esther Lord was a quilter when she took on, in February 1772, fourteen year old Dianah Wilson as an apprentice quilter. Dianah

was at the upper age range to be starting an apprenticeship. Elizabeth Norman, however, was eleven years old when, in November 1780, she started an apprenticeship with Mary Rosewell, mantuamaker. In five of the 102 indentures examined, both husband and wife were recorded. Thomas and Sarah Allen took the two boys already mentioned as apprenticed ‘dutch collarmakers’ in June 1786, and when Phillis Lock was apprenticed in December 1784, as a hat and cloakmaker, her indentures mentioned both Horatio and Ann Eve as master. Horatio was recorded as a jeweller so we can assume that it was Ann who was going to teach Phyllis her trade.

**Fig 5.2 Trades where wife of master was involved**

Clothing Trade	6
Laundry Work	6
Housewifery	4
Other	2

Source: *Pauper Indentures, St James, Bundle 5.*

These trades are those traditionally thought of as ‘women’s work’. Housewifery is a somewhat loose term. In *The Domestic Servant in Eighteenth century England*, J. Jean Hecht paints a rosy picture of the domestic servant as being ‘well fed, clothed and housed’, but most parish apprentices in housewifery were not going to be working in one of the grand townhouses of Bath.<sup>68</sup> Although, as Sharpe has pointed out, a demand for servants came about as a result of the expanding middle class, and most apprentices will have been destined as ‘maids of all work’ in ‘households which could themselves hardly be described as middle class’.<sup>69</sup> Such apprentices will have been expected to deal with the laundry, including carrying water and coals for the copper, washing, mangling and ironing. They will have kept the house clean by scrubbing floors and pots and pans. As well as preparing meals and mending, they will have been expected to run errands and, by taking on such domestic tasks, may have freed the woman of the household to help in the family business. It may be that girls who were taken on in this capacity received little in the way of formal training and may well have been used as cheap labour. At the same time, working

alongside her mistress may have been a good training for a girl’s future life as servant or wife. As Simonton has written of charity schools, the training of labouring girls ‘aimed to train them either as domestic servants or as good wives, emphasising industry, frugality, diligence and good management’.<sup>70</sup>

**Gender differences.**

Of the 102 recorded indentures 39 (38 per cent) were for girls between the ages of eight and seventeen, and 63 (62 per cent) were for boys who were between the ages of eight and sixteen. The average age of girls at indenturing was 10.1 years, and for boys it was 10.7 years. It would appear that there was little difference in the age at which boys and girls were apprenticed.

**Fig. 5.3 Trades to which girls apprenticed**

Trades	No. of girls
Clothing	9
Housewifery	7
Laundry	6
Weavers	4
Sundry trades <sup>71</sup>	7
Not recorded	6
<b>Total</b>	<b>39</b>

Source: Pauper Indentures, St James, Bundle 5.

As can be seen from Fig.5.3, the clothing trade, housewifery and laundry work were the three trades to which most girls were apprenticed. If we take ‘housewifery’ to mean domestic service as described above, all these trades are ones which, when the girls were free of their indentures, would make them valuable to the labour force as servants, but vulnerable to seasonal unemployment. Snell found that the largest group of female apprentices was in housewifery, and the fact that the clothing trade in Bath exceeds that of housewifery indicates the importance of fashion in the city that catered for the Company.<sup>72</sup> In addition, four girls were to be trained in weaving.<sup>73</sup> In the six indentures where a trade was not recorded, the masters were a

butcher, a butterfactor, a cabinetmaker, a labourer and a trunker, (in one case there are few details apart from the girl’s name and a date), it is more likely that the girl was taken on for ‘housewifery’.

**Fig. 5.4 Trades to which boys apprenticed**

Trades	No. of boys
<b>Clothing and luxury trades</b>	
Tailors	4
Cordwainers	3
Shoemakers	3
Dutch collarmakers	2
Hairdresser	2
Cabinetmaker	1
Hatter	1
Jeweller	1
Perukemaker	1
Silversmith	1
Staymaker	1
<b>Total</b>	<b>20</b>
<b>Building and Gardening</b>	
Gardeners	7
Masons	4
Painters and glaziers	2
Plaisterers and Tylers	2
Carpenter	1
<b>Total</b>	<b>16</b>
<b>Weavers</b>	<b>10</b>
<b>Sundry Trades<sup>74</sup></b>	<b>16</b>
<b>No trade Recorded<sup>75</sup></b>	<b>3</b>
<b>Total</b>	<b>63</b>

Source: Pauper Indentures, St James, Bundle 5.

It is immediately apparent that there was a far wider range of apprenticeship opportunities available to boys. The number of boys apprenticed to the clothing and luxury trades indicates, once again, the importance to Bath, both to residents and to visitors, of access to fashion and luxury items. Of those apprenticed to the clothing trade only two tailors were staying in Bath.<sup>76</sup> Two further trades that took a relatively large number of boys as apprentices were the building trade and gardening.

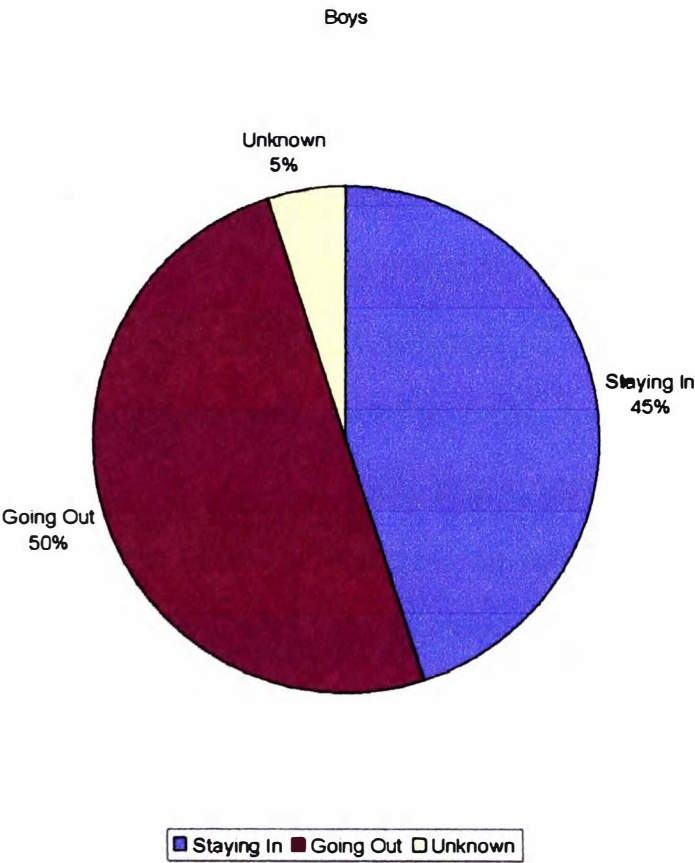
This was a time of extensive building in Bath, and this is reflected in the apprenticeships available to poor boys. The years 1789-1792, identified by Neale as those producing the most extensive and rapid expansion of the city, fall within the period covered by the pauper apprenticeship indentures examined for this thesis.<sup>77</sup> Neale estimated that between 1780 and 1793 the housing stock in the city increased by 45 per cent. Artisans and builders at this time needed cheap labour, and the number of new houses will have created a demand for the building and gardening trades. No doubt parish Overseers took advantage of the building boom to apprentice boys to the gardening and building trades. Out of the boys going into the building trade, seven were going to be staying in the city or in adjoining parishes.<sup>78</sup> Six out of seven boys destined to be gardeners remained in Bath or its adjoining parishes.<sup>79</sup> The Overseer for St James was doing what he could to ensure that Bath retained a supply of building skills and labour. All those boys apprenticed to the weaving trade were going away from Bath – most to Wiltshire. Neale found that in St James before 1816 the Overseers frequently apprenticed children to textile workers in neighbouring counties.<sup>80</sup>

If we look again at girl apprentices, six of the girls involved in the clothing trade were going to stay in Bath, two mantuamakers, two hat and cloakmakers, a staymaker and a milliner.<sup>81</sup> Three of the girls apprenticed in housewifery stayed in or near Bath, while three of the laundry workers also remained close to Bath.<sup>82</sup> This suggests that the parish saw the greatest opportunities for female workers in Bath, in a narrow range of trades: the clothing trade, laundry work and domestic service. Simonton has recorded that in Stafford and Essex 78 per cent of girls went to only five trades, whereas 78 per cent of boys went to twenty-six trades, suggesting that there were far more openings for boys.<sup>83</sup> It may also indicate a pragmatic solution by the Overseers: training in these trades would have been easily available and, in a city like Bath, there would have been a need for women with these skills. These were the trades, however, that were most subject to seasonal fluctuations. In the short term the authorities were solving the issue of female children needing maintenance and training: in the long term they may have been ensuring, inadvertently, future claims for poor relief and even, perhaps, a steady supply of prostitutes in the city. Marshall suggests that pauper girls went to the poorest trades, as, she claims, there were plenty of daughters of shopkeepers and successful artisans to fill vacant positions in more

advantageous trades.<sup>84</sup> Certainly one would expect this to be the case in Bath with a flourishing building trade and a general growth in consumerism. According to Dunlop and Denman, employers preferred to use wives and daughters as cheap labour rather than take on apprentices.<sup>85</sup> Wives and daughters, even if paid a wage, could be put off more easily when trade was poor. Snell, writing of the apprenticeship of women, pointed out that housewifery could mean a number of different things in addition to house servant.<sup>86</sup> The records in Bath bear out the argument by these historians that pauper girls were apprenticed to poor trades and those most vulnerable to seasonality.

As with the boys, all four of the female apprentice weavers went away from Bath, one to Twiverton, near Bath, and three to Wiltshire.<sup>87</sup> This leads to an examination of gender difference with regard to those remaining in Bath and its neighbouring parishes and those being sent out of the city.

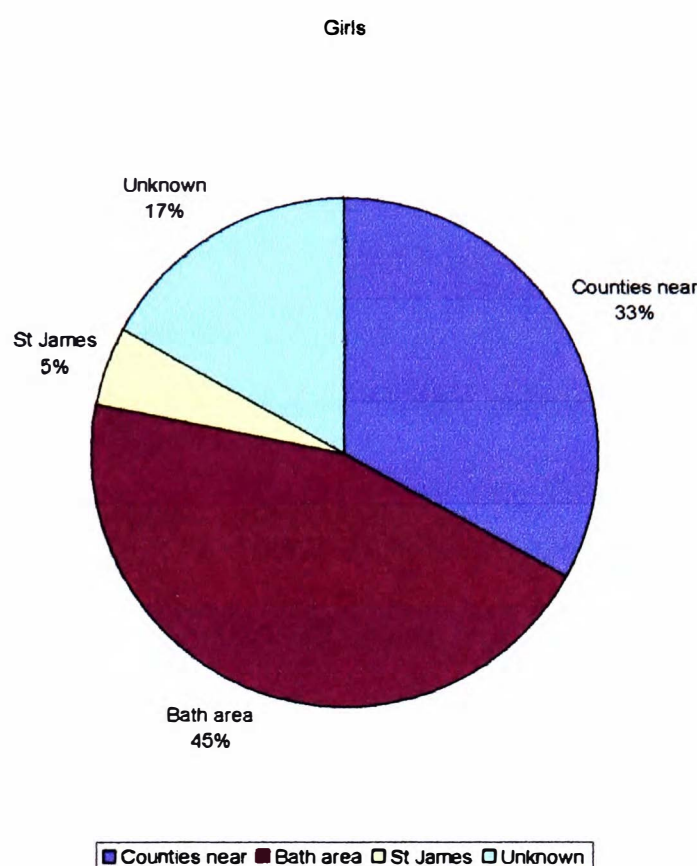
**Fig. 5.5 Destination of male pauper apprentices**



Almost half of the boys who were apprenticed in this period were destined to leave Bath. At the same time, 16 per cent were remaining in St James and a further 29 per cent were going to other city parishes or to adjoining parishes.



**Fig. 5.6 Destination of female pauper apprentices**



When we look at the destinations of girls who were apprenticed by the Overseers of St James, we can see that fewer girls than boys were being sent away from the city. In fact, 33 per cent of girls were destined for neighbouring counties, compared with 50 per cent of boys. Only 5 per cent remained in St James, but a total of 45 per cent were going to be staying in other Bath parishes and those adjoining the city. It would appear that the Overseers of St James were caught between wanting to rid the parish of possible poor relief applicants and bastard bearers of the future, whilst at the same time maintaining a female workforce to serve the city. Another possible conclusion might be that it was easier to place girls in Bath itself, and the Overseers had no need to go outside the city to place female apprentices. In either case, the authorities were showing themselves to be both pragmatic and efficient.

### **Treatment of Apprentices.**

The relationship between master and apprentice was not always a happy one.<sup>88</sup> At the beginning of their indentures young children may have been of little use and expensive in terms of spoilt work and materials. As J. S. Taylor has reminded us,

masters might find they had to spend long hours in training and had much more cost than that gained in the premium.<sup>89</sup> As apprentices grew up many must have become aware of the futility of their position if they were in trades in which they were unlikely to succeed as adults. George relates the story of a girl apprenticed to a milk seller.<sup>90</sup> As George wrote, the girl was unlikely to have secured a job on the completion of her indentures, as her employer would be more likely to obtain another younger, fresher girl for no wages. Sharpe's work on apprentices in Colyton led her to suggest that towards the end of the eighteenth century there was a decline of 'living-in' apprenticeships and that this blurred the difference between an apprentice and a waged servant.<sup>91</sup> William Marshall summarised the situation facing the apprentice in 1796:

Instead of treating them as their adopted children or as relations or as a superior order of servants whose love and esteem they are desirous of gaining, for their mutual happiness, during the long term of their intimate connexion, as well as to secure their services at a time they become most valuable, they are treated, at least in the early stages of servitude, as the inferiors of yearly or weekly servants, are frequently subjected, I fear, to a state of the most abject drudgery: a severity they do not forget, even should it be relaxed as they grow up.<sup>92</sup>

Snell claimed, however, that although there was some abuse of pauper apprentices, as there were of other apprentices, the Old Poor Law was 'favourably humane', masters and mistresses were checked for suitability, and formal indentures and fining of masters for ill-treatment went some way to protecting apprentices.<sup>93</sup> Parish officers had a duty to check on apprentices regularly, but he warned that we should not assume that this happened in the long term.<sup>94</sup> Crompton found that the aftercare of pauper apprentices was a perpetual problem and abuses common.<sup>95</sup> Like most aspects of the Old Poor Law, conditions varied between parishes. When the Guilds were strong, apprentices were protected from exploitation, but, as the Guilds declined, conditions for child labour changed.<sup>96</sup> Simonton detected a change of emphasis in the late eighteenth century due in part, she asserted, to the acceleration of industrial productivity, and partly to a rise in the number of paupers and the need to 'dump' pauper children.<sup>97</sup> As Dunlop and Denman have argued, it was 'not uncommon to find that the labour of young children was being recklessly exploited

by employers, not only, let it be remembered, in factories and big workshops, but even more by the struggling man of the back streets'.<sup>98</sup>

The exploitation of child labour in factories was a feature of the textile industry, and large groups of pauper children were sent from London, many through the Foundling Hospital, to work in textile workshops.<sup>99</sup> There is no evidence that children were being sent anywhere from Bath in 'batches'. The only time in the records that indentures bear the same date is when three boys, destined to become mariners, were sent to Nathaniel Austen, a shipowner of Ramsgate in Kent, in June 1794.<sup>100</sup> Because of the concentration of parish apprentices in the cotton mills, and those sent to work as chimney sweeps, their plight was brought to the attention of the public. Towards the end of the eighteenth century there was a change in public opinion leading to a more humane attitude to pauper children.<sup>101</sup> Langford identified the 1760s and 1770s as being a crucial time in the evolution of politeness to a culture of sensibility. Politeness was the means by which upper class gentility was spread to the emerging middling sort who had the money, from trade and commerce, to spend on acquiring status.<sup>102</sup> Sensibility, according to Langford, led to 'a heightened sensitivity to the social and moral problems brought about by economic change'.<sup>103</sup> An example of this from Bath can be seen in the person of John Parish who was a major influence in the foundation of Bath Penitentiary in 1807. The relationship between sensibility and what G.J. Barker-Benfield has described as 'the general growth of "humanity"' is explored more fully in the next chapter.<sup>104</sup> Sensibility might have led to a more humane attitude to pauper children but, although the Overseer of the poor of St James, Bath, did not send 'batches' of children to the cotton mills of Lancashire, or to the stocking knitting producers of Nottinghamshire, inadequate attention to pauper apprentices' living conditions and care could, at times, result in tragedy.

A sad story concerning a parish apprentice emerges from the Bath Coroners' Records.<sup>105</sup> A Mr and Mrs Chilchester lived in Belmont Row, a 'good' address in the city. In March, 1782, they had in their house a pauper apprentice, Ann Allen. It would appear that Ann had been ill-treated by her master and mistress. Other servants recorded that Ann been hit by a scrubbing brush thrown by Mr Chilchester, and on another occasion he had hit Ann so hard around the head that she had needed

to sit down for some minutes to recover. Mrs Chilchester frequently shouted at and harassed Ann, as did Mr Chilchester. Another servant recorded seeing Mr Chilchester hit Ann on the jaw with the flat of his hand. It was recorded that Ann was weak and had difficulty walking, as her legs had sores that would not heal. Eventually Ann became seriously ill. Mr Chilchester was away from Bath attending to his estates in Ivelchester (Ilchester). Mrs Chilchester was afraid that Ann had smallpox, so she sent for Charles Green, an apothecary, who said that Ann did not have smallpox but 'a putrid fever'. At this point Mrs Chilchester sent a servant, Sarah Jones, into the city to find lodgings for Ann. Sarah found a place with Elizabeth Halfpenny in Monmouth Street. Sedan chairmen were called to take Ann to Monmouth Street but, when they saw her, they also were concerned that she had smallpox and initially refused to move her. When Mrs Chilchester reassured them, they agreed to carry Ann to her new lodgings, but they recorded at the inquest that they had felt that it was a shame to move someone who was obviously very ill. A few days later Ann died, and Mrs Halfpenny went to Mrs Chilchester for instructions. It was agreed that Ann's body should be buried quickly as it was already beginning to decompose, so Ann was buried in Walcot cemetery at four o'clock the next day. At some point the Coroner was alerted to the situation but who it was that procured the involvement of the authorities is not known. Perhaps the parish officers were suspicious, or perhaps someone, possibly ex-servants, with a grudge against the Chilchesters, involved the Coroner. Whatever the circumstances, an inquest was held and, after medical evidence had been heard, the jury brought in a verdict of natural death. The medical evidence, given by three surgeons, stated that there were no signs of violence on the body and that, therefore, Ann had 'died in a natural way and death was not occasioned by violence'.<sup>106</sup>

There are a number of points to be made concerning this inquest. Obviously the most important factor for us is that Ann was a pauper apprentice, so she was likely to have been young, perhaps not yet in her teens. This would appear to be a case of cruelty and, possibly, neglect contributing to, if not directly causing, death. Ann's body must have been exhumed – not in itself unusual. What is unusual is that three eminent surgeons in Bath conducted the autopsy. They commented on the state of the 'bowelles', the brain and 'the rest of the inside'. This is the first time in the Bath Coroners' Records that medical evidence of an autopsy is recorded. Whether the

surgeons felt that they had access to a body with no relatives to defend it, or whether the fact that Ann had been a pauper apprentice was an issue, it is impossible to say. At the inquest, a larger than normal number of witnesses were called, eleven in total. Three of the witnesses were ex-servants of the Chilchesters. One, Sarah Jones, who was still in the Chilchester's employ and who had been sent to procure lodgings for Ann, was described as 'newly arrived' in the household. None of the ex-servants had stayed with the Chilchester more than two or three months.<sup>107</sup> It would appear that the Chilchesters were far from ideal employers and there is no record of the involvement of the parish Overseer.<sup>108</sup>

The Overseers in the parish of St John the Evangelist, Westminster, in contrast, took rapid action when a parish apprentice died in their parish in January 1784.<sup>109</sup> Constance Frost was apprenticed by the parish to William Wade, baker, and, when she subsequently died, under desperate circumstances, he was accused of her murder and tried at the Old Bailey in February of the same year. A few days before 20 January 1784, Wade had asked the parish officers to take back Constance – she had been with Wade since the previous June - as she had 'spoiled two beds'. The parish officers had been surprised at the request and had instructed the Overseer to call and see the girl. Whether as a punishment for bed-wetting or for some other reason, Wade had confined Constance to a cold, damp basement with no food, drink or adequate clothing from 20 to 24 January during a particularly cold spell. On the 24<sup>th</sup> the parish Overseer, as was his custom, had checked on various paupers in the parish including Constance. When he called at Wade's house, he saw Constance in the basement alive but obviously at the point of death. The Overseer had instructed the lodger to fetch the apothecary, but by the time he had arrived Constance had died. As a consequence the parish officers had charged Wade with her murder.

At the trial some witnesses deposed that Constance had appeared well cared for, while others claimed that she had been dirty, badly clothed and shivering with cold. Two women told that Constance had begged bread from them claiming she was hungry, and a neighbour reported that he had heard Constance crying in the yard and that Wade had told her that she would not be allowed to get near to the fire. Both the court and the jury questioned the surgeon who had been called to view the body prior to an inquest and who subsequently gave evidence at the trial. He claimed that

Constance's body had shown no signs of lack of nourishment, nor signs to suggest that she had died as a result of her confinement in the basement. He had seen no reason to perform an autopsy and gave his opinion that she had died of natural causes although he had no explanation for this. Instructions by the Court to the jury opined that although William Wade's conduct had undoubtedly been criminal, there was insufficient evidence that his criminal conduct had caused Constance's death. The jury found Wade not guilty of murder. The Court then made it clear to Wade that he should consider himself acquitted, not because he was innocent, but because there had been insufficient evidence to convict him.

In Westminster the Overseers had systematically checked the conditions of paupers in their parish. They had responded swiftly to what they described as an 'extraordinary' request. When faced with the death of a young girl, in circumstances that certainly suggested neglect, and, indeed criminality, they had not hesitated to take strong legal action against the perpetrator. At the same time, the court described the parish officers as 'acting with great attention and propriety' and, while acquitting Wade, sent a clear message to society that ill-treatment of apprentices was unacceptable.

Turning our minds back to Bath, the story of Ann Allen may have been an isolated incident for the city and it would be comforting to think that the parish officers, mindful of their duty to supervise parish apprenticeships, were involved in initiating the inquest, but we have no evidence for this conclusion. Neither Mr nor Mrs Chilchester, who were probably gentry, (they had a townhouse in Bath and estates near Ilchester) was called as a witness. The unavoidable conclusion is that the Overseers of the poor, either from a Bath parish or from her home parish if this was not in Bath, failed to protect Ann Allen and that the parish officers were negligent. One of the stories frequently related by present-day tourist guides in Bath, particularly on the 'Ghost Trail', concerns a little girl who was a poor apprentice and so badly treated that she died. The story goes that her ghost still haunts a particular house in Bath. The ill-treatment of poor female apprentices has entered the mythology of the city. Whether this is because the occurrence was rare or because it was a commonplace cannot be determined, but the case of Ann Allen suggests that, when it came to pauper children, the civic authorities in Bath at the time acted, at

best, half-heartedly rather than with humanitarianism or compassion. Although the neglect of urban children concerned philanthropists in the first half of the eighteenth century, it would appear that Bath lacked a Jonas Hanway, who wrote and campaigned on behalf of poor children, but whose work brought about improvements for children from London parishes rather than nationally.<sup>110</sup> As John Rule has pointed out pauper children were ‘the least protected group in eighteenth-century society’ and Bath’s pauper children seem not to have been an exception.<sup>111</sup>

### **The termination of apprenticeships**

In the ‘Bath Pauper Examinations’ out of the 284 individuals who were examined, only 13 are recorded as having been pauper apprentices.<sup>112</sup> Others may have been but that fact was not recorded. This is a small number, less than 5 per cent. Of these only James Wilmott, who was six when he was apprenticed, and Thomas Steven, who was twelve, both record serving out their time. We cannot know how many apprentices were taught a trade, served out their apprenticeships and then were lifted out of poverty successfully. As so often with the records we only know of the failures, for, as Taylor has written: ‘[f]ailure and tragedy are immeasurably better represented than success’.<sup>113</sup> The records, however, tell us something about why apprenticeships failed and how indentures were broken. These failures highlight some of the problems involved in the pauper apprenticeship system.

One of the least problematic reasons for terminating indentures was when both parties agreed to end the arrangement. Sarah Atkins was apprenticed by the Charity School in Glastonbury to Ann Marchant, wife of John Marchant, as a servant for twelve years.<sup>114</sup> Sarah worked for Ann Marchant in Glastonbury for two years. Ann then moved to Bath taking Sarah with her. Sarah stayed with Ann for a further two years when the apprenticeship was broken by mutual consent. When Sarah Atkins was examined in Bath in May 1770, she gave no reason for her break from Ann Marchant. She was examined again a week later when she deposed that she was pregnant.

William West was twenty-two when he was examined on 10 December 1772.<sup>115</sup> He had been seven when he was apprenticed to Thomas Guort. He claimed that he had been ill-treated, and, after three and a half years, a magistrate had legally discharged his apprenticeship indentures. He was by then ten and a half years old. What we do not know from the records is how this discharge was initiated. It would not have been easy for an apprentice who was little more than a child, no longer with his birth family, nor, possibly, in the parish of his birth, to approach a magistrate. Many will have been too poor, friendless and ignorant to have been able to obtain a discharge. As so many children were apprenticed out of their parish of settlement, it is highly unlikely that parish officers in their new parish would be concerned with them. It would seem more reasonable to suggest an 'out of sight - out of mind' approach by the officers, and that far more apprentices terminated their indentures illegally by absconding.

When Sarah Lean was nine she was apprenticed as a servant to Samuel Hide, a victualler of Sherborne in Dorset.<sup>116</sup> At the time of her examination in Bath, Sarah was twenty-three and single. She had served seven years as an apprentice but had returned home when Samuel Hide became insolvent and could no longer afford to keep her. It is probably that Sarah Lean was working as a servant in an inn, and this story confirms the view that children were apprenticed to men who were themselves too poor to enter successfully into the role of master. They were probably prepared to use the scheme to obtain children who would need feeding and clothing, but who would not have to be paid wages and who would bring with them a premium, and would, eventually if not immediately, be a source of cheap labour.

Ann Richardson, when examined in July 1772, told the Justices a story that may not have been atypical, and that may reveal an attempt to extract poor relief from the Overseer of St Michael's.<sup>117</sup> We have no age for Ann but she was born in Weston, Bath, and in 1772 she was single and living in St Michael's. When she was six or seven, Ann had been apprenticed as a servant to Edward Barnett of The Spread Eagle Inn, Walcot. On 9 March 1761, Ann had given birth to an illegitimate son, James. James in his turn was apprenticed to Joseph Williams who is described as a 'tyler and plaisterer'. Ann and Joseph had been living together, presumably also with James. Now Joseph had absconded leaving Ann and James. At some point the Overseers



had apprenticed her son to the man with whom she was living thereby gaining the sum of the premium, but also ensuring that the family remained together. At the same time Joseph gained a cheap labourer. The apprenticeship had broken down when Joseph had left. It was not only apprentices who absconded. George claimed that it was not unusual for masters to abscond. She suggests that it was difficult for artisan masters to commit to such long apprenticeships, particularly in view of the fact that the indentures would be binding on their heirs.<sup>118</sup>

On 23 December 1773, William Toop, a single man aged twenty-two years, was examined in Bath by Francis Bennett and Walter Wiltshire.<sup>119</sup> William told them that when he had been about six or seven years old he had been apprenticed by the parish officers of Frome, Selwood, to John Cook as a gardener. He claimed that John Cook had treated him badly and that he had threatened to run away. As a result he had been returned to his mother. John and his mother had moved to Bath and were, at the time of the examination, scratching a living by begging and taking in washing. To what extent apprentices were actually ill-treated is hard to determine, but tales of the ill-treatment of apprentices were widespread and frequently used as justification of absconding. Dunlop and Denman suggested that throughout the eighteenth century apprentices continually ran away, and Taylor has gone so far as to claim that runaway apprentices helped to staff the navy and colonise the Empire.<sup>120</sup>

When Elizabeth Walters was eight years old she was apprenticed to Arthur Langford, a cutler and he supplied her with meat, drink, lodging and clothes. Elizabeth stayed with Langford for four years and then ran away. When she was examined in Bath in December 1772, she was twenty-seven and single. She is not recorded as giving a reason for leaving her master. It must have taken courage and a high degree of desperation for a twelve-year-old girl to run away. As Elizabeth was apprenticed to a cutler it would seem a fair assumption that she had actually worked as a servant. If she was being ill-treated she may well have thought that she would be better off making her own way in the world which she apparently did until she needed poor relief at the age of twenty-seven. Alternatively, it may be, as Taylor has suggested sometimes happened, that Elizabeth did not want to gain a settlement in another parish as she would have done had she completed her indentures.<sup>121</sup> When examined she claimed St Michael's as both her parish of birth and of settlement through her

father. Perhaps she did not want to gain a settlement, to which she could be removed, anywhere but St Michael's in Bath.

These stories give us some insight into the life of parish apprentices, although few of the people who have been mentioned originated in Bath. They also indicate what a draw Bath had on the surrounding countryside – how young people were attracted to the city in the hope of high wages and plentiful work only later to find themselves in need of poor relief.

### **Apprenticeship as a means of poor relief**

The Overseers of St James used the pauper apprenticeship scheme to remove from the parish, youngsters they perceived as likely, in the future, to require poor relief. At the same time, the city needed a ready supply of building workers, and also workers in those trades, traditionally thought of as female, needed to service the visitors to Bath. The Overseers appear to have had the needs of the ratepayers of St James, and the future needs of the wider city, firmly in mind and, possibly, the needs of the children concerned. In response to the growth of humanitarianism in the late eighteenth century, the authorities were beginning, partly because of the excesses of the textile trade, to be aware of, and concerned about, the poor treatment of factory apprentices, however, parish authorities in Bath also had duties to fulfil and these children were the children of paupers: many were bastards, and while they had to be treated fairly, they also had to be put to work for the common good.<sup>122</sup>

Off-loading the training of apprentices to masters in other parishes ensured that youngsters gained a settlement elsewhere.<sup>123</sup> Since, as Dunlop and Denman have pointed out, 'dumping' of apprentices out of parish was practised across the board, it is doubtful how much advantage there was in this.<sup>124</sup> Unfortunately, as we do not know how many children were apprenticed from other parishes to masters in St James, it is impossible to make a judgement. Richard Burn wrote in 1764 that it was the duty of parish officers 'to bind out poor children apprentices, no matter to whom or to what trade, but to take special care that the master live in another parish'.<sup>125</sup>

The importance of apprenticeship as a means of gaining a settlement has been highlighted by both Snell and Taylor.<sup>126</sup> As Taylor has pointed out a factory worker on wages rather than as an apprentice might work for years in a factory to find when he or she became ill, old or was no longer needed, that they were removed to a rural parish in which they had not set foot since infancy. This may not always have been unwanted but it deprived paupers of choice and indeed was unfair to the rural parish that had neither collected poor rates from, nor benefited from, the work of the pauper.<sup>127</sup> Snell claimed that for women, apart from marriage, apprenticeship and domestic service were the most common ways of gaining a settlement.<sup>128</sup> Apprenticeship was, therefore, an important part of an integrated Poor Law system. The Overseers of St James found pauper apprenticeships, along with Removal Orders, a useful tool with which the authorities in Bath could control what they saw as a distressing rise in pauperism that did nothing for the image of the city. Economic problems stemming from the war with France, exacerbated by poor harvests, were a national concern. Added to this, there was concern in Bath about the loss of the Company and the image the city desired to project in order to attract new visitors and residents.<sup>129</sup>

## **Decline of apprenticeships**

Snell has pointed out the chaotic state of the debate over the issue of dating the decline of the apprenticeship system.<sup>130</sup> He has also suggested that the length of apprenticeships may have declined as apprentices saw that they had learnt all the skills necessary to maintain themselves successfully in their given trade, and they may also have been aware that there was little advantage in the labour market to a long apprenticeship. Many left of their own volition before the end of their term. In fact, Anne Lawrence in *Women in England*, claims that less than half of those parish apprentices taken on went on to finish their indentures.<sup>131</sup> Lawrence was writing of Bristol and she found that as early as the seventeenth century the majority of female apprentices were parish apprentices as informal arrangements took over from formal apprenticeship for other girls.<sup>132</sup>

Indeed, it could be argued that the changing economic thinking at the end of the eighteenth century and the rise of laissez-faire thinking mitigated against formal apprenticeships. Certainly, Adam Smith expressed strong opinions about the subject. He identified two main problems. Firstly, he wrote that apprenticeships had ‘no tendency to form young people to industry’. He felt that as young people were not being rewarded in financial terms for their work, they were unlikely to be industrious. He was particularly concerned for apprentices whose premiums had been paid out of public funds:

A young man naturally conceives an aversion to labour when for a long time he receives no benefit from it. The boys who are put out apprentice from public charities are generally bound for more than the usual number of years, and they generally turn out very idle and worthless.<sup>133</sup>

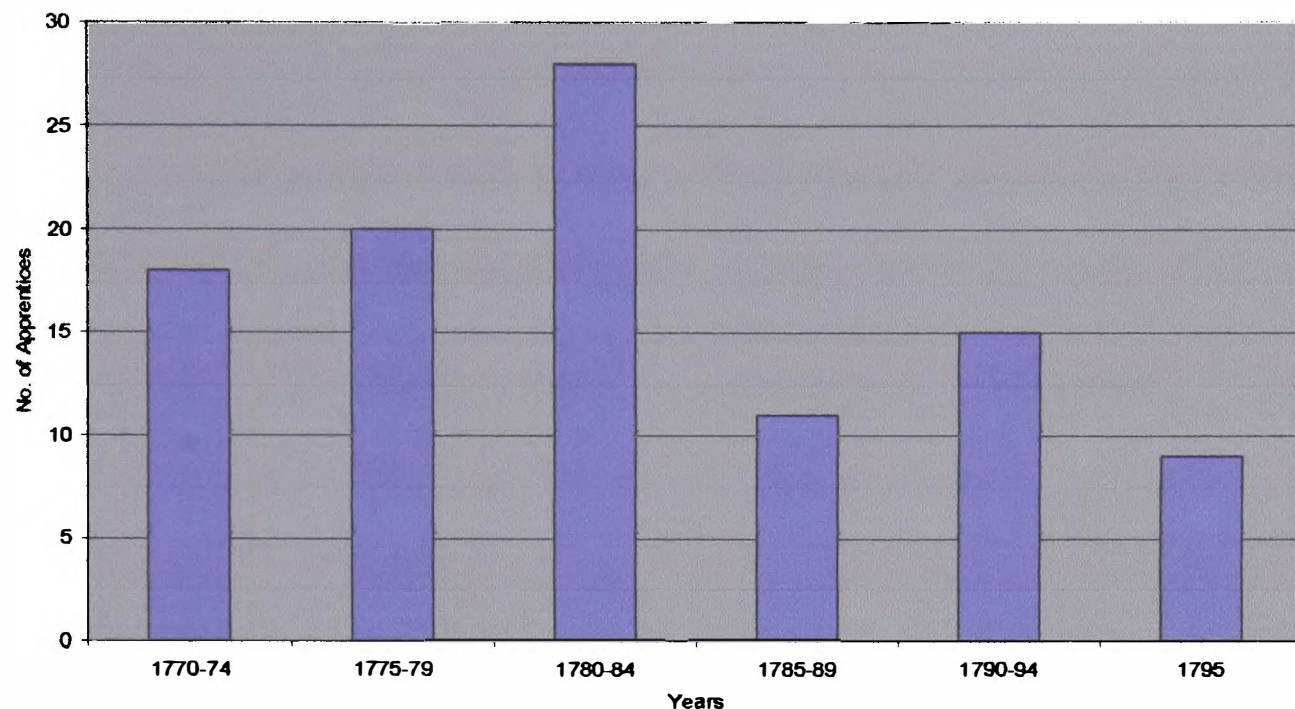
Smith’s second point was that the length of apprenticeships was quite unnecessary for the amount of training needed. He suggested that although the making of a clock in the first instance, for example, will have required years of work:

How to apply the instruments, and how to construct the machines cannot well require more than the lessons of a few weeks; perhaps those of a few days might be sufficient. In the common mechanic trades, those of a few days might certainly be sufficient.<sup>134</sup>

Many contemporaries will have agreed with Smith. Because contemporaries began to question the need for long apprenticeships, and because the guilds no longer had the influence they had in seventeenth century, apprenticeship as a form of training declined. Capitalism encouraged entrepreneurs who were going to be influenced by profit rather than the ‘common good’. Perhaps, as George suggested, there was a feeling that schooling with an emphasis on learning to read, write and keep accounts would better serve the country.<sup>135</sup> Simonton found a change of emphasis in the late eighteenth century and has identified a number of reasons for the decline of formal apprenticeship.<sup>136</sup> The acceleration of industrial productivity led to a need for an unrestrained labour force and new industries meant the formation of trades that could not be controlled by the 1563 Act of Artificers. Increasingly, apprentices were no longer being accommodated in the master’s house which meant a lessening of social

control: a similar move was seen in domestic service with fewer servants ‘living in’.<sup>137</sup>

**Fig. 5.7 No. of pauper apprentices, St James, Bath.**



Source: Pauper Indentures, St James, Bundle 5.

Apprenticeship as a form of poor relief remained for longer. Simonton found that although private apprenticeships declined between 1790 and 1799 parish apprenticeship remained stable. Data from Bath, shown in Fig. 5.7, suggest that while there was an increase in the early 1780s and a decrease in the second half of the decade, the rate remained fairly stable.

## Conclusion

Caring for pauper children in the parish was an important part of the work of an eighteenth century Overseer and there were various aspects to this part of their duties. Some children will have been cared for by the payment of out-relief to their parents: others will have been in the care of other families who will have been paid out-relief for them. Some were housed in the poorhouse where they received a

rudimentary education. The aspect of the Overseers' responsibility towards poor children that is discussed here is that of pauper apprenticeships. Such apprenticeships were part of a web of poor relief in which settlement was a major issue.

We have no data from Bath as to the size of the problem as we do not know the number of poor children in total and, therefore, cannot ascertain the percentage that was apprenticed. By using pauper examinations we are able to gain some insight into how the system worked. However, using the pauper examinations as a source in this way we are more likely to encounter the failures rather than the successes.

Contemporaries saw moral as well as economic imperatives in the way in which parishes dealt with poor children. It was important, where possible, to remove children from poor homes before they could be 'contaminated' by what was seen as the wilful idleness of the poor. Part of the value of apprenticeship was that the young person lived in the home of the master where he or she would learn manners and morality as well as a useful trade. As 'living out' increased in both apprenticeships and service, the familial influences were weakened.

There can be some doubts over the quality of the training for a trade that was given to all apprentices but particularly parish apprentices. Some children were apprenticed to declining or overstocked trades: others were used, by masters struggling themselves to avoid pauperism, as a source of cheap labour.

In the parish of St James in Bath between 1770 and 1795 more boys than girls were apprenticed as pauper apprentices. Gender differences can be seen both between the trades girls and boys went to, and in whether they stayed in Bath or went to other counties. Those boys who stayed in the city were primarily apprenticed to the building and gardening trades and the clothing trades, as might be expected in a city in the throes of a building boom and with a growing consumer trade. Many of those who left the city went to Wiltshire, to the weaving trade, although this was in decline in the West Country. Girls were apprenticed, in the main, to those trades traditionally seen as 'women's work' - clothing, laundry and housewifery. There are two interpretations of this emphasis: training in these skills would prepare girls for

their lives as servants and wives, or, on the other hand, these were the trades most vulnerable to seasonal fluctuations that caused major problems for the poor women of Bath. Girl apprentices were kept in St James or in adjoining parishes in order to service the needs of the city. Many more named trades were apparent in the indentures for male apprentices. It may be that there were more openings for boys, or it may be that female employment was not seen as sufficiently important to be named. Most skills for girls came under a blanket heading of 'housewifery'. It is apparent that in administering the pauper apprentice system, the Overseers in Bath had in mind the future labour requirements of a growing city which was becoming increasingly residential.

Apprentices in the eighteenth century were undoubtedly, on occasion, badly treated and parish apprentices were no exception. The cases looked at closely were extreme instances of ill-treatment. In the light of these cases, it can be said that the Overseers of St James did not fulfil their duties in monitoring the conditions under which pauper apprentices were living as efficiently or speedily as the Overseers in Westminster. Possibly there were other similar cases: undoubtedly, there were others, not ending in death but, as John Rule has told us, involving years of misery.<sup>138</sup> By using pauper examinations it was possible to find many reasons for the breaking of indentures, some at the instigation of the master, some initiated by the apprentice. In this way, although pauper apprentices had few areas of choice, they were not always passive victims of Overseers or masters. Although private apprenticeship continued to decline throughout the eighteenth century, pauper apprenticeships did not and it can be shown that the system in Bath remained steady between 1770 and 1795.

Pauper apprenticeship can be seen in the light of a mesh of poor relief expediences available to parish officers. Apprenticing children out of the parish served both as a short term solution in reducing the poor rates, and, in the longer term, in providing children with settlements outside the parish. At the same time the Overseers of St James had to bear in mind not only the needs of the ratepayers but also the needs of a growing city of fashion and, later, of genteel residence. This reflected a wider national need for a more flexible workforce. In this respect, the Overseers for the parish of St James were acting, if not always with a great deal of humanity, at least efficiently to serve the needs of the parish and of the wider city of Bath.

<sup>1</sup> Pauper apprentices are sometimes in the literature referred to as parish apprentices. The two terms are interchangeable.

<sup>2</sup> 1601. 43 Eliz.

<sup>3</sup> For example, forty-four children were removed from St James between 1792 and 1796, and sixty-five were removed from Walcot between 1827 and 1833. See Chap. 3.

<sup>4</sup> A list of those in the Poorhouse for the parish of St Michael, dated 2 May 1783, shows that from a total of forty-one, twenty-three (56%) were women, ten (24%) were children aged between 11 years and 2 weeks and eight (19%) were men. 'Miscellaneous papers', D/P/ba.mi9/4/6, Somerset Record Office. This confirms Hitchcock's assertion that women and children dominated the parochial workhouse. Hitchcock, 'The English workhouse', p.194.

<sup>5</sup> William Toone, *A Practical Guide to the Duty and Authority of Overseers of the Poor*, London, 1815, p.48

<sup>6</sup> Deborah Simonton, 'The education and training of eighteenth-century English girls, with special reference to the working classes', unpublished PhD Thesis, University of Essex, 1988, p.232.

<sup>7</sup> In the parish of St Peter and St Paul, in April 1822, the Overseers were paying 1/6d each for 15 bastards to be cared for as out relief. 'Abbey - Payments to Paupers, 1822-1835', Bath Record Office.

<sup>8</sup> M. Dorothy George, *London Life in the Eighteenth Century*, Kegan Paul, Trench Trubner & Co. Ltd., 1925, reprinted Peregrine Books, 1976, p.215.

<sup>9</sup> Frank Crompton, *Workhouse Children*, (Stroud, 1997), p.32.

<sup>10</sup> Deborah Simonton, 'Schooling the poor: gender and class in eighteenth-century England' in the *British Journal for Eighteenth-century Studies*, 23:2000, p.187.

<sup>11</sup> K.D.M. Snell, 'The apprenticeship system in British history: the fragmentation of a cultural institution', in *History of Education*, 1996, Vol.25 No. 4, 303-321.

<sup>12</sup> Neale, *Bath, A Social History*, pp.210 and 269.

<sup>13</sup> Snell, *Annals of the Labouring Poor*, p.323.

<sup>14</sup> See in particular Snell *Annals of the Labouring Poor*.

<sup>15</sup> Langford defines 'freedom' in this respect as 'the right to exercise a trade or craft within an incorporated town'. Langford, *A Polite and Commercial People*, p.181.

<sup>16</sup> Mary Beth Rose, 'Social policy and business: British apprenticeship and the early factory system' in *Business History*, 1989, 31, Part 4, pp.5-32, p.7.

<sup>17</sup> Rose, 'Social policy' p.7.

<sup>18</sup> O. Jocelyn Dunlop, & Richard Denman, *English Apprenticeship and Child Labour*, (London, 1912), p.61.

<sup>19</sup> Simonton, 'The education and training', p.202.

<sup>20</sup> Snell, *Annals of the Labouring Poor*, p.324. Snell found that the average age of boys leaving home to take up an apprenticeship was 14.1; for girls the figure was 14.6.

<sup>21</sup> For example, the 'Freeman's Estate Enrolment of Apprentices' for Bath shows that in 1770 Edward Taylor was apprenticed to his father, Edward Taylor, baker; Charles Butt was apprenticed to Thomas Butt, his father and a perukemaker; Charles Crook was apprenticed to his father Simon Crook, apothecary. 'Freeman's estate enrolment of apprentices, 1706-1776', Bath Record Office.

<sup>22</sup> Snell, 'The apprenticeship system', p.311.

<sup>23</sup> Snell, 'The apprenticeship system', p.312.

<sup>24</sup> See Chap. 6 on philanthropy in Bath.

<sup>25</sup> 'Freemen's estate enrolment of apprentices', 29 August 1770. See also Neale, *Bath, A Social History*, Table 3.1, p.52 for premiums paid in selected trades in Bath.

<sup>26</sup> All the cases mentioned here appear in the 'Freemen's estate enrolment of apprentices'.

<sup>27</sup> Snell, *Annals of the Labouring Poor*, p.295.

<sup>28</sup> Crompton, *Workhouse Children*, p.21.

<sup>29</sup> 'Pauper Indentures for the parish of St James', 1770-1796, Bath Record Office, (hereafter referred to as Pauper Indentures, St James).

<sup>30</sup> Simonton, 'The education and training', p.241.

<sup>31</sup> David Butcher, 'The relief of poverty in a pre-industrial Suffolk town: the case of Lowestoft', in *Counties and Communities: Essays on East Anglian History*, eds. Carole Rawcliffe, Roger Virgoe and Richard Wilson, (Norwich, 1996).

<sup>32</sup> Toone, *A Practical Guide*, p.60/1.

<sup>33</sup> Crompton, *Workhouse Children*, p.24.

<sup>34</sup> Mary Godwin, 29 May 1775, Pauper Indentures, St James.

<sup>35</sup> Edward Dodington, 4 October 1773, Bath Pauper Examinations.

<sup>36</sup> James Wilmott, 14 October 1773, Bath Pauper Examinations.



- <sup>37</sup> Thomas Stevens, 28 October 1773, Bath Pauper Examinations.
- <sup>38</sup> From pauper examinations it becomes clear that very few people were certain of their exact age. They are usually recorded as 'being about' their claimed age.
- <sup>39</sup> Overseers were entitled to bind out any children whose parents were unable to support them. Dunlop and Denman, *English Apprenticeship*, p.249. Toone advised Overseers that although the settled poor might be entitled to poor relief, their children could be 'put out apprentice' at the appropriate age. Toone, *A Practical Guide*, p.60.
- <sup>40</sup> Webb, *English Local Government*, p.208.
- <sup>41</sup> Sharpe, 'Poor children as apprentices in Colyton', p.255.
- <sup>42</sup> Crompton, *Workhouse Children*, p.28.
- <sup>43</sup> Simonton, 'Schooling the poor', p.194.
- <sup>44</sup> Out of the pauper examinations studied, only one pauper was recorded as having attended a charity school. Sarah Atkins, examined in Bath on 10 May 1770, was apprenticed by a Charity School in Glastonbury for twelve years. Neither her age at the commencement of indentures nor her age at examination are recorded. As apprenticeships for girls usually ended when they were twenty-one, it is possible to deduce that Sarah was about nine years old when apprenticed. She would, therefore, have had, at most, two years in the school. Bath Pauper Examinations.
- <sup>45</sup> In eight cases no age was recorded for the apprentice. There is no conclusion that can be drawn from this; four of the children were boys and four were girls. By date they were scattered from 1774-1789. Pauper Indentures, St James.
- <sup>46</sup> Poorhouse Committee Book, 8 September 1807 and 5 April 1808.
- <sup>47</sup> The inference was that children were already receiving some form of instruction in reading although no mention can be found in the records that run from 1784 to 1812. Poorhouse Committee Book. The Poor Law Amendment Act of 1834 stipulated that children should receive three hours per day schooling in reading, writing, arithmetic and the principles of Christian Religion.
- <sup>48</sup> For a discussion of education for the poor see Simonton 'Schooling the poor'.
- <sup>49</sup> Dunlop & Denman, *English Apprenticeship and Child Labour*, p.101
- <sup>50</sup> Steven King, 'Meer pennies for my baskitt will be enough: women, work and welfare, 1770-1840', p.136. Neil Raven, 'A 'humbler, industrious class of female': women's employment and industry in the small towns of southern England, c.1790-1840', p.176. Both in Penelope Lane, Neil Raven and K.D.M. Snell, *Women, Work and Wages in England 1600-1850*, (Woodbridge, 2004).
- <sup>51</sup> Hannah More, *The Apprentice's Monitor; or, Indentures in Verse, Shewing what they are bound to do*, Cheap Repository Tracts, Bath, undated, Bath Central Library.
- <sup>52</sup> Snell, 'The apprenticeship system in British history', p.303.
- <sup>53</sup> Pauper Indentures, St James.
- <sup>54</sup> Simonton, 'The training and education', p.203.
- <sup>55</sup> When the Rev. John Penrose came to Bath in the 1760s his purpose was, as well as hoping for a cure for his gout, to settle one of his daughters in a boarding school. Brigitte Mitchell and Hubert Penrose, eds. *Letters from Bath 1766-1767*, (Gloucester, 1983).
- <sup>56</sup> Dunlop & Denman, *English Apprenticeship*, p.250/1.
- <sup>57</sup> Stone, *The Family, Sex and Marriage*, p. 84.
- <sup>58</sup> Rule, John, *The Experience of Labour in Eighteenth-Century Industry*, (London, 1981), p.102/3.
- <sup>59</sup> E.A. Wrigley, 'The growth of population in eighteenth-century England: a conundrum resolved', in *Past and Present*, 98, 1983, pp.131/132.
- <sup>60</sup> Webb, *English Local Government*, p. 238.
- <sup>61</sup> Dunlop and Denman, *English Apprenticeship*, p.253. See also Rose 'Social policy and business' p.8.
- <sup>62</sup> Pauper Indentures, St James.
- <sup>63</sup> Pauper Indentures, St James.
- <sup>64</sup> Joseph Cary, tyler and plaisterer took Thomas Hall as an apprentice, 14 August 1779; John Butler went to Joseph Jones, glazier, on 28 March 1793; David Allen was apprenticed to Thomas Hobbs, house painter, 14 October 1793. Pauper Indentures, St James.
- <sup>65</sup> Dunlop & Denman, *English Apprenticeship*, p.153.
- <sup>66</sup> Joanna Sydney, 23 May 1774; Sarah Phillips, 25 October 1774; Betty Trim, 11 August 1783; Phillis Lock, 15 December 1784; John Atty and John Reese, 2 June 1786, Pauper Indentures, St James.
- <sup>67</sup> Laundry work: Ann Brown, 4 August 1770; Ann Rose, 10 November 1770; Ann Ramble, 25 July 1771; Catherine Sartaine, 4 August 1775; Mary Vernon, 27 October 1781, Mary Warfield, 25 July 1793; housewifery: Hannah Howell, 24 October 1770; Mary Brown, 11 November 1776; Betty Noder, 1 January 1782; Ann Pearce, 6 December 1784. Pauper Indentures, St James.

- <sup>68</sup> J. Jean Hecht, *The Domestic Servant in Eighteenth-Century England* (London, 1956), p.102.
- <sup>69</sup> Sharpe, *Adapting to Capitalism*, Chapter 5, passim.
- <sup>70</sup> Simonton, 'Schooling the poor', p.188.
- <sup>71</sup> The other trades to which girls were apprenticed were: banboxmaker (1), barmaid (1), calendar (1), quilter (1), scievebottommaker (1), tambour worker (1), trunkmaker (1). Pauper Indentures, St James.
- <sup>72</sup> Snell, *Annals of the Labouring Poor*, p.281.
- <sup>73</sup> Harriet Dibble, 20 July 1770; Charlotte Wylde, 6 July 1795; Ann Smith, 2 November 1795. Pauper Indentures, St James.
- <sup>74</sup> Boys were also apprenticed to the following trades: baker (1), basket weaver (2), currier (1) gingerbreadmaker (1), husbandry (2), mariner (3), roper (1), skinner (1), tinplateworker (1), victualler (1). Pauper Indentures, St James.
- <sup>75</sup> In the three instances where no trade was recorded for the apprentice the masters were recorded as an apothecary (1), a basketweaver (1), and a labourer (1). Pauper Indentures, St James.
- <sup>76</sup> George Freeman, 24 October 1778; John Gatton, 26 January 1785. Pauper Indentures, St James.
- <sup>77</sup> Neale, *Bath, A Social History*, p.260.
- <sup>78</sup> For example: in September 1795 John Cullin and Job Salter went as apprentices to William Pobjay, freestone mason, at Monkton Coombe, outside the city but an area of extensive stone mining. Pauper Indentures, St James.
- <sup>79</sup> For example: Joseph Thresher, 10 February 1777, was apprenticed to a master in the parish of Walcot. Edward Tucker, 23 October 1780, and Robert Atwood, 2 June 1777, stayed in the parish of St James. Pauper Indentures, St James.
- <sup>80</sup> Neale, *Bath, A Social History*, p.77.
- <sup>81</sup> Elizabeth Norman, 20 November 1780, and Betty Trim, 11 August 1783, mantuamakers; Ann Norman, 9 July 1779, and Phillis Lock, 15 December 1784, hat and cloakmakers; Diana Wilson, 20 August 1770, staymaker; and Mary Whiteford 8 January 1770, milliner. Pauper Indentures, St James.
- <sup>82</sup> Housewifery: Mary Brown, 11 November 1776; Frances Steward, 15 December 1777; Ann Pearce, 6 December 1784; laundry work: Ann Brown, 4 August 1770; Mary Vernon, 27 October 1781; Mary Warfield, 25 July 1793. Pauper Indentures, St James.
- <sup>83</sup> Deborah Simonton, *A History of European Women's Work, 1700 to the present*, (London, 1998), p.52.
- <sup>84</sup> Marshall, *The English Poor*, p.195.
- <sup>85</sup> Dunlop and Denman, *English Apprenticeship*, p.149.
- <sup>86</sup> Snell, *Annals of the Labouring Poor*, p.281.
- <sup>87</sup> Harriet Dibble, 20 July 1770, went to Twiverton; Charlotte Wylde, 6 July 1795, Ann Smith, 2 November 1795, and Maria Grey, 17 December 1795, went to Wiltshire. Pauper Indentures, St James.
- <sup>88</sup> George, *London Life*, pp. 225 –321.
- <sup>89</sup> J.S. Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives*, (California, 1989), p.58.
- <sup>90</sup> Taylor, *Sojourners' Narratives*, pp.229/30.
- <sup>91</sup> Sharpe, 'Poor children as apprentices in Colyton,' p.265.
- <sup>92</sup> W. Marshall, *Rural Economy of the West of England*, (Newton Abbot, 1796), quoted in Sharpe 'Poor children as apprentices in Colyton' p.265.
- <sup>93</sup> Snell *Annals of the Labouring Poor*, p.284/5.
- <sup>94</sup> Snell, *Annals of the Labouring Poor*, p.285, n.32.
- <sup>95</sup> Crompton, *Workhouse Children*, p.13.
- <sup>96</sup> Dunlop & Denman, *English Apprenticeship*, pp.17–21.
- <sup>97</sup> Simonton, 'The education and training, p.218.
- <sup>98</sup> Dunlop and Denman, *English Apprenticeship*, p.22
- <sup>99</sup> Rose, 'Social policy and business' pp.10-12.
- <sup>100</sup> 2 June 1794, William Graham, William Bligh and James Alexander, Pauper Indentures, St James.
- <sup>101</sup> Langford, *A Polite and Commercial People*, p.502/3.
- <sup>102</sup> Langford, *A Polite and Commercial People*, p.4.
- <sup>103</sup> Langford, *A Polite and Commercial People*, p.461.
- <sup>104</sup> G.J. Barker-Benfield, *The Culture of Sensibility- Sex and Society in Eighteenth-Century Britain*, (Chicago, 1992), p.225.
- <sup>105</sup> Coroners' Records.
- <sup>106</sup> Coroners' Records, 26 March 1783.

- <sup>107</sup> Servants who gave evidence at the inquest were: Ann Rouzel who stayed with the Chilchesters for two months, Mary Ham who had stayed for three months, and William Chapman who had left two months previously, Coroners' Records.
- <sup>108</sup> For further evidence of cruelty to apprentices see John Rule, *The Vital Century*, p.202.
- <sup>109</sup> Old Bailey Proceedings Online, ([www.oldbaileyonline.org.uk](http://www.oldbaileyonline.org.uk), 30 November 2005), 25 February 1784, trial of William Wade, t17840225-63.
- <sup>110</sup> Crompton *Workhouse Children*, p.4/5; George, *London Life*, p.237-40.
- <sup>111</sup> John Rule, *The Vital Century*, p.199.
- <sup>112</sup> Bath Pauper Examinations.
- <sup>113</sup> Taylor, *Sojourners' Narratives*, p.65.
- <sup>114</sup> Bath Pauper Examinations, 10 May 1770.
- <sup>115</sup> Bath Pauper Examinations, 10 December 1772.
- <sup>116</sup> Bath Pauper Examinations, 26 July 1773.
- <sup>117</sup> Bath Pauper Examinations, 20 July 1772.
- <sup>118</sup> George, *London Life*, pp.225/6.
- <sup>119</sup> Bath Pauper Examinations, 23 December 1773.
- <sup>120</sup> Dunlop & Denman, *English Apprenticeship*, p.194; Taylor, *Sojourners' Narratives*, p.59. See also George, *London Life*, p.233.
- <sup>121</sup> Taylor, *Sojourners' Narratives*, p.54.
- <sup>122</sup> The Health and Morals of Apprentices Act of 1802 helped regulate the working conditions of children in textile mills.
- <sup>123</sup> Snell, 'The apprenticeship system in British history', p.313. See also Taylor, *Sojourners' Narratives*, p.192 n9. Taylor suggests that some parishes, to discourage masters from taking apprentices from out of the parish, made such masters take a parish apprentice from their own parish as well.
- <sup>124</sup> Dunlop & Denman, *English Apprenticeship*, p. 256.
- <sup>125</sup> Richard Burn, *History of the Poor Laws*, (London, 1764), p.212, quoted in George, *London Life*, p.221.
- <sup>126</sup> Snell, 'The apprenticeship system in British history', p.308; Taylor, *Sojourners' Narratives*, p.66.
- <sup>127</sup> Taylor, *Sojourners' Narratives*, p.66.
- <sup>128</sup> Snell, 'The Apprentice System in British History', p.308.
- <sup>129</sup> Borsay, *The Image*, pp.256-157.
- <sup>130</sup> Snell, *Annals of the Labouring Poor*, Chapter 5, pp.228-269; Simonton, *The Education and Training*, p.8, n.15. Simonton alerts us to the fact there are problems with Snell's data. He has little data from the period under review, and he uses Inland Revenue sources that are concerned only with private apprentices. Simonton is also concerned mainly with private apprenticeships so claims concerning the decline or continued strength of apprenticeships may be of little relevance here.
- <sup>131</sup> Laurence, Anne, *Women in England, 1500-1760, A Social History*, (London, 1994), p.113.
- <sup>132</sup> Laurence, *Women in England*, p.114.
- <sup>133</sup> Smith, *The Wealth of Nations*, p.226.
- <sup>134</sup> Smith, *The Wealth of Nations*, p.226.
- <sup>135</sup> George, *London Life*, p.246.
- <sup>136</sup> Simonton, 'The Education and Training', p.218.
- <sup>137</sup> Snell, 'The apprenticeship system in British history', p.313.
- <sup>138</sup> Rule, *The Vital Years*, p.198.

## **Chapter 6: Philanthropy**

### **Introduction**

The eighteenth century has been called ‘the age of benevolence’<sup>1</sup> and between 1790 and 1811 fourteen new charities were set up in Bath.<sup>2</sup> The city was, primarily, a health resort and tracing the development of two medical charities, the Casualty Hospital and the Bath City Infirmary and Dispensary, reveals two approaches to the sick poor. A change in attitude by the civic elite towards the poor in the early 1820s is also revealed. As Hugh Cunningham has written: ‘Both at civic and national level, charity lent, or was intended to lend, legitimacy to what were, in a revolutionary age, often fragile structures of power’<sup>3</sup> Although it can be argued that the main beneficiary of the medical charities was the medical profession, the merger of the two charities in the 1820s shows how the ideology that emphasised deference and the maintenance of social order came to dominate. The merged charity, known as the Bath United Hospital, was less oligarchic than the Casualty Hospital, where the Trustees were self-perpetuating, in that the subscribers elected fellow subscribers to be members of the Management Committee. At the same time, subscribers sought to limit entry to the hospital to the deserving poor only. The foundation of the Bath Penitentiary for Penitent Prostitutes in 1805, and the opening of the Lock Hospital in 1816 followed, more importantly, by its closure in the 1820s, reflects how the tone of the city, in line with that of the nation changed, and indicates how a desire to project an image of respectability superseded the original intention of the institution of curing and rehabilitating young, poor, sick women.

### **Historiography**

Religious precepts, mercantile purposes and a drive for social improvement have all been identified by Donna T. Andrew as providing a rationale for the establishment of charities in the eighteenth century.<sup>4</sup> She has also drawn attention to the characteristics of such charities as ‘time-consuming and expensive’. Andrew has pointed to the interest in political arithmetic promoting the notion that the nation’s

wealth depended on commercialism which in turn depended on a fit, strong and growing population.<sup>5</sup> Eighteenth-century charities reflected eighteenth century preoccupations, one of the most important being the promotion of a healthy, respectable labour force. Medical institutions and those, like the lying-in hospitals that assisted women to produce healthy babies and to survive to produce more, combined medical and moral aims. Foundling hospitals, while dealing with a problem posed by poor women abandoning children, also aimed to provide healthy additions to the labour force. Charities to recover and rehabilitate prostitutes shared this aim as promiscuity was thought to sap the physical and moral strength of men, and the wars with America and France had shown the need for a supply of healthy recruits.<sup>6</sup> Magdalen and Lock Hospitals combined medical, moral, educational, and, indeed, aspects of social control. The efforts of the philanthropic elite were driven by both utilitarian and humanitarian imperatives and these two aspects were closely intertwined. Colin Jones has identified a number of motives for the growth of philanthropy, including stabilising the social order, regulating the labour market, and civilising the poor, to which he added the advancement of the status of donors, and the advancement of professionalism, particularly among medical men.<sup>7</sup>

Writing about the motivation of benefactors, Sandra Cavallo has claimed that the link between charitable trends and economic conditions is uncertain, because of the complexity of variables, and that we should not regard charity as dependent on the conditions in which the poor lived, or demographic or economic conditions, as these limit the explanations available.<sup>8</sup> Cavallo saw shifts in charitable trends as having more to do with relationships between elites than with economic factors, and posited that involvement with the management of charitable institutions created networks and links offering, among other things, career opportunities.<sup>9</sup> Colin Jones expanded this argument by suggesting that using Cavallo's approach meant that, 'charity becomes, first, contextualised within a broader and more dynamic range of purposive social activity and, secondly, it constitutes very much a two-way street, involving advantages and disadvantages on both sides of the charitable equation'.<sup>10</sup>

Consequently, a space is created for agency and the involvement of the poor at the same time drawing attention to the fact that, although the relationship between donor and recipient may have been unequal, charity was by no means a one-way street.

## Philanthropy in Bath

In the period under review, 1770 to 1835, Bath faced a number of challenges. There was what Borsay described as ‘a major shift in the city’s function, from being a seasonal resort to becoming a residential centre’.<sup>11</sup> Borsay described what he called ‘the visitor market’ as volatile and insecure.<sup>12</sup> What Linda Colley has termed ‘internal tourism’, touring the more isolated regions of Britain, became popular from the 1770s. As Colley has written: ‘the more well-established watering places and spas had long been taken up by the bourgeoisie’.<sup>13</sup> Neale has suggested that after the 1780s, although visitors to the city were more numerous, they were also more sedate and private in their search for pleasure.<sup>14</sup> The pursuit of gentility and respectability in Bath, which was increasingly becoming a substantial residential city, reflects the growth of a resident middling sort, and the changing social and moral climate in the country as a whole. The development of humanitarianism and an economic downturn encouraged the formation of a number of charities to assist the poor. The sight of beggars, prostitutes and the maimed was not the image Bath wished to project and steps were taken to clear up the streets. Nor was Bath immune to what Joanna Innes has described as the ‘disruptive shocks’ of war, epidemic disease or the failure of harvests.<sup>15</sup> The start of the war with France led, in 1793, to the collapse of the building boom in the city followed by the closure of two banks and the bankruptcy of several developers: these factors not only increased poverty, but also had a serious effect on at least one of the charities.<sup>16</sup>

Following years of poor harvests, a group of wealthy citizens in Bath, in 1795, set up a Provisions Committee.<sup>17</sup> The *Bath Chronicle* reported on the purchase by the Provisions Committee of rice and potatoes which were sold cheaply as alternatives to wheat, and in 1801 the *Bath Herald* reported on the severity of the situation.<sup>18</sup> In the first nine months of its existence the committee distributed 60,000 quarts of soup, 200 barrels of rice and 317 tons of coal.<sup>19</sup> In 1800, starvation threatened the most vulnerable: in March a brewery on Broad Quay in Bath was burnt down and in May two hundred women rioted in the market for cheaper potatoes.<sup>20</sup> These events, memories of the Gordon Riots in the city, and the current unrest in Europe, meant that

the Corporation felt it imperative to act to stabilise the situation.<sup>21</sup> The Corporation took steps to regulate the market and, in February 1801, the Assize of Bread was suspended.<sup>22</sup> At the same time, the amount of poor relief in St James's and Walcot increased by half, totalling more than £8,000 in both 1800 and 1801. This burden fell upon ratepayers who were also being affected by the high price of provisions in the same way as the recipients of poor relief.<sup>23</sup> According to Neale, by January 1801, as conditions had not improved, 3,000 families were receiving help.<sup>24</sup>

The establishment of a Provisions Committee to meet a short-term need illustrates the point articulated by Jonathan Barry and Colin Jones in their introduction to *Medicine and Charity before the Welfare State*. They hypothesised that slumps activated immediate charitable giving but that long-term institutional charitable giving was activated in times of relative prosperity.<sup>25</sup>

An example of a response to long-term need can be seen in the establishment, in 1805, of the Society for the Suppression of Common Vagrants and Imposters, the Relief of Occasional Distress and the Encouragement of the Industrious Poor.<sup>26</sup> The formation of this charity, with a specific aim and to deal with the specific problem of begging, came to recognise, over the years, the extent of poverty in the city, and adapted to address it. The charity, which later changed its name to the Monmouth Street Society, was founded by a group of wealthy residents of Bath, under the patronage of Lady Isabella King, concerned at the number of beggars evident on the streets of the city. It is interesting to note that in a time when real wages had fallen, the title of this charity gives a clear indication of the prevailing attitude of the middling sort towards the poor.<sup>27</sup> They should be encouraged to be 'industrious' for, if they were, they would be less likely to experience 'occasional distress' - distress quite recently experienced by large numbers of the population of the city. This reflects the moral framework in which poverty and distress were understood. It took little account of the structural changes in the economy, for example, the high price of bread or lack of employment.

## Women and Philanthropy

A number of historians have shown that philanthropic involvement enabled women, increasingly from the middling sort, to move freely in the public sphere.<sup>28</sup> Although women in Bath were involved as subscribers, they were not directly involved in the management of the two medical charities under review. They were, however, involved on a day-to-day basis with the management of the Bath Penitentiary. Anne Borsay found that women comprised one-third to one-half of personal donors and 20-30 per cent of subscribers to the General Infirmary, but that no women were involved in the management of the hospital as governors.<sup>29</sup> At the inaugural meeting of the Bath City Infirmary and Dispensary in 1805, it was agreed that every subscriber of one guinea or more would be entitled to vote.<sup>30</sup> As was the well-established and acceptable pattern of the time, ladies were to be able to vote by proxy, the inference being that women would either be incapable or unwilling to attend a public meeting, however worthy the cause. The minutes of the early committee meetings concerning the foundation of the Bath Penitentiary record that fifteen men were present at the inaugural meeting and that it was agreed that committee members were to be 'fathers and heads of families'.<sup>31</sup> The Select Committee that interviewed applicants, however, consisted of nine men and six women, and this is a telling example of how, despite the rhetoric and foregrounding of men in the formal affairs of management, the actual business of the Committee included women. It was also agreed that there should be a 'small committee of benevolent ladies' who were to 'inspect parts of the domestic economy'.<sup>32</sup> Ladies, it would appear, were allowed a role that extended their more usual sphere of empathy and domestic economy.

Women were, of course, involved both as donors and as recipients of charity. In 'Women as objects and agents of charity in eighteenth-century Birmingham', Sylvia Pinches drew attention to the large number of charities founded in Birmingham between 1700 and 1830.<sup>33</sup> She also posited that women benefited from charity in a mixed economy of welfare and that a large urban centre, with more chances of relief, was attractive to vulnerable women.<sup>34</sup> As has been shown in earlier chapters, in Bath, single women constituted the group most likely to be examined and removed.<sup>35</sup> They were also unlikely to be served by institutions and charities which were concerned with maternity. Pinches reminded us that the London Lying-in Hospital was founded



in 1750, but served married women only.<sup>36</sup> The 1812 Gye's *Bath Directory* shows that a Puerperal or Childbed Charity had been founded in 1792, but, again, was available only to married women.<sup>37</sup> The Monmouth Street Society would have been available to women but as the society relied on the agents of the charity receiving favourable reports as to the suitability of the applicant, it seems unlikely that openly sexually active single women, whether never married or widowed, would have received aid. As Anne Borsay wrote: 'the single expectant mother was not a proper object for charity. It was the job of medicine to confirm her transgression and to guard the boundaries of propriety'.<sup>38</sup> The Bath Penitentiary did, of course, aid single women but only those who were repentant prostitutes and the number of women helped was very small.

### **The 'Middling Sort' and Philanthropy**

Anne Borsay found that one of the imperatives driving subscribers to Bath General Infirmary was a desire to become involved with the administration of the hospital to ensure that the institution was free from corruption.<sup>39</sup> She suggested that the landed elite and the middling sort, through association with the hospital, agreed a set of moral values.<sup>40</sup> The middling sort, who made up the civic elite in Bath, must have reached, as Andrew has suggested, some sort of consensus as to those worthy of charity.<sup>41</sup> The poor were thought to be in need of control and instruction. Unable to control their desires, they were feckless and in need of education that encouraged sobriety and industry. These ideas, according to Anne Borsay, originated with the middling sort but infiltrated the landed elite, and this distinctive ideological view of the poor helped to define the middling sort as a class. Arguably, it was this view that led to the closure of the Lock Hospital.

### **Subscription Philanthropy**

In *A Polite and Commercial People* Paul Langford suggested that the terms of ancient benefactions were easily abused and that it was feared that incompetence or corruption had lost large sums of money.<sup>42</sup> Charitable works by public subscription,

based on the concepts governing joint-stock companies, became the preferred method of financing such works. Innes has drawn attention to a new and collectively funded philanthropic activity that Innes suggested was intended to foster independence and self-help.<sup>43</sup>

Andrew wrote that the first beneficiaries of this new form of philanthropy were general or accident hospitals. In London, the Public Infirmary (later the Westminster Hospital) was established in 1719, St George's in 1733, the London in 1743 and the Middlesex in 1745.<sup>44</sup> Although a General Infirmary was established in Bath in 1739, it was not available to Bath residents, and it was another fifty years until the foundation of the Casualty Hospital meant that the poor in Bath were able to avail themselves of an accident hospital.<sup>45</sup>

This new subscription form of philanthropy had the advantage of enabling subscribers to see exactly how their money was being used, and, if they wished, to have a degree of control over the enterprise. Bath's visitors and residents would have been familiar with the use of subscriptions for charitable causes. This ability to maintain a close interest, and influence, in the work of the charity may well have had an appeal in a city where, by virtue of the incorporation of the city, only the thirty members of the Corporation had the franchise. It enabled the wider charitable elite of the city to become more involved and gain a measure of control over the poor rather than leaving them entirely in the hands of parish officers. For members of the medical profession, charitable medical institutions also provided opportunities for the advancement of knowledge.

## **Bath 'Heroes'**

Langford made the point that the 'new' philanthropists were not necessarily wealthy men but were 'opinion-makers' who were enthusiastic for moral and material improvement and he drew attention to the benefactor as hero.<sup>46</sup> He instanced Edward Colston of Bristol, as well as Thomas Guy and John Radcliffe.<sup>47</sup> Bath also had its 'heroes'. The Phillott family of Bath were prominent in philanthropic endeavour.<sup>48</sup>

Although not known nationally, James Norman, and his son George, and John Parish were also well known in the city as benefactors, the Normans in connection with the Casualty Hospital, and Parish as a major player in the foundation and maintenance of the Bath Penitentiary. James Norman, as surgeon at the Casualty Hospital, and the Revd John Sibley, Rector of Walcot, were not wealthy men but were influential at the Casualty Hospital, whereas John Parish, who had amassed a considerable fortune as a merchant in Hamburg, gave both time and money to the Bath Penitentiary and Lock Hospital.<sup>49</sup>

Involvement in charity management had the possibility of raising the status of medical men and could also lead to career advancement. James Norman, for example, arrived in Bath in 1783, having trained as a surgeon in Bristol where he had been on the staff of St Peter's Hospital and the Bristol Royal Infirmary.<sup>50</sup> He had apparently resigned suddenly and without explanation and moved to Bath. Munro Smith, the historian of the Bristol Royal Infirmary, described Norman as having 'a rough exterior and a blunt unpolished manner'.<sup>51</sup> Although he was a good practitioner, we can imagine that such a man might not fit well with Bath's medical establishment. According to later census returns, Norman must have arrived in Bath with a young son, George, who was born around 1783 (but not in Bath).<sup>52</sup> In December 1787, Norman offered his services, gratis, to the Casualty Hospital. Why under these circumstances, with the need to support a family, and relatively new to the city, should he do this? It was, in fact, a shrewd move and had a number of advantages both financial and political. On 1 January 1789, after a year at the Casualty Hospital, the Trustees awarded James Norman a gratuity of twenty guineas. In January 1790, Norman addressed a letter to the Trustees.<sup>53</sup> Having given his services free for two years, he felt that it was not unreasonable to ask for 'a gratuity proportioned to the more affluent state of the charity'.<sup>54</sup> His request was granted and, thereafter, he received a gratuity of forty guineas per annum. Moreover, unlike surgeons at the Bath General Hospital, the surgeon at the Casualty Hospital was able to take on apprentices and this may well have been a lucrative source of income. There are no details of the premiums paid by apprentices at the Casualty Hospital but, when, in 1770, Henry Wright, surgeon, took on William Thomas as an apprentice the premium was £262.<sup>55</sup> The Coroners' Records suggest that student surgeons were working at the Casualty Hospital from 1819.<sup>56</sup>

At the hospital, Norman was mixing with people such as Revd Sibley, rector of the largest parish in the city. He would also have worked closely with William Anderdon who was treasurer to the charity. Anderdon was a partner in a bank in Bath, and, although the Bank went into liquidation in the 1792 crash, he and his family were well known in the city. Anderdon was a member of the Corporation for a number of years and mayor in 1786 (two years before the foundation of the Casualty Hospital), in 1794 and again in 1813. His son, Edmund, was mayor in 1816 and 1824.<sup>57</sup>

In 1790, Norman gave his address as St John's Court, described by R.S. Neale as 'a place of working class settlement'.<sup>58</sup> *The Directory for Bath* for 1800 lists him as a midwife and surgeon at 8 New King's Street, a much better address, but still in the south of the city.<sup>59</sup> As early as 1797, however, he was sufficiently part of the medical establishment in Bath to give medical evidence at a Coroner's Inquest.<sup>60</sup> On 28 February 1812, George Norman, James's son, was appointed to the Corporation and in February 1816 George succeeded his father as surgeon at the Casualty Hospital.<sup>61</sup>

By 1833, James was no longer mentioned in the Bath *Guides* but George was listed as living at No.1 The Circus, one of the most prestigious addresses in the city. Having served his apprenticeship as a councilman, he was made mayor in 1834. In 1836, when the Municipal Corporations Act was implemented, he was elected as a town councillor for the new Kingsmead ward. He was also made an alderman and a justice of the peace. He was elected mayor again in 1841, the only mayor to serve both before and after the Municipal Corporations Act. When, after fifty years, he retired from the Bath United Hospital in 1857, he was presented with a 'testimonial' from 'the working classes'.<sup>62</sup> When Norman died suddenly at the age of seventy-eight in January 1861, he was Deputy Lord Lieutenant of Somerset and a much-loved and respected presence in the city. His funeral was an occasion for the Corporation and people of Bath to recognise his contribution to the life of the city, particularly to the lives of the poor.<sup>63</sup> The lives of both James and George Norman confirm Jones' identification of the increased professionalism of medical men as a motive for charitable involvement.

John Parish, another Bath 'hero', retired to Bath around 1804 after a successful and lucrative career as a merchant in Hamburg.<sup>64</sup> He played a major role in the foundation of the Bath Penitentiary in 1805 and was its first chairman. He was known as a generous benefactor of a number of charities in the city, but was possibly better known for his eccentricity of dress, love of illuminations, lavish parties and forgetfulness. Unlike the Normans he did not need the association with a charity to improve his financial or career opportunities, but the contacts he made among influential Bath residents may have helped him integrate into Bath society. He used his contacts outside the city effectively for the benefit of the Penitentiary and, as a successful merchant, he was able to use his business acumen for the benefit of the charity. He died at his house in Pulteney Street in 1829 and his obituary appeared in the *Bath Chronicle* on 12 February. He was buried in the Abbey where his monument can be seen to this day. Although unknown nationally, John Parish was influential in Bath both socially and through his involvement with an important charity.

## **Two medical charities**

### **Bath City Infirmary and Dispensary**

Innes has claimed that many contemporaries thought that aid, either in kind or cash, would only encourage poverty and that what was called for was encouragement and the opportunity for the poor to help themselves and that, therefore, the emphasis was on relief of the poor in their own homes.<sup>65</sup> In April 1792, however, at a meeting in Bath of subscribers to the Pauper Charity, it was resolved to build an infirmary in addition to the existing dispensary.<sup>66</sup> The subscribers acknowledged that many of the poor lived in such poor and insanitary conditions that medical attention at the dispensary was ineffective if patients were then returning to accommodation where 'infections travel fast' sometimes through an entire family, and 'neighbours through fear of infection desert them'.<sup>67</sup> In this respect Bath's charitable elite was moving against the trend indicated by Innes and was both pragmatic and enlightened.

The Pauper Charity had been established in 1747 to help the sick poor in their own homes. Very little is known of the early years of the charity, but an approach made to the Casualty Hospital in 1789, suggesting a merger of the two charities, may indicate that the Pauper Charity felt itself to be vulnerable.<sup>68</sup> The approach came to nothing and, on 3 April 1792, at an annual meeting of subscribers to the Pauper Charity, the trustees proposed to change the name of the charity and to extend its remit. In future the charity should be called the Bath City Infirmary and Dispensary and would include a hospital ward.<sup>69</sup>

The reasons for the change were set out clearly.<sup>70</sup> The expansion of the city meant that there had been a rapid increase in the number of resident sick poor. The building work being undertaken in Bath was bringing into the city large numbers of skilled and unskilled labourers. As Phyllis Hembry has pointed out, in the period 1788-1793, one thousand houses were built in Bath.<sup>71</sup> Contemporaries deplored the lack of reserves in poor families and in their minutes the Committee of the Bath City Infirmary and Dispensary revealed that they subscribed to the conventional view that when people worked in service to their betters they developed ideas and tastes beyond their financial reach.<sup>72</sup> When they then married and set up home for themselves, they lived up to their last shilling so leaving them 'unprovided in times of sickness'. Consequently, their character flaws and, in particular, their inappropriate taste for 'luxury' proved their downfall. Although with hindsight, we can understand the impossibility of saving even a few pence a week out of the meagre wages of a labourer or servant, this was a common view of the day and reflects the determination of the middling sort to preserve the social hierarchy against social mobility in a dynamic economy.

The Trustees of the charity felt that by 1792 it was no longer able to give adequate relief: patients were widely dispersed in and around the city, or, in some cases had no fixed address. The rationale given for the proposal to open an infirmary was that the urgent cases would benefit, but also relief would not be afforded to 'improper objects'.<sup>73</sup> Smallpox and other highly infectious diseases were dreaded, and, therefore, it was thought wise to remove anybody suspected of suffering from an infectious disease into the Infirmary as quickly as possible.

The Trustees stated that they intended to appeal not only to the residents of the City but also to 'the Company resorting to Bath'.<sup>74</sup> It was noted that the wealthy already made generous contributions to the General Infirmary but this, of course, was not available to citizens of Bath: indeed the resident poor were not even able to gain access to the healing waters 'so bountifully bestowed by Providence on their native City'. Not only did the presence of the visitors to the city mean that a large number of the poor were drawn in to meet their requirements and then left stranded in the off-season, but their presence also denied the poor access to Bath's healing waters. By implication, therefore, the Company had a responsibility towards the sick poor of Bath. The Trustees, all of them of the middling sort, were pragmatically humanitarian, balancing the needs of catering for the company, against the strains their presence in the city put on the poor. To strengthen their case, they argued that no other city of such fame and opulence also generated so much 'misery and want'.<sup>75</sup> The image of Bath should not be tarnished by its apparent indifference to its poor. Humanitarianism and self-interest were clearly not necessarily mutually exclusive.

The Trustees stated their intention to advertise, through the Bath newspapers, the formation of the new venture to both the Corporation and, probably more importantly, to the parish vestries.<sup>76</sup> The latter were to be reminded that if the major wage-earner of a household, most usually the man, was speedily returned to work it might well prevent the whole family from becoming a burden on the poor rates. As the burden of providing the poor rate fell most heavily on the middling sort, it was in their interest to support the new charity. The trustees appealed to the visitors in a general call for subscribers and, as lists of subscribers to charities were published in the local press, there was an element of ostentation involved in giving to charity, and the opportunity of increased status from association.

In the language the Trustees used at this inaugural meeting intended for the Bath newspapers, they demonstrated what G.J. Barker-Benfield has identified as 'an ongoing relationship between commercial capitalism and the general growth of humanity'.<sup>77</sup> As Barker-Benfield pointed out the rise of the culture of sensibility and the rise in humanitarianism came at the same time. The trustees of the new charity appealed to the men and women of feeling to sympathise with the resident sick poor and to act on those feelings in support of the charity. Although there is no record of

accounts extant for this period, the trustees must have been successful, as by 1 October 1792 a house had been purchased in Lower Borough Walls and the Infirmary opened.<sup>78</sup>

Subscribers of one guinea or more were to be entitled to attend an Annual General Meeting at which the Rules and Regulations would be agreed and the accounts presented. The trustees of the new institution were anxious to show that their administration would be, to use a modern phrase, transparent and accountable. A yearly report and accounts, including a list of subscribers, were to be published in all the local papers.<sup>79</sup>

Subscribers were entitled to six recommendatory tickets for every guinea donated. In this way the subscribers were able to keep control, not only over the working of the charity, but also over the sick poor. Entry to the General Infirmary required sponsorship by the prospective patient's home parish rather than ticket, but at least one other charity in Bath used tickets as a way of controlling both the poor and the charitable impulses of the general public. Subscribers to the Monmouth Street Society were given tickets to be distributed to beggars rather than cash. The recipients of tickets would then be visited in their own home and, if they were judged to be suitable candidates for charity, they would be given appropriate relief. In instigating home visits the Monmouth Street Society was a forerunner of the Charity Organisation Society founded sixty years later.<sup>80</sup> The system was intended to discourage both begging for money on the streets and indiscriminate giving, possibly to conmen and impostors. The system of recommendatory tickets was familiar to subscribers and strengthened social hierarchies within the city and was intended to prevent the 'undeserving' receiving relief in the form of charity.

By January 1794, the management committee of the Infirmary and Dispensary had treated, in one way or another, a total of 1,173 of the sick poor.<sup>81</sup> The estimate given by Neale for the population of the city at this time was 26,000, so the Infirmary and Dispensary must have made some impact among the sick poor of the city. It would appear that the resident sick poor were prepared to submit to medical care in the expectation of improving their health and the success of the charity must have increased the status of the physicians, surgeons and apothecaries involved in the



enterprise.

The list of subscribers to the Infirmary and Dispensary shows that most subscribers came from the group of minor gentry and gentlemen.<sup>82</sup> Exceptions among the benefactors were the Duke of Ancaster who gave one guinea and the Right Honourable The Baroness Bath who contributed £100. The former was Brownlow Bertie, 5<sup>th</sup> Duke of Ancaster and Kesteven. The latter was Henrietta Laura Pulteney, the only daughter of William Pulteney, who was made Baroness Bath in 1792.<sup>83</sup> The inclusion of Baroness Bath will have added considerably to the prestige of the charity given her status and wealth and the fact that she lived in the city.

### **The Casualty Hospital.**

On 20 November 1787, a small group of men led by the Revd John Sibley, Rector of Walcot, met to discuss the desirability and feasibility of a hospital in the city to assist those involved in sudden accidents.<sup>84</sup> Contemporaries were aware of their lack of medical knowledge and their inability to cure illness so were more inclined to support hospitals where surgery might be effective.<sup>85</sup> The group in Bath, including James Norman, attributed the need for such an institution, like the trustees of the Infirmary and Dispensary, to the increase in building work in the city. This had attracted workers to the area, and ‘day labourers and poor people’ were particularly vulnerable, because of the nature of their work, to the possibility of sudden accidents. The Coroners’ Records show that the second biggest cause of accidents after drowning was falling.<sup>86</sup> Men fell off ladders, out of windows, off roofs and into the river.<sup>87</sup> It is difficult to say how many of these accidents were directly work-related but the records show that between 1780 and 1789 there were thirteen accidental deaths recorded, certainly some of which will have been work-related. Many more accidents will have occurred that resulted in injuries, possibly severe, and, possibly leading to permanent disability. At this stage the charity was intended for the parish of Walcot only and the parish vestry had already agreed to pay 5s. per week for every Walcot parishioner in the hospital. The hope was expressed that the other Bath parishes would agree to pay a similar amount and thereby make the facility available to their own parishioners. No doubt the parish officers in Walcot saw the sense of supporting

a local charity that would have the effect of returning to work men and women who might otherwise remain a burden on the poor rates. In this way they were transferring the costs of supporting accident victims and their families from ratepayers, some of whom may have been close to pauperisation themselves, to the more affluent in the parish who became subscribers.

The Trustees were to meet monthly to pass the accounts and William Anderdon, then still a banker in Bath, was appointed treasurer.<sup>88</sup> Daniel Lysons MD and James Norman, surgeon, had agreed to give their services gratis and their offers were accepted. Subscribers were not to be supplied with tickets and, unlike the Infirmary and Dispensary, patients did not need to secure a recommendation before admission. The sole criterion for admission was having been involved in a severe accident.

January 1788 was a busy month for the Trustees of the new venture, and by the third of the month a house at 28 Kingsmead Street, had been rented for one year.<sup>89</sup> In March, the Trustees agreed that the Churchwardens of the other three Bath parishes should be asked to contribute 10 guineas to the charity (although they would still be expected to bury their own dead).<sup>90</sup> The problem of burial was one that had been raised at the General Infirmary, since, if the family of the deceased was unable to pay for burial, the expense then fell on the parish.<sup>91</sup> The Trustees, therefore, were anxious to avoid any problems that might arise concerning the burial of the very poor.

On Tuesday, 11 March 1788, the Trustees met with the churchwardens and Overseers of St Michael's, St James's and Abbey parishes to ask for their support. The Abbey churchwardens did not feel able to ask ratepayers to contribute, and Mr White, a perukemaker who was Overseer for St James's, gave the same reply: only the parishes of St Michael and Walcot were prepared to support the hospital. On 1 April 1788, the churchwardens of Walcot came to a further agreement with the hospital. They were prepared to extend their agreement to include not only the parishioners of Walcot, but also to anyone residing in Walcot who did not have a settlement either in Walcot, or in any of the other Bath parishes. While Walcot encompassed the 'best' addresses in the city, it also included some of the poorest areas, for example Avon Street and the courts and alleys on either side. Here there would have been a concentration of migrant casual labourers, without a settlement in the parish and the

most vulnerable to abject poverty in the event of an accident. Further, Walcot vestry was prepared to pay for anyone who suffered an accident while working in Walcot although not residing there and without a settlement in any Bath parish. They would also take responsibility for either burial in the event of death, or removal to the parish of settlement in the event of recovery. This was a generous agreement and indicates the high degree of commitment Revd Sibley and the parish officers had to helping the poor in a parish that was in the thick of the building boom of 1785-93.<sup>92</sup> As residents of the city they undoubtedly appreciated the need for migrant workers and the need to keep them, as cheaply as possible, within the city. As such, this provides a good example of a private charity that obtained public funding, something that Barry and Jones have suggested may have had particular appeal to public administrators, in this case parish Overseers, as an oblique method of dealing with the social problem of injury and illness.<sup>93</sup> As they have pointed out, this also avoided a public admission that the poor had a right to medical care.<sup>94</sup>

### **Women at the Casualty Hospital**

Although we have little detail about the patients admitted to the hospital it is possible to see that the hospital treated female accident victims as well as male. Parents and neighbours rushed children to the hospital after accidents and between 1806 and 1835, 18 children were admitted. Abel Mundy was drowned when he fell into the river while attempting to retrieve a dead cat, and Mary Ann Emery was left alone with another child when her clothes caught fire and she was fatally burned.<sup>95</sup> Both were taken to the Casualty Hospital where they died. The Coroners' Records also give some indication of the admission of women. These indicate that, between 1817 and 1835, 14 women are recorded as having died at the Casualty Hospital.<sup>96</sup> For example, on 30 December 1817, Margaretta Hunt was taken to hospital after she fell through the open trapdoor of Williams Tucketts shop in Market Place into the cellar ten feet below, as was Mary Leonard, in June 1825, when, watching the fireworks in Sydney Gardens from a vantage point across the road, the horse drawing a carriage belonging to Mr Coleman Levy Newton took fright and ran over her.<sup>97</sup>

The *Bath Chronicle* sometimes reported admissions to the hospital and these reports suggest that between March 1792 and January 1794 at least 6 women were admitted. In March 1792 Sarah Pierce fell from the top of a stage coach, suffered a ‘contused head’ and was taken to the Casualty Hospital.<sup>98</sup> Johanna Richards went to the Casualty Hospital early in January 1794 where she had a leg amputated. She was reported to be doing well.<sup>99</sup> Reports in the newspapers are not reliable as to numbers admitted as reports appear sporadically and the editor may only have included reports of admissions on ‘slow news days’. In November 1794 there was an exchange of letters in the *Bath Chronicle* between James Norman and John Ewart MD, physician at the Infirmary and Dispensary. Ewart accused Norman of mistreating Susan Alford who presented at the Casualty Hospital with an ulcer on her breast. Norman replied that Alford had not been a patient at the Casualty Hospital but that he had advised treatment for breast cancer. Two other surgeons, William Perry and John Grigg, confirmed in an open letter that Susan Alford had presented with symptoms consistent with breast cancer. While no further records survive of the case, the exchange reveals that there was some bad feeling between Norman and Ewart. It also confirms that women were seen at the Casualty Hospital, but it is clear from both newspapers and the coroners’ records that the hospital served mostly men.

### **The Collapse of the Bath and Somersetshire Bank**

At a meeting of the Casualty Hospital Trustees, on 11 April 1793, the minutes note that all Trustees who were able, were requested to attend a creditors’ meeting of Messrs Horlock and Anderdon. The Bath and Somersetshire Bank had collapsed as a result of a stop on building work in Bath following the start of the war with France. As a partner in the Bank, Anderdon was no longer able to act as treasurer, and Daniel Lyson was appointed in his place.<sup>100</sup> In March 1795, however, Anderdon’s brother, Ferdinand, was appointed Trustee.<sup>101</sup> It was not until November 1800 that the Trustees were informed that they would receive a dividend of three shillings in the pound on £455 5s 0d from Messrs Horlock and Anderdon: even then Casualty Hospital had lost nearly £400 with the failure of the Bath and Somersetshire Bank.<sup>102</sup>

Although little survives in the way of accounts, it would appear that the charity was financially successful in its early years. By 1820, the hospital had outgrown its accommodation but had insufficient funds for a new building.<sup>103</sup> There was little alternative, if the hospital was to continue but for the Trustees to reconsider an earlier proposal made by the Bath City Infirmary and Dispensary for a merger of the two charities.

### **The merger**

The first approach to the Casualty Hospital by the Bath City Infirmary and Dispensary (then The Pauper Charity) had been made in January 1789. The Casualty Hospital's rebuttal of the advances of the Pauper Charity had led to the formation of the Bath City Infirmary and Dispensary.<sup>104</sup> In their reply to this early approach, the Casualty Hospital set out their *raison d'être*. The hospital was there for 'the reception of casualties without distinction the accident being sufficient recommendation without further enquiry'.<sup>105</sup> The matter was not raised again until late November 1817.<sup>106</sup> There were obvious advantages to a merger: both charities would pay less rent, particularly important as both institutions were having to consider larger premises in the near future, bills for wages and other expenses would be lower, and, the united institution would have, to use a modern phrase, a larger profile in the city. Another reason for a merger raised by the Trustees of the Infirmary was that large hospitals were more conducive to improvements in medicine and surgery and that there would be an increased opportunity to study diseases and the efficacy of treatments.<sup>107</sup> The new hospital was evidently to be seen as a place of education as well as healing. Certainly, the *Bath Chronicle* reported in December 1792 that the physician at the Infirmary and Dispensary would, in future, take pupils: similarly, as we already know, student surgeons were working at the Casualty Hospital from 1819.<sup>108</sup> Indeed, R. Mainwaring, writing in 1838, described the merger as 'calculated to further the advancement of medical and surgical knowledge'.<sup>109</sup> Nevertheless, in 1817, the Casualty Hospital still felt that 'the objections supercede (*sic*) all advantages'.<sup>110</sup>

There were two major areas of disagreement between the two charities - the constitution of the governing body and, probably more importantly, the criteria for admittance. In the first case, the Casualty Hospital trustees wanted to keep the governing body small and self-perpetuating, while the Infirmary and Dispensary favoured a large management committee elected by the subscribers. The Casualty Hospital had always taken in-patients solely on the basis of need, whereas the Infirmary and Dispensary preferred to control the intake of patients by means of the recommendatory ticket. The differences indicate an ideological gap between the charities: the Casualty hospital management being oligarchic, reflecting the Corporation of the city, while, at the same time, appearing more egalitarian through admittance by need alone. The founding trustees were, in fact, determined to keep a firm and paternalistic check on the charity with as little input from the subscribers as possible except, of course, for their donations. The Infirmary and Dispensary, on the other hand, were prepared to open the management of the charity to subscribers but wanted to keep control of the intake of patients. Subscribers were, in general, expected to play a much more important part in the running of the charity. This reflected more accurately the desire for involvement among the middling sort while, at the same time, ensuring only the 'deserving' poor received help.

In the Casualty Hospital minutes, a brief entry for 19 February 1823 notes a meeting of subscribers in the Guildhall, chaired by Charles Crook, apothecary and mayor.<sup>111</sup> It was at this meeting that the merger was finally agreed. The Corporation donated £1,000 pounds towards the erection of a new hospital. It appears that the Corporation had been determined that the two charities should merge and was prepared to use its money to achieve this end.<sup>112</sup> Why this should have happened is not easy to determine. It may be that the civic elite was prepared to subsidise, to some extent, a private charity rather than take more direct action that may have encouraged the notion that the poor had a right to medical care. Sandra Cavallo has suggested that rivalry between urban elites on occasion may have provoked a reaction that sought to create common objectives after a period of division.<sup>113</sup> Joanna Innes and Nicholas Rogers have written about municipal political life and have suggested that conflicting opinions that could be vented in neither a local nor a national arena sometimes resulted in contentious elections to voluntary bodies.<sup>114</sup> Applying these ideas to Bath means the possibility that the Trustees of the Casualty Hospital, who were determined

to retain control of the management committee, might have clashed with the Trustees of the Infirmary and Dispensary equally determined to control the admission of patients, thereby provoking a reaction from the Corporation to resolve the *impasse*. It is possible to argue that the civic elite were ensuring the success of a charitable elite that accorded with its own views of the poor, that they needed to be controlled and that it was essential that the ‘undeserving’ were not allowed to access medical care, while at the same time taking a pragmatic, economic stance to deal with a pressing situation.

### **The Bath Penitentiary for Penitent Prostitutes.**

In the preface to the *Collective Reports of the Bath Penitentiary and Lock Hospital*, published in 1824, the chairman of the charity, John Parish, made it clear that the charity’s aim was to ‘provide for the welfare of the body’ and the ‘far more important interests of the soul’.<sup>115</sup> He also placed the cause of prostitution firmly at the feet of ‘the licentious and profligate’ and implored them to ‘save from the wrath of an offended GOD, those wretched objects whom their vices have plunged into sin’. This places prostitution firmly within a moral framework, no account being taken of the seasonality of female employment in Bath.

The charity had been established in 1805 as the Bath Penitentiary for Penitent Prostitutes and did not originally encompass a Lock Hospital to treat venereal disease.<sup>116</sup> This was added in 1816 although there were always differences of opinion as to the propriety of the undertaking.<sup>117</sup> Some thought that curing the body was a first step to recovering the soul: others felt that if they were to cure the women and then return them to the city, the charity could be seen as encouraging prostitution. The charity was, however, one of the few institutions, and certainly the largest, catering solely for women. It may be that not all prostitutes were single women, but it is reasonable to assume that applicants to the Penitentiary were. The city’s poorhouses would have taken in female parishioners and provided medical aid but the creation of a Lock Hospital indicates that there was an awareness of the problems

facing young, diseased women. There was also a desire to keep clean the streets of the city.

A General Meeting of subscribers to the Penitentiary was held in the Guildhall on 12 June 1816 to consider the addition of a Lock Hospital. The Chairman, proposing the motion, spoke of his audience's liberality, sympathy, benevolence and bountiful hearts.<sup>118</sup> In seconding the motion, Mr Elwin Hastings reassured the meeting that the Lock Hospital was not going to be a place for the idle or profligate but a workhouse, open only to those whom the Select Committee (responsible for interviewing potential penitents) deemed likely to be saved from sin. It was hoped that by isolating 'diseased objects' and ensuring that they received religious education with their medical assistance, they would then be suitable for transfer to the Penitentiary. He pointed out that such Hospitals already existed in London, Manchester and Liverpool. The inference was that a city of the importance of Bath ought to be able to sustain such an institution, curing women of 'a pestilence ... of a nature too disgusting to admit of public detail'. It was intended to extend the Penitentiary from accommodation for six to accommodate twenty women and, in addition, build a ward for 'the reception of diseased objects'. The resolution was passed.<sup>119</sup>

It was agreed that an appropriate announcement should be made to the public through the Bath newspapers. In the announcement the Committee pointed out that many in the city received charity at some time except for 'the unfortunate girl, who, seduced but not depraved, - her health destroyed, but her mind not yet vitiated, - finds herself by the same offence, [seduction] dismissed from her service, and for ever disabled from finding another'. She then 'becomes one of the most pernicious agents in the corruption of the health and morals of the sons, the relatives, the domestics, and the dependants of the inhabitants of this city'.<sup>120</sup> It was acknowledged that prostitutes were not the easiest group to whom to extend charity, and the charity trustees admitted that, because of lack of funds, they had not been able to help as many women as they would have liked.

The language used was strong and, once again, suggests that the men who wrote the reports and newspaper announcements were influenced by the prevalent culture of sensibility, and combines sensibility and the rhetoric of moral reformers and



evangelicals.<sup>121</sup> In referring to prostitutes as ‘unfortunate girls’ the writers of the Penitentiary literature were giving clear signals as to their own sensibilities, the prostitute clearly representing Barker-Benfield’s ‘virtue in distress’.<sup>122</sup> As Carolyn Williams has pointed out, when writing of the Royal Humane Society’s literature, it is noteworthy that a writer should have chosen to appeal to sensibility when he wished to achieve ‘maximum political impact’.<sup>123</sup> The culture of sensibility, Barker-Benfield claimed, acted to polarise society between men of the world and women as ‘virtue in distress’. The problem with regarding women in this way is that it infantilised them and presented them as passive victims. It also failed to recognise the economic context of young women in Bath.

The list of high-profile supporters of the charity makes impressive reading, although it is doubtful that they did anything other than lend their name and give a modest donation. The Patron was His Serene Highness Prince Leopold of Saxe-Coburg. Honorary Vice Presidents included the Duke of Wellington, the Duke of Buccleuch, Earl Manvers, the Earl of Pembroke and the Lord Bishop of Bath and Wells. Among the Vice Presidents were Lord John Thynne, Sir William Cockburn (a Trustee of the Casualty Hospital), two MPs and the Mayor of Bath. Their willingness to support the charity is a mark of the importance that members of the aristocracy, who had connections with Bath, and the civic elite attached to the problem of prostitution and venereal disease at the time. By March 1817, the Trustees reported that supporters of the charity included some of the ‘most illustrious names in the Kingdom’, and some ‘wholly unconnected with the city’.<sup>124</sup> The report of the 1817 meeting also stated that despite the ‘heavy general distress of late’ they had received a large number of subscriptions. In April 1818, there were more than 700 subscribers including ‘names of princely dignity’ and the charity was continuing to attract aristocratic support.<sup>125</sup> The Duke of Wellington agreed to accept the presidency of the charity in February 1821.<sup>126</sup> Andrew found that the charity in London only attracted a small number of subscribers who fell into three groups: benevolent aristocrats and gentry who often donated to public charities, doctors and apothecaries with obvious professional interest, and military men that, Andrew felt, supported the view that venereal disease, as a threat to the health of soldiers, was of growing concern during the wars of the eighteenth century.<sup>127</sup> From the *Collective Reports* it is not obvious that military men were involved with the Bath charity but there were large numbers of the aristocracy

involved as supporters. This is interesting given that by second and third decades of the nineteenth century Bath was no longer regarded as the fashionable spa it had once been. Andrew found that, despite an obvious need for such an establishment, managers of the Lock Hospital in London had difficulty in persuading the public to subscribe but it would appear that this was not the case in Bath, for a while at least.<sup>128</sup>

The Bath Penitentiary was not initially short of funds. Although, in June 1816, the Trustees reported that they were unable to take all the women applying to the Penitentiary, in March 1817, they reported an increase in the number of subscribers and that £1,360 had been collected in seven months.<sup>129</sup> In April 1818, it was reported that £3,000 had been collected, and by July 1818, the Trustees reported that they had £1,850 'in hand' and that the running expenses of the charity amounted to 'under £2,000'.<sup>130</sup> In the 1820s funds began to dwindle, possibly prompting, in 1821, a donation of £500 from John Parish.<sup>131</sup> This represented an advance on the £1,500 bequest the charity could expect on his death.<sup>132</sup> In January 1822 the Trustees reported that they had a 'surplus' of just over £127, and in February 1823 subscriptions had fallen to £412.<sup>133</sup> The fall in the numbers of subscribers and the lack of funds was blamed on the addition of the Lock Hospital as it was thought that it was seen as 'encouraging rather than deterring vice'.<sup>134</sup> It would appear that although initially the Bath Penitentiary appeared to have been more successful than the London charity in attracting subscribers and funds, in the long term the Lock Hospital was seen as holding back the Penitentiary.

The Penitentiary and Lock Hospital was not a 'quick fix' solution: many applicants, some of whom were very young, stayed for two or three years before being returned to the world of their families and work.<sup>135</sup> Andrew, writing of the Magdalen Hospital in London, founded in 1758, found that many of the penitents were less than fourteen years of age.<sup>136</sup> When in the early years of the nineteenth century, Revd John Skinner, Rector of Camerton, a village near Bath, visited the city he wrote in his Journal that he had been dismayed at the number of prostitutes in the streets some of whom 'were not above 14 or 15 years of age'.<sup>137</sup> When, in April 1806, the first women were admitted to the Bath Penitentiary they were Eliza Davey and Jane Matthews, both of whom were aged seventeen. The youngest applicant was admitted to the Lock Hospital in March 1820 and was described as an 'unconsenting little

sufferer of only nine years old'.<sup>138</sup> It was felt that the women could be restored as useful members of society if their rehabilitation, both vocational and moral, began when they were young. The underlying ideology was that, when cured of disease, and morally rescued, the women would be restored to their families and, eventually, become mothers of the next generation of producers.<sup>139</sup>

The rules for the internal management of the institution state that the women should not be allowed out unless accompanied by member of the Select Committee.<sup>140</sup> The minutes show that in January 1806, soon after a suitable house had been found in Walcot Street and a matron appointed, instructions were given for an ashlar wall to be built to enclose the garden.<sup>141</sup> This was intended to keep penitents in rather than keep intruders out. Indeed, the Annual Report of 1818 noted that two women had 'escaped'.<sup>142</sup> Each inmate was given a Bible and a Book of Common Prayer, and expected to attend divine service at least once on a Sunday. Family worship took place twice a day and the women were expected to cultivate habits of industry and virtue.<sup>143</sup> It was hoped that the presence, on a daily basis, of female members of the Select Committee would encourage such attributes. The rules state that from 1 April until 1 November the women were to rise at 6 a.m. and retire for the night at 10 p.m. During the winter months they rose at 7 a.m. The *Collective Reports* show that there was an increase in the numbers of women waiting to be admitted to the Penitentiary, three were waiting in 1817, but by 1820 twenty four had been 'rejected for lack of room'.<sup>144</sup> At the Annual General Meeting of the charity in March 1822, it was recorded that eleven women had been rejected for want of room and that the house could take double the current number of prostitutes but for lack of space and funds.<sup>145</sup>

The charity arranged for the women to take in washing and ironing. The large garden behind Ladymead House in Walcot Street made excellent drying grounds. Although it was hoped that by working the women would contribute to the charity's funds, they were allowed to keep some of the money 'as a reward for good behaviour'.<sup>146</sup> The charity in Bath never became in any way self-sufficient, as had been hoped, but the earnings of the women in the house did increase over the years. By March 1822, the amount earned through taking in washing and needlework exceeded the amount spent on provisions, so the women's earnings were a valuable contribution to the running of the charity.<sup>147</sup> The worth to the Penitentiary in the women's work was, no doubt,

more in the areas of inculcating ideas of industry and honest labour, in employing them gainfully during their stay and in imparting skills that might be helpful to them in the future. It is worth noting that laundry work and needlework were both trades that were vulnerable to seasonality, a contributory cause of prostitution. This shows that there was little understanding of the female labour market and the conditions leading to prostitution. It was thought that the women were most in need of the redemptive forces of industry and hard work. However, it was not financial problems that eventually closed the Lock Hospital at the Penitentiary in 1824 but fear of infection and a loss of image.

In March 1820, a survey of the previous four years was produced.<sup>148</sup> This can be summarised as follows: -

<b>Total Applicants</b>	<b>143</b>
Admitted	83
Rejected as improper	15
Refused for want of room	45
Of those admitted:	
Died	8
In service with good characters	12
In house and behaving well	30
Discharged	22
Left the house	3
Returned to friends	5
Returned to parish	3

A number of points arise from these figures. At the time of the survey 30 women were reported to be in the house, and were reported as ‘behaving well’. Their continued presence in the house very much depended on their good behaviour. The minutes do not make explicit what constituted ‘bad’ behaviour but references were made to women ‘swearing’, or behaving in an ‘unruly and improper manner’.<sup>149</sup> If they flouted the rules they ran the risk of being rejected as improper.

Of those who had left the institution, 12 women had gone into service with good characters. If a woman remained in her situation for a year she was entitled to a premium of one guinea. In February 1823 it was reported that four women had received a premium. This is another example of the circularity of the way in which the Penitentiary sought to assist the women. They were sent back into the same employment that may have led to their need to work as prostitutes in the first place. The provision of a good character reference was also an important help in obtaining a job, or in changing employment in the future. It was the lack of a good character on leaving a position that had driven many women into prostitution in the first place, a fact that had been recognised at the inaugural meeting.<sup>150</sup>

How many women were helped out of prostitution in the long-term cannot be assessed, as we have no data allowing us to follow the women after they left the house. The demand for admittance, however suggests the value of the institution to the prostitutes of Bath. Graham Davis, writing of vice in Georgian Bath, has suggested that prostitution amounted to ‘a substantial business enterprise’ and that it was an important aspect of the service industry.<sup>151</sup> The *Bath and Cheltenham Gazette*, in 1821, wrote that ‘at least 300 persons obtain a livelihood by begging, thieving, or on the miserable wages of prostitution in Avon Street alone’.<sup>152</sup> We do know that around 80 women were taken up as ‘common prostitutes’ in the period 1820 to 1827.<sup>153</sup> The 143 women applying to the Penitentiary must, therefore, have represented a considerable number of prostitutes working in Bath. Some of the women applicants may have been very ill and hoping for medical care. It may be that, for some, the Penitentiary offered warmth, decent clothing, food and shelter, and a form of security. What may seem to us like a harsh regime may have been infinitely preferable to the life the applicants were already experiencing. It is not possible to know how many of the women genuinely looked for, and obtained, a second chance in life. What can be said is that if prostitution was a strategy used by some poor women as a means of survival, some of those women, when given the chance, preferred to make use of the charity that was offered.

A Special Meeting of subscribers was held at the Guildhall on 26 April 1824.<sup>154</sup> John Parish, ill-health having forced his resignation four years previously, returned to take the chair. The Special Meeting had been called specifically to consider ‘the propriety of relinquishing the Lock Hospital and of attaching a Chapel to the Charity’. The Charity was proposing the exchange of a place to heal bodies for a place to rescue souls: the idea that the body was at least as important as the soul was no longer to be a strand of the charity’s work. It was now claimed that most parishes had workhouses where diseased women could be accommodated and provided with medical care. The Lock Hospital had been an experiment in scientific philanthropy that failed from lack of support. There was a constant fear that disease, both spiritual and physical, would spread to those already ‘on the road to redemption’ in the Penitentiary.<sup>155</sup> Civic pride was also at stake and the thought was expressed that a Penitentiary with its own chapel would add to ‘the renown of the city’: the city’s image and reputation were being put before the needs of the women.<sup>156</sup> The chapel was to seat 130 in the body of the chapel and income from the pews would add to the funds. There were to be thirty seats provided in a gallery for the inmates of the Penitentiary. They would then be out of sight and removed from the ‘respectable’ congregation. This suggests a lack of genuine sympathy with the plight of women, as the charity deemed it more important to preserve the social hierarchy and to bolster an image of respectability than to attend to the needs of diseased prostitutes. The ‘unfortunate girl’, victim of the ‘licentious and profligate’, had faded from the charity’s mind.

## **Who gained from philanthropy?**

### **Patients and Prostitutes.**

It is illuminating, although not easy, because of the lack of sources, to assess the benefit of medical charities to the poor. The Coroners’ Records suggest that the labouring sort in Bath had confidence in the Casualty Hospital.<sup>157</sup> We can see from the records that by 1794 the Infirmary and Dispensary had treated 1,173 patients: 52 per cent of out-patients were recorded as being cured or relieved of their symptoms, as were 83 per cent of in-patients.<sup>158</sup> These figures were collected by the charity and

some out-patients failed to report whether or not they had been helped, so we have no way of ascertaining whether patients would have agreed with this assessment. The Casualty Hospital reported that in their first year they had admitted 45 of whom 37 were discharged well, 6 died and 2 remained in the hospital.<sup>159</sup> In January 1792, the Hospital reported that in the years since the hospital had opened they had admitted 109, discharged as cured 96, but 7 patients had died.<sup>160</sup> The hospital had also treated 600 outpatients. As well as effecting a cure, it seems likely that, at least for the very poor, being in the Hospital or the Infirmary would have been an improvement in living standards, as patients had a bed, bedclothes, food, drink, care of some sort, and, possibly, emotional or religious comfort.<sup>161</sup>

During the existence of the Lock Hospital penitent prostitutes were, if necessary, first cured of their venereal disease.<sup>162</sup> They then had the possibility of rehabilitation socially, and redemption in the eyes of God. While in the Penitentiary they obtained clothes, food, drink, lodging, care and emotional or religious support. They were taught discipline and skills that were intended to fit them for useful work. When they were ready to leave the Penitentiary, they received help in finding suitable employment and a set of appropriate clothes. Even after leaving the institution they received encouragement and bonuses for staying in employment. It is impossible to assess how successful this was or what the penitents thought or how they fared when they left the Penitentiary.

It is difficult to assess the impact the Penitentiary and Lock Hospital made on women in Bath. Between 1816 and 1820 over 80 women were admitted. Over the same period, 40 women left the institution either to go into service, or to return to their parish or friends, or they were discharged back into the city. Although on the face of it the numbers of women involved are small, in 1820, 14 women were taken up as either vagrant or disorderly while an average of 10 women left the Penitentiary.<sup>163</sup> In 1823, a particularly high year for the taking up of vagrant women, 51 women were taken up as vagrants and 34 of those were named as 'common prostitutes'. By this time the Lock Hospital had closed. It is not intended to suggest that these facts are in any way related, but comparing the numbers named as prostitutes and those discharged from the Penitentiary reveals, perhaps, that the numbers of women leaving the Penitentiary were not altogether inconsiderable. A considerable number of

women were involved in prostitution, at one time or another, and although the numbers leaving the Penitentiary are small compared with those leaving the Casualty Hospital or the Infirmary, far more women were helped by the Penitentiary than were involved in infanticide or suicide.<sup>164</sup>

Most patients at the Casualty Hospital were taken there by their work colleagues and it is impossible to know the state of mind of the victim, whether they viewed admittance to the hospital with relief, or whether they saw it as a virtual death sentence, whether they were willing or resistant. Patients at the Infirmary or the Dispensary, and penitent prostitutes, on the other hand, presented themselves at the institutions and so, we can assume, made a choice. That there was a need for all three charities must be beyond doubt. The Penitentiary had far more applicants than it could take, and both medical charities expanded rapidly with demand outstripping supply. What the medical charities lacked was financial support: there was a constant supply of sick and injured poor. That this was so does not necessarily mean more people were becoming sick or injured, although the increase in the population and continued building work will have contributed, but expectations of a cure, either physical or metaphorical, rose among the poor.

### **Subscribers and managers**

Interpretations of the charitable act are complex, and, while responding to an obvious need among the poor was important, doing good was not the only motive for this group.<sup>165</sup> Cavallo has warned us:

As often happens, historians arbitrarily establish a link of direct intentionality between the object of their research – in this case a charitable form or institution – and the action which generated it – in this case the charitable act. Such a procedure takes for granted a direct link between intentions and consequences.<sup>166</sup>

We must also take into account the symbolic and metaphorical meanings of the charitable act. It is almost impossible, however, to do as Cavallo has suggested and examine the motives of individual donors. Assigning intention to donors would seem dubious as such intentions may have been unconscious. Although, like the poor,



subscribers were a far from homogeneous group, there are still some general advantages accruing to them that can be unpicked from the complexity of the subject.

Firstly, some, and possibly most, would have been motivated by a desire to do their Christian duty. In 1790, John Chapman preached a sermon in Bath Abbey on the subject of charity.<sup>167</sup> In his sermon he exhorted the congregation to regard charitable giving, ‘barely as a civil virtue, which would carry us but a little way toward perfection; but as a religious obligation upon our consciences to love in the first place the Lord our God and ... to love our neighbour as ourselves’. In the same vein, Revd Luke Booker, preaching in 1793, reminded his congregation that although God had ordained rich and poor and both should strive ‘in that state of life, unto which it hath pleased God to call them’, the rich had been commanded to be kind to, and protect the poor.<sup>168</sup> Both these sermons imply that the church felt that the rich were not doing enough to help the poor, and both call on scripture to confirm the social hierarchy. In a period when this sort of thinking was common, it seems likely that at least some subscribers were responding to the religious imperative expressed in sermons and teachings such as these.

Secondly, the acquisition of personal capital in the form of status or financial gain will have driven some to acts of philanthropy. This is particularly true of subscribers of lower status who will have hoped that appearing with their social superiors, either literally at fundraising events, or metaphorically through lists of subscribers and newspaper reports, would increase their own status. The *Bath Chronicle* of 7 February 1793 published a review of Mr Yaniewicz’s concert in the Upper Rooms.<sup>169</sup> The sum of £345 3s. 6d. had been raised for the Infirmary and Dispensary and the report included details of the numbers of tickets sold by individuals.<sup>170</sup> The next year, the paper again reported on a concert given by Mr Yaniewicz and attended, we are told, by ‘500 persons of fashion’.<sup>171</sup> To have been among those ‘persons of fashion’ will have afforded the opportunity for increased status in the city, and will have opened up the possibility of ‘networking’.

Thirdly, association with a charity enabled an elite in Bath who were denied the franchise the possibility of using their power to control the poor, and here Cavallo saw charity as an arena for conflict between competing elites, and this may be what

happened at the merger of the two medical charities.<sup>172</sup> The original Trustees of the Casualty Hospital clearly supported the admission of patients on the basis of need only. They expected cooperation from parish officers: the Revd Sibley must have seen in his parish (Walcot) some of the most abject poverty in the city: James Norman worked among the poor. The Trustees of the Infirmary and Dispensary, on the other hand, were anxious to maintain control over the sort of patients admitted to the Infirmary and only those with the support of a member of the charitable elite were to be admitted. These differences may have had religious or political undertones, but more research would be needed to ascertain this and it is not at all clear whether this would be possible. As Cavallo pointed out, however, hierarchies of values did not arrive out of a void, and it would appear that there were ideological differences between the two groups.<sup>173</sup>

Finally, association with charities as a subscriber or manager will have afforded a way of demonstrating humanitarianism and sensibility. What Carolyn Williams has called ‘the luxury of doing good’ was associated with sensibility and was a contributory motive behind eighteenth century philanthropy.<sup>174</sup> The most intense pleasure – to feel another’s pain and relieve it by one’s own actions – was to be had from doing good.<sup>175</sup> This notion relied on the cult of sensibility that Williams defined as ‘the emotional sensitivity that enabled its possessors to feel sympathy with each other’.<sup>176</sup> As Williams has pointed out, organised charity provided a perfect locus for turning feelings into actions.<sup>177</sup>

### **The medical profession**

Arguably, medical men had the most to gain from an association with charity, as part of the management of a medical charity. There are three areas in particular where apothecaries, surgeons and physicians had much to gain from voluntary institutions – economic, social, and the growth of clinical knowledge.<sup>178</sup> Although many medical men gave of their services free, the contacts they made through the hospital may well have led to an increase of patients in their own practices. We know that James Norman eventually gained a steady salary from the Casualty Hospital. Involvement with charities enabled some men to take apprentices for which they would expect a

fee. All of these issues would have resulted in increased status in the local community. Moreover, socially, men stood to gain from their association with other members of the management and, probably more particularly, from association with subscribers. Anne Borsay found at Bath General Hospital that attendance at Annual Meetings was so poor that this effect was diluted.<sup>179</sup> It may be that this was the case with the three charities under review here, but we can trace the rise of James and George Norman through the social strata of Bath from unknown in 1788, to Mayor of Bath by 1834. The professional standing of medical men may have been enhanced by their known involvement with charity.

Possibly the greatest area for advancement was in clinical knowledge and the two medical charities in Bath provided a locus for education. Physicians and surgeons used their participation in charity to train the next generation of professionals.<sup>180</sup> They were assisted in this by the great variety of patients they must have encountered presenting with a variety of injuries, illnesses and obstetric problems. Physicians had the opportunity to conduct and record experiments using patients who may or may not have been asked for their compliance. The Bath and West of England Society published in 1786 a number of volumes of letters and papers on agriculture. In volume three, between a description of Wm Winlaw's Patent Mill for threshing corn and an article on the value of turnip-rooted cabbage as a Spring crop, there are reports of a number of experiments carried out to test the efficacy of English as opposed to Turkish rhubarb.<sup>181</sup> The first experiments with the rhubarb plants were carried out by William Falconer M.D., F.R.S., physician to the General Hospital (Bath General Infirmary) and Caleb Hillier Parry M.D., physician to the Pauper Charity. The second stage of the experiment was undertaken by Mr Farnwell, the apothecary at the General Infirmary who administered rhubarb to various patients and noted the effects. At the same time Dr Parry was experimenting with the effect of rhubarb on the patients of the Pauper Charity. The experiments were monitored, written up and published. These may not be the only experiments made at medical charities in Bath – patients were, to a large extent, a captive audience.

It is noticeable from the Coroners' Records that the bodies of some of the patients who died in the Casualty Hospital had autopsies carried out on them. Most of these seem to have taken place after 1819 and this is possibly due to the fact the George

Norman took over from his father in 1817. For example, George Norman conducted an autopsy on the body of James Bapott in July 1819: when, in November 1819 Clement Murphy fell from the back of a carriage and died of his injuries, Frederick Field, George Norman's apprentice, carried out an autopsy: another apprentice, Edwin Skeater, performed an autopsy after Isaac Cox died, and discovered that he had a diseased liver and intestines: it was discovered that Caroline Collins had died of a ruptured liver following a road traffic accident.<sup>182</sup> A great deal of anatomical and clinical knowledge will have been gained from these events that would not have otherwise have been possible. The medical profession gained a good deal from these events, as did the residents of Bath and the wider world, as doctors and surgeons became more knowledgeable, more professional and more skilled.

## **Conclusion**

The formation and management of charities played an important part in the life of a community and was a response by the wealthy to the poverty visible around them. The publication of lists of donors reminded fellow citizens of their responsibilities to their community.<sup>183</sup> These case studies demonstrate the way in which the poor used access to charities as a strategy to alleviate their poverty. The sick and injured were prepared to access medical help at the Infirmary and Dispensary and at the Casualty Hospital, and came to rely on both these institutions in time of medical need. Women were prepared to submit to the regime of the Penitentiary to help them avoid the necessity for prostitution. The Lock Hospital was constantly oversubscribed by applicants, pointing to the need for its services, and to the preference shown by prostitutes for treatment there rather than in the poorhouse.

The fact that subscribers, managers and the medical profession seem to have gained most from philanthropy in Bath does not take away from the fact that individual patients and penitents benefited greatly from using charity as a strategy in the economy of welfare. Bath's charitable elite responded to the poverty visible around them by giving both of their money and their time and they, as well as the poor, gained a great deal along the way.

There were changes in two distinct areas of charity situated in the 1820s, an important decade for the poor in Bath. Firstly, the merger of the two medical charities suggests that a group of people in Bath, the Trustees of the Infirmary and Dispensary, were concerned to maintain a system of deference, while at the same time introducing a degree of democracy to the charity demonstrated by their insistence on the election of members to the management committee. With the help of the Corporation, they succeeded in overcoming the objections of the Trustees of the Casualty Hospital. This latter group held the view that admission to the Hospital should be on the basis of medical need only, but maintained an oligarchic, self-perpetuating attitude to the management of the charity.

Secondly, those subscribers to the Penitentiary who were opposed to the Lock Hospital succeeded in having the Lock Hospital closed and a chapel licensed in its place. This happened because a majority of the subscribers to the Penitentiary were concerned that curing women of venereal disease could be construed by residents and visitors as tantamount to condoning immorality, and that this could damage the image of Bath. Poor women infected with venereal disease were, therefore, only able to obtain medical aid through the parish officers and the poorhouse. Both these events, coming as they do in the 1820s, and taken with changes already noted concerning the removal of single women, lend weight to the view that the 1820s saw important changes in policy, for which the poor were not responsible, but which impacted on the lives of the poor in Bath.<sup>184</sup>

- <sup>1</sup> Jones, *The Charity School Movement*, p. 3.
- <sup>2</sup> Davis and Bonsall, *Bath: a New History*, p.50.
- <sup>3</sup> Cunningham and Innes, *Charity, Philanthropy and Reform*, p.10.
- <sup>4</sup> Andrew, *Philanthropy and Police*, p.7
- <sup>5</sup> Andrew, *Philanthropy and Police*, p.23; Anne Borsay, writing of the Bath General Infirmary, found that there were more men than women among the patients suggesting the desire to return men to the workforce as speedily as possible. Anne Borsay, *Medicine and Charity*, p.229.
- <sup>6</sup> Andrew, *Philanthropy and Police*, p.54; Anne Borsay, *Medicine and Charity* pp.211/212.
- <sup>7</sup> Colin Jones, 'Some recent trends in the history of charity', Martin Daunton (ed), in *Charity, Self-interest and Welfare in the English past*, (London, 1996), p.55.
- <sup>8</sup> Sandra Cavallo, 'The motivations of benefactors: an overview of approaches to the study of charity', in Jonathan Barry and Colin Jones,(eds), *Medicine and Charity before the Welfare State*, (London, 1991), pp.46-62.
- <sup>9</sup> Cavallo, 'The motivations of benefactors', p.52.
- <sup>10</sup> Jones, 'Some recent trends', p.55.
- <sup>11</sup> Borsay, *The Image*, p.256.
- <sup>12</sup> Borsay, *The Image*, p.256/7.
- <sup>13</sup> Linda Colley, *Britons: Forging the Nation 1707-1837*, (Yale, 1992), p.173.
- <sup>14</sup> Neale, *Bath, A Social History*, p.46.
- <sup>15</sup> Innes, 'State, church and voluntarism in European welfare 1690-1850', in Cunningham and Innes, *Charity, Philanthropy and Reform*, p.18.
- <sup>16</sup> Neale, *Bath, A Social History*, pp.260-263; Davis and Bonsall, *Bath, A New History*, p.46; Rules and Orders, December 1787, 11 April and 22 May 1793.
- <sup>17</sup> *Bath Chronicle*, 8 January 1795. The newspaper reported that a group of gentlemen had met at the Guildhall with the intention of co-operating with the Mayor and Corporation in opening a subscription list for the immediate relief of the industrious poor.
- <sup>18</sup> *Bath Chronicle*, 23 July and 6 August 1795; *Bath Herald*, 24 February 1801.
- <sup>19</sup> Neale, *Bath, A Social History*, p.84 (Neale)
- <sup>20</sup> Davis and Bonsall, *Bath: A New History*, p.60/1.
- <sup>21</sup> Neale, *Bath, A Social History*, p.84.
- <sup>22</sup> Neale, *Bath, A Social History*, pp.81-85.
- <sup>23</sup> Neale, *Bath, A Social History*, p.83.
- <sup>24</sup> Neale, *Bath: A Social History*, p.84.
- <sup>25</sup> Barry and Jones, *Medicine and Charity*, p.4.
- <sup>26</sup> Davis and Bonsall, *Bath, A New History*, p.50; Anne Borsay, *Medicine and Charity*, p.238.
- <sup>27</sup> For earnings and real wages see Neale, *Bath, A Social History*, Table 3.6, p.86.
- <sup>28</sup> Sarah Lloyd, 'Pleasing spectacles and elegant dinners: conviviality, benevolence and charity anniversaries in eighteenth-century London', in *Journal of British Studies*, Vol.41 No.1, 2002, pp.23-57, p.28; Anne Stott, 'Women and religion', in Barker and Chalus, *Women's History*, pp.100-123, p.110.
- <sup>29</sup> Anne Borsay, *Medicine and Charity*, p.262.
- <sup>30</sup> *The Pauper Charity, hereinafter referred to as The Bath City Infirmary and Dispensary*, (hereafter the Infirmary and Dispensary) 3 April 1792, Bath Central Library, B.362.1.
- <sup>31</sup> 'Bath Penitentiary Committee Minutes, 1805-1811', 22 November 1805, Bath Record Office, (hereafter Penitentiary Committee Minutes).
- <sup>32</sup> Penitentiary Committee Minutes.
- <sup>33</sup> Pinches, 'Women as objects', p.79.
- <sup>34</sup> Pinches, 'Women as objects', p.67.
- <sup>35</sup> See Chaps. 1 and 2.
- <sup>36</sup> Pinches 'Women as objects' p.71.
- <sup>37</sup> Gye's *Bath Directory* for 1812; *The Improved Bath Guide*, (Bath, 1821), also records the Puerperal or Child-bed Charity, founded in 1792, for the relief of married women, with James and George Norman listed as surgeons to the charity, p.81, Bath Central Library.
- <sup>38</sup> Anne Borsay, *Medicine and Charity*, p.153.
- <sup>39</sup> Anne Borsay, *Medicine and Charity*, p. 377.
- <sup>40</sup> Anne Borsay, *Medicine and Charity*, p.386.
- <sup>41</sup> Andrew, *Philanthropy and Police*, p.7.
- <sup>42</sup> Langford, *A Polite and Commercial People*, p.482.
- <sup>43</sup> Innes, 'State, church and voluntarism' p.21.

- <sup>44</sup> Andrew, *Philanthropy and Police*, p.53.
- <sup>45</sup> Borsay, *Medicine and Charity*; Rules and Orders.
- <sup>46</sup> Langford, *A Polite and Commercial People*, Langford cited Jonas Hanway as having little money but much influence, and Thomas Coram. p.483 and p.142.
- <sup>47</sup> Langford, *A Polite and Commercial People*, p.482.
- <sup>48</sup> Anne Borsay, *Medicine and Charity*, p.273.
- <sup>49</sup> Rules and Orders, December 1787; *The Collective Reports of the Bath Penitentiary and Lock Hospital from 1816-1824* John Parrish, Bath, passim. Bath Central Library, (hereafter *Collective Reports*). John Parish's obituary appeared in the *Bath Chronicle*, on 12 February 1829.
- <sup>50</sup> Kirkup, John, 'A pioneer accident service: Bath Casualty Hospital, 1788-1826', in Roger Rolls, Jean Guy and John Richard Guy, (eds) *A Pox on the Provinces: Proceedings of the 12<sup>th</sup> Congress of the British Society for the History of Medicine*, (Bath, 1990), p. 50-58.
- <sup>51</sup> Quoted in Kirkup, 'A pioneer accident service.'
- <sup>52</sup> Census Returns for Walcot for 1841, 1851 and 1861 are available in Bath Central Library.
- <sup>53</sup> Rules and Orders, 1 January 1789.
- <sup>54</sup> On 1 January 1789, after a year as surgeon, James Norman was granted a gratuity of 20 guineas. In his letter a year later, dated 5 January 1790, he requested a gratuity 'proportioned to the more affluent financial state of the charity'. It may be that he hoped to arrange payment on a more formal and regular footing. If this was his intention he was successful. Rules and Orders, 5 January 1790.
- <sup>55</sup> See Chap. 5, p.4 and n.25.
- <sup>56</sup> Coroners' Records. On 6 April 1819 Michael Symons, described as assistant to George Norman, gave evidence at the inquest on the body of Benjamin Foreman. On three occasions between October 1819 and 2 April 1821 Frederick Field, also described as assistant to George Norman, gave medical evidence at inquests. On two of those occasions the deceased had died at the Casualty Hospital. This suggests that George Norman was taking students at the Casualty Hospital before the merger.
- <sup>57</sup> Murch, *Biographical Sketches*; Derry, 'Notes on various visitors'.
- <sup>58</sup> Neale, *Bath, A Social History* p.217.
- <sup>59</sup> *The Directory for Bath*, 1800, Bath Central Library.
- <sup>60</sup> Coroners' Records, 12 June 1797.
- <sup>61</sup> 'Bath Council Minutes for 1812', Bath Record Office; Rules and Orders, 1 February 1816.
- <sup>62</sup> An obituary appeared in the *Bath Chronicle*, 24 January 1861, Bath Central Library.
- <sup>63</sup> A report of the funeral appeared in the *Bath Chronicle* on 31 January 1861; *The Stranger in Bath on the Memorable Funeral of Jan. 25, 1861*, was written by Charles Empson of 7, Terrace Walk, Bath, and is a somewhat sentimental poem that nevertheless gives a vivid picture of the esteem in which George Norman was held by Bath residents, Hunt Pamphlets, Vol.3, Bath Central Library.
- <sup>64</sup> Most details of the life of John Parish are in the relevant 'Clippings File' at Bath Central Library; see also *Bath Chronicle*, 12 February 1829; an article by T.W. Rose c.1890, *Seventy Years' Changes in Bath*, 'Clippings file'; R.E. Peach, *Historic Houses in Bath and their Associations*, (London, 1884) Vol 2, p.2, n.2; Hunt Pamphlets, Vol 2, pp.136-138, Bath Central Library.
- <sup>65</sup> Innes, 'State, church and voluntarism', p.44/45.
- <sup>66</sup> The Pauper Charity was founded 1749 as a response to the number of sick poor in the city as the General Infirmary was not available to Bath's resident poor.
- <sup>67</sup> The Pauper Charity, 3 April 1792.
- <sup>68</sup> Rules and Orders, 3 February 1789.
- <sup>69</sup> Infirmary and Dispensary, 3 April 1792.
- <sup>70</sup> Infirmary and Dispensary, 3 April 1792.
- <sup>71</sup> Phyllis Hembry, *The English Spa, 1560-1816*, (London, 1990), p.127.
- <sup>72</sup> Infirmary and Dispensary, 3 April 1792. This view was also expressed by Warner in *The History of Bath*, p.304.
- <sup>73</sup> Infirmary and Dispensary, 3 April 1792.
- <sup>74</sup> Infirmary and Dispensary, 3 April 1792.
- <sup>75</sup> Infirmary and Dispensary, 3 April 1792.
- <sup>76</sup> *Bath Chronicle*, 5 April 1792, carried a report of this meeting.

- <sup>77</sup> Barker-Benfield, *The Culture of Sensibility*, p.225.
- <sup>78</sup> *State of the Infirmary and Dispensary, 1 October 1792 to 1 January 1794*, (Bath, 1794), Bath Central Library.
- <sup>79</sup> Throughout the 1790s regular reports appeared in the *Bath Chronicle* concerning the charity, often reports of fund raising events. For example: 5 April 1792, report of the inaugural meeting; 3 October 1793, The Baroness of Bath gave a donation of £100; 7 June 1798, sermons to be preached in Bath churches and chapels, and on 21 June 1798 a report that £211. 6. 1d. had been raised; 16 May 1799, the Prince of Wales gave £50 prior to his leaving Bath.
- <sup>80</sup> Davis and Bonsall, *Bath: A New History*, p.50.
- <sup>81</sup> *State of the Infirmary and Dispensary*, 1 January 1794.
- <sup>82</sup> *State of the Infirmary and Dispensary*.
- <sup>83</sup> M.J. Rowe and W.H.McBryde, 'Pulteney (Henrietta) Laura, suo jure countess of Bath, (1766-1808), Oxford Dictionary of National Biography, Oxford University Press, 2004 [http: www.oxforddnb.com/view/article/59519, accessed 17 January 2006]. The Dictionary of National Biography shows that Henrietta Laura Pulteney was involved with her father's Bath estates and was known as rich, cautious and shrewd.
- <sup>84</sup> Rules and Orders.
- <sup>85</sup> Barry and Jones, *Medicine and Charity before the Welfare State*, p.7.
- <sup>86</sup> Coroners' Records.
- <sup>87</sup> Chivers, 'Sudden death in Bath', pp.37-39.
- <sup>88</sup> There were usually five trustees to administer the Casualty Hospital. This is in contrast to the Infirmary and Dispensary who felt they needed sixteen committee members.
- <sup>89</sup> Rules and Orders, January 1788.
- <sup>90</sup> Rules and Orders, 4 March 1788.
- <sup>91</sup> *Bath Chronicle*, 3 February 1780.
- <sup>92</sup> Neale, *Bath, A Social History*, Figure 2, p.43.
- <sup>93</sup> Barry and Jones, *Medicine and Charity before the Welfare State*, p.3.
- <sup>94</sup> Katherine Park has brought to our attention that doctors were being paid out of public funds to treat the poor as early as the thirteenth century in Florence. Katherine Park, 'Healing the poor: hospitals and medical assistance in renaissance Florence', in Barry and Jones, *Medicine and Charity before the Welfare State*, pp.26-46, p.29. The joint poorhouse committee for Abbey and St James appointed a surgeon to attend the poor in both parishes on 6 May 1784; on 17 August 1790 Mr Nick Kelly was appointed to undertake all surgery and midwifery at the poorhouse. 'Poorhouse Committee Book – St Peter and St Paul and St James', Bath Record Office.
- <sup>95</sup> Coroners' Records, Abel Mundy 14 June 1806; Mary Ann Emery, 24 July 1828.
- <sup>96</sup> Coroners Records.
- <sup>97</sup> Coroners' Records, Margaretta Hunt, 30 December 1817; Mary Leonard, 7 June 1825.
- <sup>98</sup> *Bath Chronicle*, 22 March 1792.
- <sup>99</sup> *Bath Chronicle*, 2 January 1794.
- <sup>100</sup> Rules and Orders, 25 May 1793.
- <sup>101</sup> Rules and Orders, 1 July 1790.
- <sup>102</sup> Rules and Orders, 1 November 1800.
- <sup>103</sup> Rules and Orders, 13 January 1820.
- <sup>104</sup> Rules and Orders, 24 January 1792.
- <sup>105</sup> Rules and Orders, 1 May 1792.
- <sup>106</sup> Rules and Orders, 10 November 1817.
- <sup>107</sup> Rules and Orders, 13 November 1718, copy letter from the Trustees of the Infirmary and Dispensary to the Trustees of the Casualty Hospital.
- <sup>108</sup> *Bath Chronicle*, 6 December 1792; on 6 April 1819, Michael Symons, described as assistant to George Norman, gave evidence at the inquest on the body of Benjamin Foreman. On three occasions between October 1819 and 2 April 1821, Frederick Field, also described as assistant to George Norman, gave medical evidence at inquests. On two of those occasions the deceased had died at the Casualty Hospital. This suggests that George Norman was taking students at the Casualty Hospital before the merger. Coroners' Records.
- <sup>109</sup> Mainwaring, *Annals of Bath*, p.241.
- <sup>110</sup> Rules and Orders, 17 November 1817
- <sup>111</sup> Rules and Orders, 19 February 1823.
- <sup>112</sup> There is no indication in the Minutes as to why this should have happened.
- <sup>113</sup> Cavallo, 'The motivation of benefactors', p.53.



- <sup>114</sup> Innes and Rogers, 'Politics and government', p.565.
- <sup>115</sup> *Collective Reports*.
- <sup>116</sup> Penitentiary Committee Minutes.
- <sup>117</sup> *Collective Reports*, 12 June 1816.
- <sup>118</sup> *Collective Reports*, 12 June 1816.
- <sup>119</sup> The problem of prostitution is addressed in Chap.7.
- <sup>120</sup> *Collective Reports*, 12 June 1816.
- <sup>121</sup> Barker-Benfield, *The Culture of Sensibility*, p.262.
- <sup>122</sup> Barker-Benfield, *The Culture of Sensibility*, p.219.
- <sup>123</sup> Williams, ' "The luxury of doing good" ', p.97
- <sup>124</sup> *Collective Reports*, 4 March 1817.
- <sup>125</sup> *Collective Reports*, 29 April 1818.
- <sup>126</sup> *Collective Reports*, 2 February 1821.
- <sup>127</sup> Donna Andrew, 'Two medical charities in eighteenth-century London: The Lock Hospital and the Lying-in Charity for Married Women', in Barry and Jones, *Medicine and Charity before the Welfare State*, pp.82-98, p.91.
- <sup>128</sup> Andrew, 'Two medical charities', p.90.
- <sup>129</sup> *Collected Reports*, 4 March 1817.
- <sup>130</sup> *Collected Reports*, 1 July 1818.
- <sup>131</sup> *Collected Reports*, 1 July 1818.
- <sup>132</sup> In 1817 it was reported that John Parish had bought the house adjoining the Penitentiary and was renting it to the charity. *Collective Reports*, 4 March 1817.
- <sup>133</sup> *Collective Reports*, 7 March 1822 and 19 February 1823.
- <sup>134</sup> *Collective Reports*, 7 March 1822.
- <sup>135</sup> *Collective Reports*, The youngest child mentioned was nine years old. She was first mentioned on 8 March 1820.
- <sup>136</sup> Andrews, *Philanthropy and Police*, p.119.
- <sup>137</sup> Howard and Peter Coombs (eds), *Journal of a Somerset Rector, 1803-1834*, by John Skinner, (Bath, 1930, revised 1971), p.395.
- <sup>138</sup> It was reported in February 1821, that the nine year old who had been admitted the previous year 'in the most deplorable state of disease' had been 'surrendered by her mother to the charge of one of the ladies of the committee who will have sole charge of her in the future'. *Collective Reports*, 2 February, 1821.
- <sup>139</sup> Andrew, *Philanthropy and Police*, p.126.
- <sup>140</sup> *Collective Reports*, Rules for Internal Management.
- <sup>141</sup> Penitentiary Committee Minutes, 17 January 1806.
- <sup>142</sup> *Collective Reports*, 1 July 1818.
- <sup>143</sup> *Collective Reports*, Rules for Internal Management.
- <sup>144</sup> *Collective Reports*, 4 March 1817; 1 July 1818; 8 March 1820.
- <sup>145</sup> *Collective Reports*, 7 March, 1822.
- <sup>146</sup> Penitentiary Committee Minutes, 6 March 1807
- <sup>147</sup> *Collective Reports*, 7 March 1822. In 1823 the penitents earned £266. 15s. 10d.
- <sup>148</sup> *Collective Reports*, 8 March 1820.
- <sup>149</sup> Penitentiary Committee Minutes, 8 April 1806, 3 April 1807.
- <sup>150</sup> *Collective Reports*, 12 June 1816.
- <sup>151</sup> Graham Davis, 'Entertainments in Georgian Bath: gambling and vice', in *Bath History*, Vol. 1, 1986, pp.1-26, p.21.
- <sup>152</sup> *Bath and Cheltenham Gazette*, 20 November 1821, quoted in Davis, 'Entertainments', p.19.
- <sup>153</sup> 'Information Concerning Vagrants, 1820-1827', Bath Record Office. For details of this source see Chap. 7.
- <sup>154</sup> *Collective Reports*, 26 April 1824.
- <sup>155</sup> Elwin Hastings, who had proposed the addition of a Lock Hospital, now proposed the building of the chapel. The Revd H.B. Hillcoat, destined to be the first minister at the Chapel, in seconding the motion, expressed concern about the spread of infection especially to 'those on the road to redemption', *Collective Reports*, 26 April 1824.
- <sup>156</sup> *Collective Reports*, Appendix 26 April 1824.
- <sup>157</sup> Coroners' Records, John David, 21 July 1808; Charles Lacey, 20 September 1809; Harriet Carnell, 25 February 1820.
- <sup>158</sup> Infirmary and Dispensary, 3 April 1792.

- <sup>159</sup> *Bath Chronicle*, 15 January 1789.
- <sup>160</sup> *Bath Chronicle*, 5 January 1792.
- <sup>161</sup> Rules and Orders, 5 August 1790, 2 new bedsteads were ordered with 2 sets of sheets, 2 sets of blankets, 2 covers, 2 shifts and 6 towels. On 5 July 1791 linen was bought to make 12 towels, 6 pillowcases and 4 pairs of sheets. On 3 July 1792 it was reported that the management had bought 2 Bibles, 12 Books of Common Prayer and 24 copies of Bishop Gibsons' *Serious Advice to Persons who have been Sick*, the latter to be given to every patient.
- <sup>162</sup> Except for the years of the Lock Hospital, this would take place in the poorhouse.
- <sup>163</sup> 'Information Concerning Vagrants'. See chap 7 for details of prostitution during this period.
- <sup>164</sup> For infanticide see chap. 8, for suicide, chap. 9.
- <sup>165</sup> Cavallo, 'The motivations of benefactors', p.50.
- <sup>166</sup> Cavallo, 'The motivations of benefactors', p.51.
- <sup>167</sup> John Chapman, *Sermons preached in the Abbey Church at Bath, by the late dignified clergyman*. ... Vol.1. Oxford, 1790, Sermon XIII, ECCO.
- <sup>168</sup> Luke Booker, *Sermons on Various Subjects, intended to Promote Christian Knowledge and Human Happiness: by the Rev. Luke Booker*, ... Dudley [1793]. Sermon 3, ECCO
- <sup>169</sup> *Bath Chronicle*, 7 February 1793; 'Particulars of the Receipts and Disbursements on account of a concert at Upper Rooms on Wednesday 7 February 1793'. Bath Central Library.
- <sup>170</sup> John Ewart MD, physician at the Infirmary and Dispensary, was reported to have sold 170 tickets, 'Particulars of the receipts and disbursements on account of a concert at Upper Rooms on Wednesday 7 February 1793' Bath Central Library.
- <sup>171</sup> *Bath Chronicle*, 13 February 1794, Bath Central Library.
- <sup>172</sup> Cavallo, 'The motivations of benefactors', p.53.
- <sup>173</sup> Cavallo, 'The motivations of benefactors', p.54.
- <sup>174</sup> Williams, 'The luxury of doing good': pp.77-107.
- <sup>175</sup> Williams, 'The luxury of doing good', p.77.
- <sup>176</sup> Williams. 'The luxury of doing good', p.87.
- <sup>177</sup> Williams, 'The luxury of doing good', p.93.
- <sup>178</sup> Anne Borsay, *Medicine and Charity*, p.115.
- <sup>179</sup> Anne Borsay, *Medicine and Charity*, p.383.
- <sup>180</sup> Frederick Field, an apprentice to George Norman at the Casualty Hospital, went on to become the first Medical Officer at the new workhouse built as a consequence of the Poor Law Amendment Act of 1834.
- <sup>181</sup> Bath and West of England Society, *Letters and Papers in Agriculture, Planting etc selected from the correspondence-book of the Society instituted at Bath for the encouragement* ... Bath, 1786, Vol.3, Article LV. Bath University Library.
- <sup>182</sup> Coroners' Records, James Bapott, 10 July 1819; Clement Murphy, 12 November 1819; Isaac Cox, 13 July 1828; Caroline Collins, 12 September, 1831.
- <sup>183</sup> Sweet, *The English Town*, p.103.
- <sup>184</sup> For the removal of women see chap. 3, and for attitudes to prostitution see chap. 7.

## Chapter 7: Vagrancy and Prostitution<sup>1</sup>

### Introduction

Vagrancy and prostitution in the eighteenth century were located at the nexus of notions of class, gender, public and private space and the ordering of such space. This is particularly true of a spa town such as Bath where an influx of fashionable and wealthy visitors led to a similar influx of, among others, vagrants, beggars and prostitutes. Vagrancy and prostitution, therefore, form valuable areas of investigation in an attempt to recover the strategies used by the poor and to establish the responses of the civic elite to poverty in the city. It would appear from the records that the civic elite in Bath were more concerned with short term clearing of the streets of the visible signs of vagrancy and prostitution than with a serious attempt to develop a long term strategy for dealing with what was perceived as a problem. The records reveal, for example, an incident of a prostitute apprehended for theft, a crime treated as a serious felony in London, but no record can be found of this incident proceeding to Somerset Quarter Sessions at Taunton. There were also a number of women repeatedly apprehended for prostitution, and men and women for begging but, as far as can be ascertained, none were prosecuted at Quarter Sessions. There were monetary and time constraints that may have inhibited prosecutions but the authorities also lacked the political will to deal more stringently with a situation – the presence on the streets of numbers of beggars and prostitutes - perceived by some as having a serious detrimental effect on the image of the city.<sup>2</sup>

There was a degree of ambiguity in attitudes to sexuality in Bath given that in the first half of the eighteenth century sexual licence was one of the attractions of the city. In the early years of the century ‘Bath was suffused with sexuality’, and in the 1740s James Leake, printer and bookseller, was publishing pornographic literature that was freely available in Bath’s circulating libraries.<sup>3</sup> It may be that the authorities in Bath in the period under review, 1770 to 1835, found it hard to let go of the idea that sexual dalliance was at least part of the allure of the city. Even as Bath changed throughout the period from frivolity to genteel residence, vagrants and prostitutes still appear to have found donors and clients not only from among the now less

fashionable visitors but from resident gentry, farmers attending market and the labouring population.

Although both vagrants and prostitutes were apprehended in the southern, poorer, part of town in the Avon Street and Horse Street areas, they were also found in the northern, more fashionable addresses – The Circus, Royal Crescent and Marlborough Buildings for example.<sup>4</sup> They were possibly seen as spreading to, or even invading, those spaces most highly thought of, both architecturally and socially, and the authorities felt the need to preserve these new, open public spaces. At the same time vagrants ‘sleeping rough’ and prostitutes pursuing their business distorted notions of the private and the public. Concern with space and the ordering of space lead to considerations of both class and gender. These are the issues that will be confronted in this chapter.

It is a historical commonplace that prostitution was widespread in the eighteenth century and that it was, mostly although not exclusively, an urban phenomenon.<sup>5</sup> Although same sex and male prostitutes were, no doubt, available in Bath, they form no part of this thesis: similarly this chapter is not concerned with elite mistresses or courtesans, although these will also have been in Bath. It is the experiences of the streetwalkers or nightwalkers and vagrant men and women that are of interest here: those women who were, most commonly, apprehended for begging or ‘lodging in the open air’, and those that are referred to in the records as ‘common prostitutes’. These were the same sorts of women who would have been seeking entrance to the Bath Penitentiary and Lock Hospital written about in a previous chapter.<sup>6</sup> Although we may see prostitution as the result of economic difficulties this was not clear to contemporaries and attitudes varied over time.<sup>7</sup>

Throughout the eighteenth century the authorities in Bath attempted to solve what they understood as the problem of prostitution in the city. In 1713 the Corporation agreed to the building of a constables’ prison in the Market Place ‘for Securing Night Walkers and other disorderly persons’.<sup>8</sup> On 24 January 1771, *Bath Chronicle* reported on Wells Assizes at which two women from Bath were convicted of keeping houses of ill-fame.<sup>9</sup> The *Bath Chronicle* in 1784, included a report congratulating the parish officers of St James ‘in rooting out a nest of prostitutes that have for a long

time been a nuisance to the sober inhabitants of the neighbourhood'.<sup>10</sup> The women were to be taken before a magistrate and then either removed to their own parishes or, if settled in Bath, sent to the bridewell in Shepton Mallet. In attempting to address the problem of prostitution the city authorities, both at parish and at Corporation level, were not only responding to the concerns of residents, many of whom may have had businesses in the city that were dependant on visitors, but were also responding to contemporary societal concerns about prostitution.

## **Historiography**

For some poor women begging and prostitution were part of the 'economy of makeshifts' with which the poor had to engage in order to survive.<sup>11</sup> Randolph Trumbach found that many of the women who turned to prostitution came from the country to work in London as domestic servants or milliners.<sup>12</sup> Like many historians of prostitution, Trumbach's study refers to prostitutes in London. Bath, however, also drew migrants from the country into the city, many of whom were female and in low paid seasonal work. Domestic service and the clothing trade were the most likely employments for women in Bath, when such work was available, and using theft, pawning of goods and prostitution when work was not available was, no doubt, commonplace for many poor women.

In his book on women and prostitution in eighteenth century London, Tony Henderson has usefully divided contemporary thinking on prostitution into two main themes: the prostitute as the agent of destruction and the prostitute as victim.<sup>13</sup> In Henderson's estimation these categories roughly equate with the first half and the second half of the eighteenth century. There are many strands to the idea of the prostitute as the agent of destruction. The woman working as a prostitute was not fulfilling her proper place in society as wife and mother and was, therefore, seen as subverting what was thought of as the 'natural' order. She was morally destructive, destroying individuals, families and communities. If not curbed, prostitution would destroy society itself. The prostitute was described as idle and disorderly, vain and frivolous. It was feared that female servants in contact with fashionable society might become weak-willed women subject to envy, envy which turned to emulation and

unaffordable luxury, luxury which led to debt and debt to prostitution. In addition, prostitutes were thought to be fiercely sexual and predatory and, as such, were a threat, not only to men but also to innocent, modest women who had to move around town among them in order to conduct their daily business. Both Hitchcock and Henderson allowed prostitutes a certain amount of autonomy.<sup>14</sup> Miles Ogborn, however, saw women as influenced by forces beyond their control – economics, death, war or disease.<sup>15</sup> Clearly, as Henderson has shown, most prostitutes came from poor families and poverty must, therefore, have played a large part in introducing them to prostitution.<sup>16</sup>

The view of prostitute as victim is reflected in the Bath Penitentiary and Lock Hospital.<sup>17</sup> John Parish, chairman of the institution, and editor of *The Collected Reports of the Bath Penitentiary*, was at pains to portray prostitutes as the victims of seduction, whereas, with historical hindsight, they may be seen more clearly as victims of economic deprivation.<sup>18</sup> The idea of women as victims was a strand of the culture of sensibility that gained prominence long before the 1820s.<sup>19</sup> That prostitutes in early nineteenth century Bath were seen as victims can be seen clearly in *The Collected Reports* as it is here that Parish declares that the prostitutes the institution was hoping to return, after a period of contemplation and rehabilitation, to productive life, were the victims of ‘licentious’ and ‘profligate’ men.<sup>20</sup> While their potential for ‘salvation’ and ‘redemption’ was increased, portraying women as victims denied them agency. Their move into prostitution, following seduction, was seen as inevitable and in this way women were denied any possibility of making rational choices for themselves.

As Hitchcock has pointed out, although the working lives of prostitutes did not change over the eighteenth century, attitudes to sexuality and, therefore, to prostitution changed considerably, and constituted, in Hitchcock’s words, a ‘sexual revolution’.<sup>21</sup> Thomas Laqueur has claimed that ‘prostitution is the other arena [the first arena was masturbation] in which the battle against unsocialised sex was fought.’ He continued, ‘here too society and the body are intertwined’.<sup>22</sup> And ‘bodies’ were a major preoccupation in Bath. Traditionally, the healing properties of the hot springs around which Bath developed were in use before the Romans settled in the city and built the earliest spa buildings in the first century.<sup>23</sup> By the eighteenth century the

healing of bodies was of prime importance. As Peter Borsay in *The Image of Georgian Bath* wrote: 'Bath's image as a centre of health has been of primary significance to it. Despite the expansion of its leisure and residential functions in the eighteenth century, curing the ill remained big business in Bath, and was the rock upon which the economy was built'.<sup>24</sup> The superior accommodation and nationally known physicians catered for the health of the wealthy. The Bath General Hospital, the Bath City Infirmary and Dispensary and the Casualty Hospital catered for the health of the residential sick poor, and the Lock Hospital catered for sexually diseased poor women.

Bath was not only concerned about restoring sick bodies to health. It was also about healthy bodies, about leisure and about sexuality. Bath, particularly in the first half of the eighteenth century, was about sexual dalliance, and, although its racy image had faded by the end of the century, it retained its reputation as a marriage market. Two of Jane Austen's heroines, Catherine Morland in *Northanger Abbey*, and Ann Elliot in *Persuasion*, went to Bath and found husbands. In catering to the fashionable company, Bath had grown spatially and much of the new building involved architecturally acclaimed public spaces where men and women could mix.<sup>25</sup> It would seem, therefore, appropriate to use Bath as the site of a discussion of sexuality and the use of space.

## **Sexuality and space**

At the beginning of the eighteenth century, prostitutes were thought to be at the extreme of female sexuality which saw women as lustful and voracious while at the same time irrational, physically weak and lacking the moral strength attributed to men.<sup>26</sup> This had the effect of allowing men to be regarded as unable to fight off the sexually voracious prostitute. Prostitutes were seen as criminal and deserving of punishment and incapable of redemption or rehabilitation. Over the course of the century these ideas changed, and it is these changes that were charted by Laqueur, and his model of sexual difference has formed the basis for other historians to debate sexuality.<sup>27</sup>

The change in the way that sexuality was defined contributed to the notion of the prostitute as a seduced victim, the passive victim of uncontrolled male lust. The person of an active, even aggressive, prostitute abroad in the streets at night was, therefore, running against the grain of contemporary notions of female sexuality. Randolph Trumbach has placed such changes as having taken place by 1750. By this date, he asserts, 'they [men] were now likely to presume that women by their natures were domesticated rather than sexual beings'.<sup>28</sup> Hitchcock also positioned the changes in attitude in the first half of the eighteenth century.<sup>29</sup> Whenever the changes in attitude took place, (and it is likely that both attitudes existed side by side), we can be confident that by the 1820s respectable female sexuality had no place in the public arena. Early in the eighteenth century a marked feature of sexuality, according to Roy Porter, was its 'public nature, its openness and visibility'.<sup>30</sup> By the 1820s, prostitution's openness and visibility offended middle class notions of respectability. The prostitute, on the other hand, not only demonstrated active involvement in sex but was also prepared to operate in public. More importantly, to use Miles Ogborn's words, prostitution 'disordered the state'.<sup>31</sup>

In Bath, Georgian neo-Palladian architecture displays a unified, orderly and symmetrical front. Houses became more private as they retreated from the street with paved areas and iron railings separating them from the public areas. Street cleaning and lighting made streets more orderly and communication easier. The building of Milsom Street connected the lower, old town to the new upper town with many of the superior residential areas in the city.<sup>32</sup> The streets of Bath, like those of London, 'formed urban spaces fit for bourgeois intercourse and conviviality'.<sup>33</sup> The presence on the streets of the disorderly poor was an annoyance to residents and to the authorities concerned with the image that Bath presented to visitors. Any resident or visitor moving from the upper part of the city to the baths or the Abbey could not fail to be conscious of the numbers of beggars and prostitutes on the streets. Heather Shore has claimed that in London the prostitute was a key protagonist of the visible poor and disorderly.<sup>34</sup> In this respect Bath was no different from London.



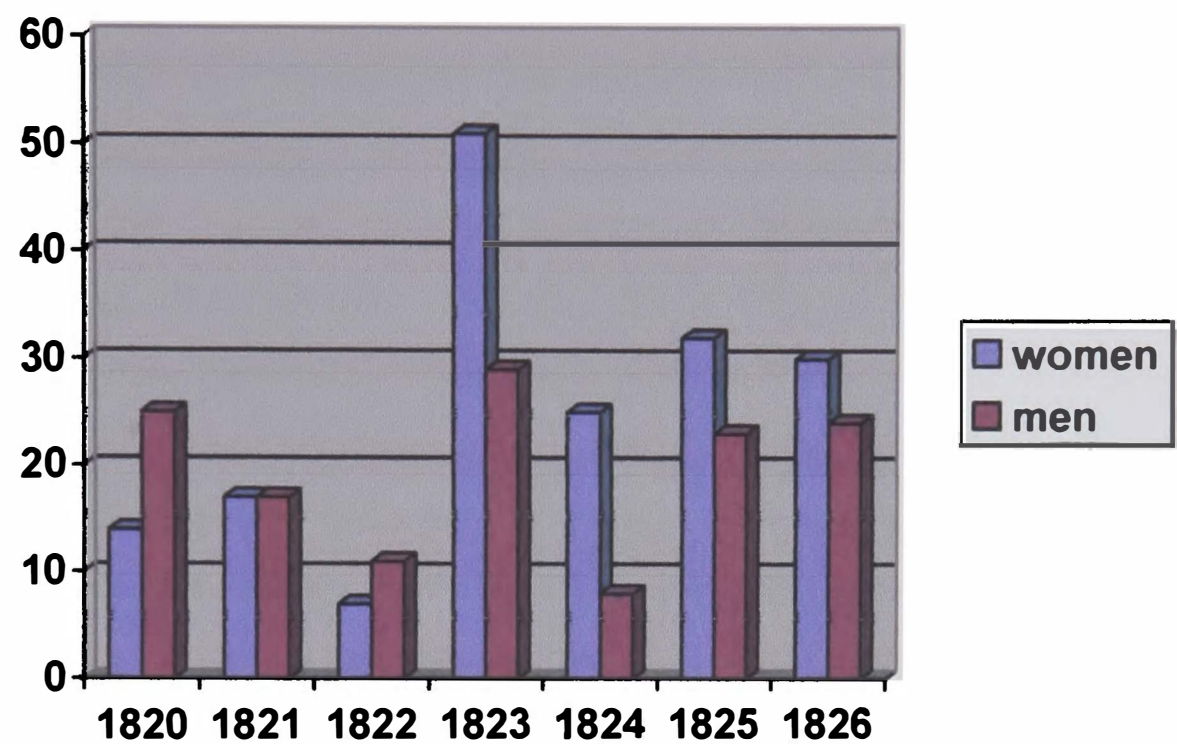
## Sources

Before a discussion of sources it is necessary to consider the legal system in Bath during the period under review. Justices of the peace were sworn in annually, the number varying over time between three and nine.<sup>35</sup> The justices were entitled to issue warrants, make court orders, try misdemeanours and commit to gaol. Felonies had to be referred to the county courts at Wells, Bridgwater and Taunton and, in the meantime, the accused were sent to the county gaols at Ilchester or Shepton Mallet. Low-level offences such as vagrancy and prostitution were dealt with in Bath: mid-level offences such as petty larceny, persistent vagrancy or serious debt were dealt with at Somerset Quarter Sessions: more serious offences appeared at the County Assizes held in Taunton.

Records for Bath Quarter Sessions are fragmentary: some appear in volumes held in Bath entitled 'Business before the Mayor and Justices' and are combined with records of petty sessions, and some are held with Somerset Quarter Sessions. The records of the Somerset Quarter Sessions contain very few records relating to Bath. The Coroners' Records identify some vagrants and prostitutes, and highlight some of the problems experienced by both groups.<sup>36</sup> Inclement weather affected both 'nightwalkers' and those 'lodging in the open air' and life on the streets could be both very uncomfortable and potentially dangerous. The most useful record of vagrancy in Bath is a volume entitled 'Information Concerning Vagrants, 1820-1827'<sup>37</sup> which records 310 incidents of either vagrancy or prostitution in the period 1820 to 1826.

Information Concerning Vagrants

Table 7.1 showing the number of women and men apprehended year on year.



Source:

‘Information Concerning Vagrants, 1820-1827’, Bath Record Office.

Of the 310 vagrants who were apprehended on the streets of Bath between 1820 and 1826, 173 (56 per cent) were women and 137 (44 per cent) were men.<sup>38</sup> Throughout this period the majority of men who were apprehended were taken up for begging while the majority of women were apprehended as ‘common prostitutes’. As can be seen from the Table 7.1, in 1820 and 1822 more men than women were apprehended, while the figures for 1821 were the same. In 1823, however, not only did the numbers rise but women out-numbered men, a trend that continued throughout the remaining years of the period.

Arguably, this change reflects the passing of the 1822 Vagrancy Act in which the offence of ‘common prostitute’ first appeared in the statutes.<sup>39</sup> The 1822 Vagrancy Act was a temporary measure and was followed by a permanent Act passed in 1824 that swept away all previous acts and should be viewed in a context of rising poor rates and grumbling ratepayers.<sup>40</sup> Prior to 1822, women could only be named as prostitutes if apprehended whilst committing a ‘lewd’ or ‘offensive’ act, otherwise they were apprehended for being ‘riotous’ or ‘disorderly’. As Bridget Hill has

pointed out the terms 'lewd', 'offensive' and 'disorderly' are hard to define.<sup>41</sup> We cannot be sure that women charged as riotous or disorderly prior to 1823 were prostitutes or were merely breaching the peace, but the numbers of women apprehended in 1823 and, to a lesser degree, thereafter, rose considerably and female vagrants or prostitutes outnumber male vagrants. This is in contrast to figures from the Metropolitan Police for the later period of 1833 to 1843 when only a quarter of vagrants were female.<sup>42</sup> The figures from Bath are also at odds with Lionel Rose's assertion that there was a marked reduction in the number of vagrants taken up comparing 1820 with 1823. He found that in Norwich 330 vagrants were taken up in 1820 but only 104 in 1823. The figures for Hertford are more marked as 283 were committed in 1820 but only twenty-six in 1823. In this respect Bath was not part of what Rose suggested was a national trend.<sup>43</sup> Rose claimed that women only ever formed a small proportion of vagrants, while in Bath this was not true for the years 1820 to 1822. This may indicate a unique problem for Bath. As a spa town, the city may have attracted more women than it could employ and it reflects the emphasis on social tone in an attempt to attract new, respectable visitors.

One factor that partially explains the increased number of vagrants apprehended in 1823 involves the use made by the authorities of 'privy searches'. These were allowed by the 1822 and 1824 Vagrancy Acts and enabled justices to order the search of lodging houses allegedly housing vagrants. This happened twice in 1823; once on 31 July and again on 24 December. On the first occasion three males and seven females were found, and on the second occasion two males and four females were taken up.<sup>44</sup> No doubt this was intended as a warning to other lodging house owners and was an efficient way of finding a number of vagrants at one sweep. The number of females involved may indicate that the women were prostitutes, and the house a bawdy house, but we have no way of knowing this from the records. Neither is there a way of knowing either how many women in total worked as prostitutes in the period, but between 1816 and 1820 there were 143 applicants to the Penitentiary and Lock Hospital and this figure will undoubtedly be a significant under-representation of the number of prostitutes on the streets.<sup>45</sup> Graham Davis has suggested that 'several hundred' people must have been involved in the prostitution business.<sup>46</sup> This will have included brothel keepers and publicans, in addition to the women directly involved in prostitution. Before January 1823 women comprised 42 per cent of those

taken up: after this date 62 per cent of those apprehended were female. Of the 51 women appearing in the records for 1823 only seven were *not* named as prostitutes. This suggests that there was a change of emphasis in the minds of the authorities and that at a time when prostitution was first named as a misdemeanour the authorities, comprised of the middling sort, made a determined effort to rid the streets of poor women.

## **Control and Punishment**

The parish watch was responsible for apprehending vagrants. Before 1823 women were taken up as being drunk, disorderly, exhibiting riotous or lewd behaviour or causing a breach of the peace. In many cases, the women would have spent a few hours in the watch house and then been released. The watch was not concerned with morals but with public order. Some women, perhaps those already known to the watch, were taken in the morning to the Guildhall and were put before a magistrate. Following the 1822 Act the magistrate could order the women to be confined in the bridewell for up to one month. The watch and the magistracy, therefore, combined to control vagrancy and prostitution in the city. Those women who were put before the magistrate were recorded in 'Information Concerning Vagrants' but it may be that many more women spent a few hours in the watch house and, unrecorded, were then released.

In some of the records in 'Information Concerning Vagrants' the sentence passed is noted in the margin. These notes appear from 1823 to 1825 and are associated with the justices Charles Crook, Charles Phillott, George Tugwell and Edmund Anderdon. Sentences passed varied from one to three months, but the strategy of sending vagrants or prostitutes to gaol does not appear to have been successful, a short spell in gaol being insufficient deterrent.<sup>47</sup> Sarah Ashman appeared four times in the records, in November 1821 and four months later in March 1822, and in April and November in 1823.<sup>48</sup> On the first two occasions she was taken up as 'lodging in the open air', but in 1823 she was named as a common prostitute and in November was sentenced to three months in gaol. It seems likely that Ashman was known as a prostitute before she was named as such in the records. William Fisher was apprehended three times between April 1823 and June 1826 for begging and for 'wandering abroad' but no

sentence was recorded.<sup>49</sup> William Day, on the other hand, was taken up twice in 1825 for begging and on the second occasion he was sentenced to one month.<sup>50</sup> In March 1826 he was once again found to be begging but no sentence is recorded. Louisa Cutler also appears in the records on three separate occasions: on 28 October 1824 she was taken up in Milsom Street where she had been fighting with Jane Davies, also taken up. Both women were recorded as prostitutes and both were sentenced to one month in gaol. In January 1825 Cutler appeared again, and again spent a month in gaol, and then in May of the same year she appeared for the third time and on this occasion was sentenced to three months.<sup>51</sup> The sentences recorded were light compared to those that the justices might have used. Pre-1822 sentences for begging could vary from one month to six months, and recidivists were liable to two years in gaol, impressment or transportation.<sup>52</sup> The permanent Act of 1824 reduced punishments from one month in gaol to a whipping, and imprisonment for a year rather than impressments or transportation. The 1822 Act was criticised by radicals as being oppressive and, because parish based, encouraged parish officials to move vagrants to the next parish.<sup>53</sup> The repeat offenders named in the Bath records could also have been pursued in Quarter Sessions but no record was found of either vagrants or prostitutes from Bath in the Somerset Quarter Sessions records held in Taunton. What is more surprising is that the case of Maria Price was not pursued further as this involved not only prostitution but also theft which usually incurred a severe penalty.

### **Maria Price**

On 3 January 1823, Charles Calloway was walking down Horse Street, a location of coaching inns and public houses, when he was accosted by Maria Price, a singlewoman, who asked him how he did.<sup>54</sup> Calloway attempted to avoid Price but eventually, at her insistence, he went with her to the stables at the rear of the White Hart public house. He claims that when Price offered sex he refused but when she persisted in asking him for money saying that she had none, he took half a crown out of his pocket. Price snatched the money out of his hand and made off. He followed her to a house in Avon Street which Calloway described as inhabited by ‘girls of ill fame’. When Calloway attempted to follow Price in at the kitchen door he was

stopped and sent away by a man whom he took to be the owner of the house. Quite what motivated Calloway we shall never know but he was sufficiently incensed to take his story to a justice, in this instance Charles Crook, mayor, to ask that Price ‘be dealt with according to the law’. Calloway, in his statement, claimed that Price had asked him for money but it is obvious that Price was also selling sex. Price became well known to the authorities and first came before a justice in December 1820 when she was found begging in Church Street. She reappeared in the records in June 1823 when she was sentenced to one month in gaol as a common prostitute. She was taken up again in November 1825 but no sentence is recorded nor could any record of Price be found in the Somerset Quarter Session Records. This may mean that the records are incomplete, or it may mean that Charles Calloway declined to take the incident to Quarter Sessions, or that Bath Justices chose not to refer the matter to a higher court.

## **Somerset Quarter Sessions Records**

The Somerset Quarter Sessions Records for the period 1820 to 1826 include very few records from Bath except for a smattering of cases involving theft. The only case that could be found in the Quarter Session records that possibly involved prostitution was tried at the Easter Sessions in Wells in April 1823.<sup>55</sup> On 15 April William Huntwell, a labourer from Ashbottle, Somerset, and a visitor to the city, met two women, Susanna Smith and Maria Long, in Westgate Street. They asked him to ‘treat’ them to some beer which he did, arranging also to meet the women again later in the day. When they met again they resumed drinking, moving around several public houses in the city, and at about 11 pm they were joined by two boys. Smith and Long proposed taking Huntwell to their lodgings but, in fact, took him, with the boys, to Kingsmead Field, open ground in the south of the city. Huntwell then claims he was surrounded by the boys and the two women and that one of them relieved him of his purse with money and a silver watch although he claimed he did not know who had removed the goods from his pocket. Smith and Long were arrested when Smith attempted to pawn the silver watch. Possibly Huntwell alerted the constable, in any event, the case came before a Bath justice and proceeded to Quarter Sessions. Smith and Long and one of the boys, Charles Ellis, were convicted of theft and sentenced to transportation for seven years.

Although Smith and Long were convicted of theft and not prostitution there are too many similarities with other cases involving prostitutes for one not to suspect that sexual activity took place while Huntwell was being robbed. The women were working in pairs; Huntwell was a stranger to Bath; the women approached Huntwell and asked to be treated to a drink; by the time the women suggested taking Huntwell to their lodgings both he and they had probably consumed a fair amount of alcohol; they took him to a dark spot and while possibly engaged in sexual activity picked his pocket.<sup>56</sup> Pick pocketing was regarded severely and it was not unusual for offenders to be sentenced to transportation. In April 1820 Mary Smith and Ann Wyley were convicted at the Old Bailey for picking the pocket of Thomas Holder and were sentenced to transportation for life.<sup>57</sup> In the case of Smith and Long, either Huntwell was sufficiently enraged to agree to prosecute at Quarter Sessions or the parish, in this case Walcot, was prepared to pay his expenses to do so. Deirdre Palk has claimed that it would be an oversimplification to say that the majority of women indicted for pick pocketing were prostitutes. She claimed that, 'nevertheless, the evidence of both victims and accused showed that stealing from the person happened as an adjunct to sexual activity or 'treats', in encounters on the streets of London in the dark hours'.<sup>58</sup> As Palk has suggested, 'it may be that theft from the person may have been more lucrative than a reliance on payment solely for sexual activities'.<sup>59</sup> Theft, of coins, watches or items of clothing, will undoubtedly have been more profitable as the fee for sex was low.<sup>60</sup>

As has already been shown, Maria Price was one among several repeat offenders. Why, as their system of punishment was manifestly not effective, and if they were serious about ridding the city of beggars and prostitutes, did the civic authorities in Bath not pursue these incidents to Somerset Quarter Sessions? The answer was probably due to pragmatism rather than to any political or humanitarian ideals. Somerset Quarter Sessions, to which these cases would have been referred, did not take place in Bath but in Wells or Taunton. Wells is approximately twenty miles from Bath while Taunton is over fifty miles distant. Either venue would entail a great deal of travelling and expense for prosecutors, officials and witnesses. Travelling, particularly to Taunton, would have entailed not only the provision of transport but also meals and, almost certainly, overnight accommodation. Add to this the necessity

for prosecutors to be away from their employment or businesses, with a consequent loss of wages or income, and we can see that it would not have been easy to persuade prosecutors, for example Charles Calloway in the case of Maria Price, to pursue the matter at Quarter Sessions. A letter found among the Sessions Papers articulated the problem neatly. It is from a John Shattock and is dated 19 January 1822. Shattock's wife had been called to Taunton as a witness but, as Shattock explained, it was difficult for her to travel forty miles to attend court. Furthermore, Mrs Shattock assisted her husband in their (unspecified) business and could not easily be spared: therefore, Shattock requested that someone should call on them to take her statement. Whether or not this happened we do not know, but Shattock's letter demonstrates the difficulties faced by possible prosecutors, and it is not surprising that the civic authorities in Bath confined their activities to sweeping the streets clear of vagrants and prostitutes, confining them in the watch house for the night, bringing them before a justice and then, sometimes, sentencing them to one, two or three months in gaol rather than incurring the expense of taking the case further.<sup>61</sup>

## **Prostitution and Crime**

We have already seen that Susanna Smith and Maria Long were working together in Bath, as were Mary Smith and Ann Wyley in London. In March 1822 Sarah Ashman and Charlotte Leith were working together in Westgate Street: a year later Ashman and Charlotte Sutton were taken up together in Northgate Street.<sup>62</sup> In February 1823 Ann Dixon and Caroline Masters were apprehended in Avon Street and in December Dixon was apprehended again, this time with Ann Evans.<sup>63</sup> Harriet Phillips and Mathilda Harris were working together when they were taken up in Milsom Street in early 1824.<sup>64</sup> It is obvious from this that women frequently worked in pairs and that they moved around the city in different pairings. This was a common practise, possibly for safety reasons, but personal safety was not the only reason women worked together. We have already seen that there was a connection between prostitution and theft, particularly pick pocketing. Sian Rees in *The Floating Brothel*, described how London prostitutes in the 1780s frequently worked together in order to rob their clients.<sup>65</sup> She tells the story, for example, of Elizabeth Ayres and Ann



Wood, who, having lured their victim into bed made off with his clothes: they were later sentenced to transportation.<sup>66</sup>

## **Dangerous work**

Although women worked together in order to facilitate robbery, prostitutes could also become the victims of crime and there were a number of dangers attendant upon vagrancy and prostitution - bad weather, injury to the person, and misrepresentation being a few of them. The records show that vagrants were brought before the justices steadily month by month throughout the year. To be 'wandering abroad' or 'lodging in the open air' must often have been cold and uncomfortable particularly in the winter months. In February 1785 at the inquest held in the Guildhall concerning the body of Thomas Williamson found in the paved area outside a house in Bath, the Coroner's jury came to the conclusion that he had died a natural death 'due to want and the inclemency of the weather'.<sup>67</sup> In October 1824, Thomas Morris was found to have died accidentally after falling out of the hayloft in a stable yard in Corn Street belonging to Joseph Salmon. Morris was known as a vagrant and frequently spent the night in haylofts in and around Corn Street.<sup>68</sup> The Coroners' Records also reveal the details of the death in June 1777 of Elizabeth Gringell, described as a servant working at the George Inn near the Cross Bath.<sup>69</sup> On the previous afternoon, Gringell and her friend Ann Emery had gone for a walk, ostensibly to find Gringell's brother. Emery related at the inquest how Gringell had met a man and had taken him into a nearby stable, then, after a few minutes, Gringell and the man returned and the women continued their walk. The next morning Gringell's body was recovered from the river. She had not drowned, as she was already dead when her body entered the water, but had been strangled with a linen handkerchief and the Coroner's jury returned a verdict of murder. Whether or not she had been strangled by a client did not form part of the inquest but prostitutes ran the risk of death or serious injury as part of their work. As far as can be determined from the Coroners' Records, murder was a rare occurrence in Bath in the eighteenth century but nonetheless the incident indicates the danger for women, then as now, working in the sex trade.

Undoubtedly a much greater threat posed by prostitution was the transmission of disease, in particular venereal disease. Venereal disease was seen as a threat to both individuals and to the country. It weakened men and caused women to become infertile, and, if an infected woman did bear a child, it was thought likely to be weak and sickly. In this way the economic contribution of the women was lost, as was the hope of future generations, and disease depleted the available pool of manpower needed in the event of war and to sustain economic growth. As Sarah Lloyd wrote in 'Pleasure's golden bait', a study of the London Magdalen Hospital, 'since both moralists and political economists associated prostitution with sterility and disease, the task of recovering penitents was judged to contribute to population growth upon which national prosperity and military success were assumed to depend'.<sup>70</sup> That the threat posed by venereal disease was taken seriously can be seen in the opening, in 1816, of the Lock Hospital as an extension to the Bath Penitentiary. That the subscribers to the Penitentiary were ambivalent in their attitude to prostitution and disease can also be seen in the need felt by the Penitentiary Trustees to justify their decision to open a hospital specifically to treat diseased prostitutes.<sup>71</sup>

Hitchcock, in *The Streets of London*, related the chilling story of Phyllis Wells and her part in the St Martin's Roundhouse disaster.<sup>72</sup> Phyllis had only just arrived in London to meet her brother-in-law when she was taken up with a number of other women and taken to St Martin's Roundhouse where she was kept in the holding cell. During the night, which was exceptionally hot, Phyllis died of dehydration and heat. She was 'an honest girl' who had been in the wrong place at the wrong time. Although this event took place well outside our time scale it serves to highlight the plight of young women on the streets. Anna Clark has put this issue clearly in 'Whores and gossips: sexual reputation in London, 1770-1825, 'Any woman out on the streets at night, soliciting men, drinking in a pub or merely walking home from work, faced the risk of being arrested as a common prostitute'.<sup>73</sup> Clark saw this as a class issue as to be out and about on the streets at night was part and parcel of lower class women's lives and interacting with friends and neighbours was normal behaviour. The Coroners' Records give many instances of women returning to their homes at night, sometimes having worked as servants, and we have no reason to believe that they were all prostitutes.<sup>74</sup> The records for Bath do not reveal whether or not there were women who were mistakenly taken up as prostitutes, but the number of

women named as prostitutes in 'Information Concerning Vagrants' in 1823 and subsequently, might suggest that either the authorities were anxious to target prostitutes in particular, or that some women were not, in fact, prostitutes but vagrants.

### **Prostitution as a life-cycle choice**

It has been suggested that involvement in prostitution was a life-cycle event for poor women.<sup>75</sup> Henderson based his assertion that prostitution was a life-cycle choice on the ages of women entering and leaving the records. Most prostitutes in London would appear to have been between fifteen and twenty-five years of age.<sup>76</sup> This was a time of economic instability for young women, in Bath as in London, because of limited employment opportunities and seasonality. We have very little evidence of the ages of prostitutes in Bath, but when Eliza Davey and Jane Matthews entered the Bath Penitentiary in April 1806 they were both seventeen years of age.<sup>77</sup> A child of nine was admitted to the Bath Penitentiary Lock Hospital in 1816 already suffering from venereal disease. The Penitentiary Trustees found this sufficiently unusual that the girl's admittance and progress was noted several times in the Reports.<sup>78</sup>

Henderson suggested that although there were child prostitutes their numbers were probably exaggerated by commentators.<sup>79</sup> We have no reason, therefore, to believe that Bath was any different from London in this respect. Henderson claimed that prostitutes had little difficulty on leaving prostitution after a few years and being reintegrated into society, taking low paid, low status employment, possibly even marrying although he admits that the evidence for this is meagre.<sup>80</sup> A contrary view was put forward by Randolph Trumbach who posited that in most cases women ceased to operate as prostitutes either because they succumbed to disease or because they had become too old in their late twenties still to be sexually appealing.<sup>81</sup> He found some prostitutes to have worked for ten years but felt it unlikely that any of them ever found their way into marriage. Any evidence we have for Bath comes from the Penitentiary records, although here, also, the figures are small.<sup>82</sup> The records show that a few women were found employment, usually as domestic servants; a few were returned to their families and a few are recorded as having married. These were women, of course, who had spent some years in the Penitentiary

and were not, therefore, representative of prostitutes in Bath in general. No ages are recorded in 'Information Concerning Vagrants' and, as the source only runs for a few years, 1820 to 1827, this is too short a time scale for us to say whether prostitutes recorded there disappeared from the records which Henderson has taken as an indication of women leaving prostitution. We can say, perhaps, that the evidence from Bath is also meagre, but that some women, at least, left prostitution and returned to a 'normal' life.

## **Conclusion**

Throughout the eighteenth century beggars and prostitutes who were seen as disrupting the good order of the town and a change in the social tone of the city encouraged the civic elite, in the 1820s, to intensify their attempts to clean up the streets. The authorities made full use of the 1822 and 1824 Vagrancy Acts, when prostitution was first named as an offence, to remove prostitutes from the streets and from 1823 to 1826 women outnumbered men in those taken before a magistrate. This contradicts findings in other towns and suggests a desire on behalf of the civic elite to deal with the perceived problem while, at the same time, there appears to have been no will to pursue this at Quarter Sessions when sentencing by the local magistrates proved ineffective in preventing recidivism.

In 'cleaning' the streets of Bath of vagrants and, perhaps more particularly, prostitutes, the parish watch working with the approval of the justices, drawn from the male middling sort, was attempting to impose respectability on a largely female section of the poor. As Lionel Rose has pointed out, the Vagrancy Acts of 1822 and 1824 made no distinction between someone newly arrived, with no lodging and no job, and the determined vagrant. If you were female and sleeping rough you could be taken up and dealt with as a common prostitute.<sup>83</sup> The Act covered all those thought undesirable and, running contrary to English law, the onus was on the defendant to give a satisfactory explanation to the watchmen or magistrate. In Bath the boundary between riotous and respectable, the acceptable and the unacceptable was fraught with issues of both gender and class and this was played out on the streets with the lives of poor women. Although streets could be widened, lit, cleaned and have

physical order imposed on them, as John Marriott has written, it was more difficult to deal with the human detritus.<sup>84</sup> As long as the beggars, vagrants and prostitutes remained, the streets of Bath, like the streets of London, would not be entirely secure or cleansed.

<sup>1</sup> I would like to thanks Steven Poole, University of the West of England, for his interest and help with this chapter.

<sup>2</sup> The Monmouth Street Society was formed in 1805 specifically to deal with problems of begging on the streets of Bath. For further details of this organisation see Chap. 6 of this thesis; Peter Vere Turner, *The History of the Monmouth Street Society, 1805-1904*, Bath Record Office.

<sup>3</sup> R.S. Neale, *Bath, A Social History*, p.17 and 23/4.

<sup>4</sup> 'Information Concerning Vagrants, 1820-1827', (hereafter IVC). The volume covers the period 1820 to 1827 but as the entries for 1827 cover only two months 1827 has not been included in calculations. On 9 January 1821 Elizabeth Moore was found in Horse Street and taken up as 'lodging in the open air; Caroline Masters was taken up in Avon Street as a common prostitute, 6 February 1823; Fanny Hamilton was found begging in The Circus, 26 January 1821; Mary Doyle was taken up as a common prostitute in Queen Square, 30 December 1823.

<sup>5</sup> Andrew, 'Two medical charities', p.93-94; Tony Henderson, *Disorderly Women in Eighteenth Century London: Prostitution and Control in the Metropolis, 1730-1830*, (Harlow, 1999), p.2; Sian Rees, *The Floating Brothel: The extraordinary true story of an 18<sup>th</sup>-century ship and its cargo of female convicts*, (London, 2001), Chap.1; Tanya Evans, "Unfortunate Objects", *Lone Mothers in Eighteenth-Century London*, (Basingstoke, 2005), p.30/31. Davis, 'Entertainments in Georgian Bath: gambling and vice', in *Bath History*, Vol.1 (1986), pp.1-28. With the exception of Davis, these writers wrote almost exclusively about London.

<sup>6</sup> See Chap.6.

<sup>7</sup> Henderson, *Disorderly Women*, Chap. 7 passim.

<sup>8</sup> 'Bath Council Minutes', 28 December 1713, Bath Record Office.

<sup>9</sup> *Bath Chronicle*, 24 January 1771, Bath Central Library.

<sup>10</sup> *Bath Chronicle*, 26 August 1784, Bath Central Library.

<sup>11</sup> Evans, "Unfortunate Objects", p.30.

<sup>12</sup> Randolph Trumbach, *Sex and the Gender Revolution, Vol.1, Heterosexuality and the Third Gender in Enlightenment London*, (London, 1998), p.135.

<sup>13</sup> Henderson, *Disorderly Women*, Chapter 7 passim.

<sup>14</sup> Tim Hitchcock, *English Sexualities*, (Basingstoke, 1997), p.95; Henderson, *Disorderly Women*, pp.31-35.

<sup>15</sup> Miles Ogborn, *Spaces of Modernity: London's Geographies, 1680-1780*, (London, 1998), p.56.

<sup>16</sup> Henderson, *Disorderly Women*, p.14.

<sup>17</sup> See Chap.6.

<sup>18</sup> *Collective Reports*.

<sup>19</sup> Barker-Benfield, *The Culture of Sensibility*.

<sup>20</sup> *Collective Reports*.

<sup>21</sup> Hitchcock, *English Sexualities*, p.2.

<sup>22</sup> Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud*, (Cambridge, Mass., 1992), p.230.

<sup>23</sup> Davis and Bonsall, *Bath: A New History*, p.16/17.

<sup>24</sup> Borsay, *The Image*, p.20/21.

<sup>25</sup> Queen Square built 1728-1734; The Parades 1739-1748; The Circus 1754-1758; Royal Crescent 1767-1774.

<sup>26</sup> Hitchcock, *English Sexualities*, p.43.

<sup>27</sup> Hitchcock, *English Sexualities*, p.45.

<sup>28</sup> Trumbach, *Sex and the Gender Revolution*, p.428.

<sup>29</sup> Hitchcock, *English Sexualities*, p.99.

<sup>30</sup> Roy Porter, 'Mixed feelings: The enlightenment and sexuality' in Paul-Gabriel Bouce (ed), *Sexuality in Eighteenth-Century Britain*, (Manchester, 1982), p.8.

<sup>31</sup> Miles Ogborn, *Spaces of Modernity*, p.47

<sup>32</sup> ICV, of the 115 common prostitutes appearing in the records for 1820 to 1826, 14 per cent were taken up in Milsom Street.

<sup>33</sup> John Marriott, 'The poor in eighteenth-century London', in Tim Hitchcock and Heather Shore, (eds), *The Streets of London from the Great Fire to the Great Stink*, (London, 2003), p.122.

<sup>34</sup> Heather Shore, 'Criminality, immorality and the street', in Hitchcock and Shore, *The Streets of London*, p.156.

<sup>35</sup> Fawcett, *Bath Administer 'd*, p.66/7, p.102, p.38, provide details of the structure of justice in Bath.

<sup>36</sup> Coroners' Records.

<sup>37</sup> ICV

- <sup>38</sup> ICV.
- <sup>39</sup> *The Vagrant Act in Relation to the Liberty of the Subject by A Barrister*, (London, 1824), p.26.
- <sup>40</sup> Lionel Rose, *'Rogues and Vagabonds': Vagrant Underworld in Britain, 1815-1985*, (London, 1988), p.3.
- <sup>41</sup> Hill, *Women Alone*, p.107.
- <sup>42</sup> Rose, *'Rogues and Vagabonds'*, p.121. Rose claims that females only ever formed a small proportion of vagrants.
- <sup>43</sup> Rose, *'Rogues and Vagabonds'*, p.11.
- <sup>44</sup> ICV, 31 July 1823; 24 December 1823.
- <sup>45</sup> See Chap.6, p.27/8.
- <sup>46</sup> Davis, 'Entertainments', p.18.
- <sup>47</sup> Rose, *Rogues and Vagabonds*, also wrote that gaol sentences were no deterrent, and one aspect of the 1824 Act was a reduction in sentences.
- <sup>48</sup> ICV, Sarah Ashman, 15 Nov. 1821, 28 Mar 1822, 19 April 1823 and 17 November 1823.
- <sup>49</sup> ICV, William Fisher, 21 April 1823, 31 July 1823 and 2 June 1826.
- <sup>50</sup> ICV, William Day, 4 April, 1825, 22 Nov 1825 and 28 March 1826.
- <sup>51</sup> ICV, Louisa Cutler, 28 Oct 1824, 16 Jan 1825 and 14 May 1825.
- <sup>52</sup> Rose, *'Rogues and Vagabonds'*, p.4.
- <sup>53</sup> Rose, *'Rogues and Vagabonds'*, p.21 and p.11.
- <sup>54</sup> ICV, Maria Price, 5 January 1823.
- <sup>55</sup> Somerset Record Office(hereafter SRO) A\CGK/1/67.
- <sup>56</sup> For similarities of *modus operandi* with London prostitutes see Henderson, *Disorderly Women*, p.31 and 51. For Bath see, for example, ICV, Charlotte Sutton and Sarah Ashman, 19 February 1823; Phoebe Davis and Charity Stook, 29 August 1826.
- <sup>57</sup> Old Bailey Proceedings Online, ([www.oldbaileyonline.org.uk](http://www.oldbaileyonline.org.uk), 15 March 2006), April 1820, Mary Smith and Ann Wyley (t18200412-203)
- <sup>58</sup> Deirdre Palk, 'Private crime in public and private places' in Hitchcock and Shore, *The Streets of London*, p.138.
- <sup>59</sup> Palk, 'Private crime in public and private places', p.139.
- <sup>60</sup> Davis, 'Entertainments', p.21, suggests 1s was the usual rate.
- <sup>61</sup> SRO A\CGK/1/66.
- <sup>62</sup> ICV, Sarah Ashman and Charlotte Leith, 28 March 1822; Sarah Ashman and Charlotte Sutton, 19 April 1823.
- <sup>63</sup> ICV, Ann Dixon and Caroline Masters, 6 February 1823; Ann Dixon and Ann Evans, 21 December 1823.
- <sup>64</sup> ICV, Harriet Phillips and Mathilda Harris, 4 January 1824.
- <sup>65</sup> Sian Rees, *The Floating Brothel*, p.15. Henderson also suggested that women preferred to solicit for custom in pairs, *Disorderly Women*, p.36.
- <sup>66</sup> Sian Rees, *The Floating Brothel*, p.10.
- <sup>67</sup> Coroners' Records, Thomas Williamson, 14 February 1785.
- <sup>68</sup> Coroners Records, Thomas Morris, 22 October 1824.
- <sup>69</sup> Coroners' Records, Elizabeth Gringell, 22 June 1777.
- <sup>70</sup> Sarah Lloyd, "'Pleasure's golden bait'" prostitution, poverty and the Magdalen Hospital in eighteenth-century London' in *History Workshop Journal*, No.41 (Spring), 1996, pp.50-70, p.53.
- <sup>71</sup> This is dealt with more fully in Chap.6.
- <sup>72</sup> Hitchcock 'Gender, authority and the mob', in Hitchcock and Shore, *The Streets of London*, pp.69-81.
- <sup>73</sup> Anna Clark, 'Whores and gossips: sexual reputation in London, 1770-1825, in *Current Issues in Women's History*, eds. Arina Angerman, Geerte Binnema, Annemieke Keunen, Vefie Poels and Jacqueline Zirkzee, (London, 1989), p.235.
- <sup>74</sup> Coroners' Records, 5 September 1783. John Burt was drowned as he attempted to fill his tea kettle from the river. His sister gave evidence that she saw him when she returned at 10 pm from her work as a servant.
- <sup>75</sup> Hitchcock, *English Sexualities*, pp. 95/6; Karen Harvey, 'The century of sex? Gender, bodies and sexuality in the 'long' eighteenth-century' in *Historical Journal*, 45.4 (2002), pp.890-916, p.911; Henderson, *Disorderly Women*, p.47-51.
- <sup>76</sup> Hitchcock, *English Sexualities*, p.95.
- <sup>77</sup> Penitentiary Committee Minutes. See Chap. 6 for the age of prostitutes at the Penitentiary and Lock Hospital.

<sup>78</sup> *Collective Reports*.

<sup>79</sup> Henderson, *Disorderly Women*, p.21.

<sup>80</sup> Henderson, *Disorderly Women*, p.50.

<sup>81</sup> Trumbach, *Sex and the Gender Revolution*, p.136.

<sup>82</sup> *Collective Reports*.

<sup>83</sup> Rose, *'Rogues and Vagabond'*, p.16.

<sup>84</sup> Marriott, 'The poor in eighteenth-century London', p.123.



## Chapter 8: Infanticide

### Introduction

Infanticide is not an issue commonly associated with a successful eighteenth century health spa such as Bath. The number of young female servants in Bath in the period, however, makes it an area worth consideration and this is facilitated by the existence of Coroners' records for the period 1776 to 1835, which help to shed light on the lives of ordinary single working women who otherwise leave few records.<sup>1</sup> Examination of the Coroners' records also provides insights into the responses of the civic elite to this particular felony and the desire of the authorities to control poor single women's sexuality and sexual behaviour. This chapter, therefore, will examine the incidence of infanticide in Bath as recorded in the Coroners' Records and will reveal a change in attitude in the second and third decades of the nineteenth century.

The number of medical men acting as Coroners in the city influenced the use of medical evidence at inquests and this influence can be seen in the recorded verdicts concerning newborn children. Using three case studies it can be shown that women who were accused of infanticide in Bath corresponded to a model posited by RW Malcolmson and Olwen Hufton and reinforced by more recent work.<sup>2</sup> Malcolmson found that the majority of women were young, isolated from family support and most likely to be servants who denied their pregnancy and gave birth alone. Although inquests involving the bodies of newborn infants were treated seriously, the authorities only took further action when they felt that publicity forced their hand. A study of infanticide, therefore, stands at the intersection of a number of historical strands: the history of women and childbirth, the history of forensic medicine, the history of crime and the justice system and, because many of those women accused of infanticide were poor, the history of poverty. The Coroners' records have not been studied fully before and this chapter adds a valuable, and previously unexplored, facet of the history of Bath.

## Definitions

It is necessary at the outset to define exactly what is meant here by ‘infanticide’. The legal term for the killing of the newborn is ‘neonaticide’, and Mark Jackson has objected to the use of the term ‘infanticide’ as applied to the eighteenth century as both anachronistic and imprecise.<sup>3</sup> As he has pointed out, the term ‘infanticide’ was only used in the eighteenth century to describe the Biblical story of the slaughter of infants by Herod. A number of historians writing more recently, while agreeing with Jackson that the term is anachronistic, have still chosen to use ‘infanticide’.<sup>4</sup> J.R. Dickinson and J.A. Sharpe while using the term point out that ‘infanticide’ has been used in different ways in different periods and cultures.<sup>5</sup> Indeed, Peter C. Hoffer and N.E.H. Hull define infanticide as the murder of ‘a child under the “age of discretion” defined to be eight years old or under’, and include a wide variety of child murders in their survey.<sup>6</sup> In the Bath records there is no mention of the murder of a child other than ‘newborn infant bastard child’ or ‘newborn male/female bastard child’ and as it is with the killing of the newborn that I am concerned here I will use the more familiar term ‘infanticide’.<sup>7</sup>

Difficulties also arise over the classification in the records of infanticide. As Laura Gowing, writing of the seventeenth century, pointed out, ‘the distinctions between miscarriage, stillbirth, neglect, and active violence were open to varying interpretations’.<sup>8</sup> Contemporaries found classification problematic on occasions because they had less sophisticated diagnostic knowledge and skills than present day forensic scientists, but the records still pose questions in this area for us. Some cases are relatively straight forward. When, on 27 May 1783, the body of a newborn female child was recovered from the river, it was discovered that the child’s throat had been cut before the body was put into the water, and there can be little doubt in our minds that this was an incidence of infanticide.<sup>9</sup> On the other hand, James Norman was unable to say whether the child found in a necessary house in June 1797 was born alive or not.<sup>10</sup> A live birth was crucial to a verdict of infanticide. The jury felt unable ‘to set forth a verdict from any evidence appearing before them’. I have classified this as an ‘open’ verdict. It is impossible for us to know the intention of the mother who left her newborn boy in a bundle outside Lady Huntingdon’s chapel in June 1798, whether she abandoned the child to die or in the hope that he would be

found.<sup>11</sup> It may be that, as Malcolmson wrote, ‘by abandoning a newborn baby the direct responsibility for its survival could be evaded, at least in the mother’s own mind’.<sup>12</sup> In this instance the baby was dead when he was found.

## Historiography

Although writing of the seventeenth century, well outside the time scale of this study, Laura Gowing’s ‘Secret Births and Infanticide in Seventeenth-Century England’ is a valuable contribution to the social history of pregnancy and childbirth. Many of the points made by Gowing still hold good for the eighteenth century – the economic and social circumstances surrounding infanticide, the vulnerability of servants, and the lack of access by unmarried pregnant women concealing their pregnancies to the shared experiences of childbirth and labour. One area of change concerns the threat of exposure posed by other women, and the involvement of the male medical establishment.

An important and early work on infanticide, focusing on eighteenth-century England, was R.W. Malcolmson’s ‘Infanticide in the eighteenth century’, based on Old Bailey Sessions Papers for the years 1730-1774.<sup>13</sup> Malcolmson argued that the vast majority of infanticidal parents were female, unmarried, and servants working away from home, and his definition of the characteristics of the women accused of infanticide has been widely used and reinforced by other historians.<sup>14</sup> Malcolmson claims that few men were accused of infanticide and the Bath records show no instances of men suspected of direct involvement in the murder of an infant. Malcolmson attributed infanticide to fear and panic – fear of discovery, of dismissal and of the economic consequences, with shame adding to feelings of panic. Infanticide was rarely an unambiguous act of violence and Malcolmson argued for the agency of such women as they took responsibility for concealment, the delivery, the killing and disposal of the body, all acts of personal responsibility.

Writing in *Crime and the Courts in England*, J.M. Beattie detected a decline in indictments and convictions for infanticide throughout the eighteenth century.<sup>15</sup> He attributed the decline to a change in attitude to unmarried women and to a growing

sensitivity to cruelty and violence. The contemporary view strengthened that it was not right to kill a woman when direct evidence of her crime was not available because of the inconclusiveness of medical evidence.<sup>16</sup>

Problems with the definition of infanticide in Hoffer and Hull's book, *Murdering Mothers*, comparing infanticide in England and New England from 1558 to 1803, have been dealt with above.<sup>17</sup> Hoffer and Hull noted not only a steady decline in prosecutions for infanticide in the eighteenth century, but a decline in the number of convictions, and showed that the Old Bailey Sessions Papers for the period 1770 to 1878 indicated that in the twelve cases of infanticide tried there were no convictions.<sup>18</sup> Writing about infanticide in Württemberg, Germany, in the eighteenth century, Mary Nagle Wessling has drawn attention to the increased importance of medical evidence, a point that is important in Bath.<sup>19</sup>

In *New-born Child Murder and Infanticide: Historical Perspectives*, Mark Jackson has added considerably to the recent literature of infanticide and has stimulated debate, particularly around the issue of definition, some of which is outlined above.<sup>20</sup> In *New-born Child Murder* Jackson relied mainly on the Northern Circuit assize court records. He claimed that whether or not a woman found herself in an assize court had more to do with the vigilance of her neighbours, and their possibly strong reasons to think she had committed murder, rather than to any direct evidence that she had given birth and murdered her child. Use of assize court records limits access to other possible instances of infanticide, for example, those where the mother was unknown, and, although all the women referred to the assize court will have already appeared in a Coroner's court, only those cases where the mother was identified, and where the Coroner and his jury wished to push the case further, will appear in a higher court. By using the records of the Coroner's court it is possible to examine all recorded infanticides as well as still-births and records concerning infants where the verdict was open or the death recorded as natural. A central argument in Jackson's book is that new-born child murder in the eighteenth century was influenced by the nature of local and legal responses to certain forms of unacceptable female behaviour.<sup>21</sup> Jackson suggested that the fact that women indicted for child-murder were mainly unmarried and poor might reflect parochial concern about the effect of illicit

pregnancy on the poor rates. This is an important point for Bath – a city concerned with image particularly at a time of economic crisis and with the need to appeal to a new ‘respectable’ clientele.

Marilyn Francus in ‘Monstrous mothers’ claimed that courts saw women as either inactive and docile, presenting narratives of weakness and repentant virtue, or rebellious ‘renouncing neither her agency nor her identity’.<sup>22</sup> These latter women were those who, in the seventeenth century, were hanged. Francus’ essay questioning the commitment of the authorities to acknowledge the incidence of infanticide, poses the question as to how committed the authorities in Bath were to preventing infanticide by the use of the courts as a deterrent.<sup>23</sup>

Although writing of Scotland, where the law was slightly different, Deborah A. Symonds highlighted the link between illegitimacy and infanticide as embedded in the statutes of 1624 (England) and 1690 (Scotland).<sup>24</sup> She saw infanticide as an act of despair and suggested that one explanation of that despair was that women saw themselves as separate, as individuals within a community ‘that could punish, but could not help them’.<sup>25</sup> This, as Symonds pointed out, contradicted the belief that such women were motivated by the shame that bound them to their communities. Symonds was particularly writing of rural women but any female migrant to Bath might have felt just this disconnection with the community in which she found herself.

In her chapter in *Twisted Sisters: Women, Crime and Deviance in Scotland since 1400*, Anne-Marie Kilday, also writing of Scotland, recorded the same characteristics as those noted by Malcolmson.<sup>26</sup> She saw the motives for infanticide as being avoidance of social stigma (possibly resulting in poor marriage prospects), and fear of the economic consequences of an illegitimate child. Lynn Abrams, in the same volume, claimed that women were able to disassociate so effectively from their pregnancies that killing their babies was seen as ridding themselves of an unfortunate burden. For Abrams, infanticide was ‘the consequence of a socially induced psychological condition’.<sup>27</sup> Gowing also wrote of the ‘dissociative reaction’ of women unable to acknowledge their pregnancy and claimed that infanticide was a

product of exceptional mental conditions as well as economic and social circumstances.<sup>28</sup>

In 'Women and crime' Kilday has written about a wide range of eighteenth century women's criminal activity, of which infanticide is a small part, the major part of female criminal activity being crimes against property not crimes against persons.<sup>29</sup> She drew attention to the fact that women who killed their babies transgressed as women and as mothers. Elsewhere Kilday has suggested that the lenient treatment of women indicted for new-born child murder ensured that the male authorities did not have to deal with issues related to female sexuality and reproduction.<sup>30</sup> Disorderly women from the lower orders either accused of prostitution or infanticide were increasingly under attack.<sup>31</sup>

Dana Rabin, writing in 2002, considered not so much the physicality of infanticide but the state of mind of the mother and the efficacy of a plea of temporary insanity and pointed out that increased use of the plea of insanity coincided with a rise in sensibility.<sup>32</sup> She suggested that the association of infanticide with insanity was 'permeated with a language of emotion and the mind'. Interestingly, insanity was never alluded to in those entries dealing with the death of a new-born in the Bath Coroners' records. Pleas that the death of the child was a result of early, sudden, or rapid birth were more common and resulted in many cases in a verdict of natural death.<sup>33</sup>

In her Introduction to *Writing British Infanticide: Child-Murder, Gender, and Print, 1722-1859*, Jennifer Thorn turned to Jackson's *New-Born Child Murder* and what she described as Jackson's 'revisionist' reading of Hoffer and Hull.<sup>34</sup> Jackson's suggestion that parish interest may have been paramount and that the medical profession made use of problems of evidence is largely endorsed by Thorn. She also shared what she saw as Jackson's scepticism around 'the efficacy of eighteenth-century humanitarianism'.<sup>35</sup> While Thorn acknowledged that the records largely endorse the stereotypical infanticidal mother as unwed servant, Dana Rabin, in the same volume, drew attention to the involvement, previously ignored by historians, of men, both married and unmarried. Historians, she claimed, have uncritically accepted

early modern definitions of infanticide and, as a result, have focused their attention on unwed mothers.<sup>36</sup>

The major part of Tanya Evans' *'Unfortunate Objects' Lone Mothers in Eighteenth-Century London* is based on the records of the London Foundling Hospital and, therefore, dealt mainly with the dilemma of abandoned babies rather than infanticide, although 'the history of abandonment and infanticide has often gone hand-in-hand with that of the unmarried mother'.<sup>37</sup> Evans was at pains to point out that unmarried mothers did not constitute a deviant minority of London's poor women. She used the expression 'lone mothers' to indicate that not all lone mothers were unmarried – some were widowed or had been deserted.<sup>38</sup> As she has reminded us, all poor women 'were susceptible to the possibility of single motherhood and the poverty that resulted'. Evans was able to show that a number of Lying-in Hospitals in London accepted unmarried as well as married women and female migrants to London were able to form networks of assistance, and Evans was anxious to stress the agency of poor women.<sup>39</sup> While this may have been true, the avenues open to them were few. No records for Bath have been discovered that suggest that unmarried women were assisted by the lying-in charities in the city and there was no Foundling Hospital. Whether this demonstrates a lack of need or a lack of concern is impossible to determine. The lack of a Foundling Hospital in Bath may indicate a feeling that the parish poorhouses were sufficient to deal with any abandoned children. It is also possible that the philanthropic section of the city's population did not want to advertise to the company that babies were being killed and abandoned in Bath. Prostitutes and beggars were clearly visible on the city streets, dead and abandoned babies were not.

## **The legal context**

In 1624 an act of parliament was passed that was intended to 'prevent the murdering of bastard children'.<sup>40</sup> The act was intended to control bastardy and was more concerned with the effect of bastardy on the poor rates, and with the control of the sexual behaviour of single women, than with saving newborn infants. As Beattie has written, the act was aimed at immoral behaviour rather than saving lives.<sup>41</sup> The act

made the concealment of the death of a bastard an offence and the death of such an infant, when the birth had been concealed, was considered as evidence of the capital offence of murder. This put the onus on the mother to prove that the baby had been stillborn. Like the 1822 Vagrancy Act, the 1624 act meant women lost the important element of 'guilty until proved innocent' enshrined in English law. This act remained the basis of legislation until 1803. According to Olwen Hufton in *The Prospect before Her*, the 1624 Act was only enforced rigidly for a short period and by the end of the seventeenth century judges were dealing more leniently with women accused of infanticide.<sup>42</sup> In Essex infanticide accounted for 20 per cent of all homicides in the period 1620 to 1680, whereas in Surrey between 1663 and 1802 infanticide accounted for 12 per cent of homicides. Peter Linebaugh suggested that in London in the eighteenth century 12 per cent of women hanged at Tyburn were hanged for infanticide.<sup>43</sup> Hufton claimed that the incidence of reported infanticides fell during the eighteenth century and that 10 per cent of all murders is a reasonable figure and, that infanticide was, therefore, a small part of court activity. In Bath, infanticide cases formed 45 per cent of all murders in the period 1776 to 1835 but there are methodological problems here in making comparisons. The quoted figures for Essex and Surrey are for periods before the start of this study and the figures, other than those for Bath, concern assize court records, whereas those for Bath concern Coroners' courts making comparisons unhelpful.

In 'Infanticide in the eighteenth century', R.W. Malcolmson suggested that the statute was seen as severe and, by the late eighteenth century, was seldom enforced.<sup>44</sup> As a result, in 1803 the act was repealed and replaced by a new act that provided for the rules of evidence and presumption of innocence to be the same for women suspected of infanticide as for other instances of murder.<sup>45</sup> Where a jury was not sure whether a murder had been committed or not, they had the possibility of returning a verdict of concealment of birth for which the sentence could be a maximum of two years in gaol.<sup>46</sup> As Mark Jackson had pointed out, 'while the 1803 statute can be construed as a moment of change when early modern preoccupations with concealment as evidence of murder were clearly weakened [the act] nevertheless embodied many earlier presumptions about single women, illegitimacy and concealment'.<sup>47</sup> There remained presumptions about women who kept their pregnancies secret and concealed the birth and death of their infants.



## **The person thought most likely to commit infanticide**

Most historians writing of infanticide agree on the characteristics of the person most likely to commit infanticide.<sup>48</sup> She was the mother of the child, a single woman or widow, in her mid to late twenties, working as a domestic servant and from the lower orders. She would have attempted to conceal her pregnancy and would have denied it when challenged. She was alone at the time of confinement and the child was murdered often within minutes of birth. She was often an outsider in the community, working away from any hope of family support. As a migrant worker the woman would probably have been ineligible for poor relief unless she returned to her parish of settlement.

An admission of pregnancy by a domestic servant would almost certainly have led to dismissal from her job without the all important character reference.<sup>49</sup> Linebaugh suggested that pregnancy was a disaster for a domestic servant.<sup>50</sup> The only work available would have been low paid and intermittent, possibly leading to a descent into prostitution. Hitchcock challenged this view when he claimed that women ‘bastard bearers’ were neither worse nor better off and ‘their lives were not necessarily transformed forever’.<sup>51</sup> He claimed that pregnant women used the poorhouse as a lying-in ward and then left the child in the poorhouse to be looked after by the parish.<sup>52</sup> This, of course, is what contemporaries feared and what fuelled the removal of large numbers of single women, with or without their babies.<sup>53</sup> It is also what informed the parish officers in Walcot and encouraged John Curry in his efforts to find putative fathers.<sup>54</sup> What was important to women both single and married was that they needed financial support at least while the child was being breast fed. Tanya Evans found that a significant proportion of women who left children at the Foundling Hospital had tried for some weeks to bring up their children themselves.<sup>55</sup> When they came to the end of their savings, they used the Foundling Hospital as a strategy for survival. Some women resorted to infanticide as a survival strategy.

## Concealing the pregnancy

Bridget Hill has claimed that it would have been less easy to conceal a pregnancy and birth in the country because of the surveillance of neighbours.<sup>56</sup> For unmarried pregnant women other women could become threats and ‘the secrets of the body divided women more than they united them’.<sup>57</sup> However, many servants giving evidence to the Coroner talked not only of sharing rooms but also beds with fellow servants who later claimed to have had no knowledge of the pregnancy.<sup>58</sup> Servants lived and worked in close proximity to their fellows which must have made concealment difficult. Some young women may have concealed the knowledge of their pregnancy from themselves, and it is also possible that some were ignorant of their own physiology and the process of pregnancy and childbirth.<sup>59</sup> As the medical profession came to be recognised as an authority in the Coroners’ court, women became less involved as examiners of suspects and the Bath records show no involvement of women as ‘expert witnesses’.<sup>60</sup> Medical witnesses were invariably male and there is some slight evidence of women ‘closing ranks’ rather than seeking to denounce others.<sup>61</sup>

Female domestic servants were vulnerable to their male masters, or their master’s adult sons or guests. They were also vulnerable to male servants, their superiors in the hierarchy of domestic service. In two of the cases examined in detail, male colleagues were possibly implicated in the pregnancy if not the infanticide.<sup>62</sup> Hitchcock and Black found in their examination of Chelsea bastardy records that most unmarried pregnant female servants claimed the father of their child was their master, a fellow servant, a lodger or a member of their master’s family.<sup>63</sup>

It was rare for married women to be accused of infanticide and all of those suspected of a felony in Bath were presumed by the authorities to have been single women.<sup>64</sup> As Rabin has written, married women were helped as their status removed the major reason for infanticide – the birth of a bastard.<sup>65</sup> The high rate of infant mortality, as well as childhood illnesses and accidents, made the death of a young child a common occurrence and, raising little comment among neighbours, may have concealed infanticide.<sup>66</sup> The phrase used in the records was that the body of a ‘new-born bastard’ had been found. Mark Jackson has suggested that only a single mother

would have been thought to have a motive for infanticide – the fear of public shame and punishment.<sup>67</sup> To this can be added severe economic constraints exacerbated by the loss of work. Shame and the fear of the loss of economic independence, however precarious, may have been what drove some women to kill their newborn babies.

## **Infanticide in Bath**

The Coroners' records for the period 1776-1835 provide details of 480 sudden or unexplained deaths that occurred in Bath in the period that came before the Coroner.<sup>68</sup> The inquests that were, perhaps, most at odds with conventional views of Georgian Bath as a city of fashion and frivolity were those concerning newborn infants. There are difficulties with any attempt at quantification as the number involved is very small: only 17 infanticides were recorded for the whole period. Although the number of women involved was small, had court records been used, rather than Coroners' records, only two cases would have come to light rather than the 17 infanticides revealed in the Bath records

Of the 17 recorded instances of infanticide, in 15 cases the identity of the mother was unknown. The inquests consisted of the evidence of the discovery of the body, medical evidence where possible as to whether or not the child had been alive at birth, and the verdict of the jury. The details in some cases are pathetically brief but the unexplained death of a newborn was given due weight with a full jury being convened and the proceedings recorded. No attempt would appear to have been made to find the unnamed mothers but in two cases where the mothers were named we are able to follow them to the assize court.

## **Case Study 1 – Mary Cure**

On 1 February 1806, Charles Phillott, Coroner, presided at the inquest concerning a newborn male child.<sup>69</sup> The first witness was Henry Lovell, servant in the house of Mrs. Mary Lovell, 21 Henrietta Street. Henry gave evidence that Mary Cure, a

singlewoman, had been employed there as a cook for five months. At four o'clock on the afternoon of 28 January, Henry Lovell saw Mary Cure (some times written as Kewer or Hewer) standing by the dresser in the kitchen looking ill and stooped over in pain and immediately went to fetch the women servants. Frances Lovell, also a servant in the house, was the next witness.<sup>70</sup> She deposed that she had advised Mary Cure to go to bed and had then told her mistress, Mrs. Mary Lovell, what had occurred. At eleven at night, Mary Cure told Frances Lovell that she was feeling much better and would come downstairs in the morning. The third witness, Ann Weeks, servant, told the jury how on the afternoon in question she had gone out to use the privy where she had discovered the body of a child. She told Frances Lovell what she had found who then called in Ann Cure, Mary's sister-in-law. Confronted by Ann, Mary acknowledged she was the mother of the child. She showed Ann items of baby linen in her box. The inquest verdict was that the new-born male bastard child had been feloniously killed by his mother. There is a note added later to the record to the effect that 'the said Mary Hewer (Kewer) was committed to Ivelchester [Ilchester] on 20 February 1806'.

The Western Circuit Gaol Book for the relevant period shows in the Lent Circuit in 1806 that on Tuesday 1 April in Taunton Mary Cure stood accused of 'the wilful murder of her male bastard child on the 28<sup>th</sup> January last at Bathwick in the city of Bath in the county of Somerset by dropping same from her body into the privy and suffering it to remain there whereby it was suffocated and smothered and instantly died'.<sup>71</sup> There are no details as to what happened to Mary Cure.

There are a number of points to be drawn from Mary Cure's experience. Mary was a domestic servant in a house in a 'good' area of the city. She was alone when her baby was born and the child went into the privy. It was not unusual for mothers to report that their babies had dropped into privies or close-stools and that the baby's fall must have broken the umbilical cord.<sup>72</sup> Hoffer and Hull claim that what they call a 'want-of-help' plea was a common defence and often successful.<sup>73</sup> Mary indicated that she expected to resume her duties the next morning and the early resumption of work was something domestic servants who had committed infanticide had to resolve: it was necessary for concealment but was something which cannot have been easy.<sup>74</sup> It may be that Mary had little understanding of the workings of her own body or of the

process of pregnancy and childbirth.<sup>75</sup> She had, as far as we can tell, concealed her pregnancy and attempted to conceal the birth but, Mary had family nearby and it was her sister-in-law, Ann, who confronted her and her brother, John, who retrieved the body.

The provision of childbed linen was an important issue.<sup>76</sup> If a woman had provided linen it was assumed that she intended to provide for the child and, conversely, the absence of linen suggested she had not intended to keep the child. Hoffer and Hull have suggested that a claim of ‘benefit-of-linen’ in the first half of the eighteenth century almost guaranteed an acquittal in trials.<sup>77</sup> Pigot’s *Bath Directory* of 1830 lists six childbed linen warehouses in the city and charities set up to assist poor married lying-in women often provided, or lent, a set of childbed linen to pregnant women.<sup>78</sup> One woman, Elizabeth Dixon, the inquest on whose newborn baby took place on 4 August 1826, might possibly have been involved in infanticide but she claimed that the linen was at her mother’s house and the Coroner’s jury, who returned a verdict of natural death, accepted this.<sup>79</sup> The importance of childbed linen was known to women and was, therefore, open to abuse.<sup>80</sup> Evidence given at inquests suggests that an early act by a fellow servant was to ask the mother for the key to her box in order to look for linen. The three most important issues leading to suspicions of infanticide were the concealment of the pregnancy, a solitary confinement and failure to provide childbed linen.

## **Case Study 2 – Sarah Webb**

The inquest on Sarah Webb’s male infant child took place on 6 June 1806.<sup>81</sup> Catherine Elliott, a widow, was the first to give evidence. She was a charwoman who worked at the house of Lady Sydney at 13 Alfred Street and she had been asked to investigate the washhouse to find the source of an offensive smell. Elizabeth Hendy, a servant at 13 Alfred Street, assisted in the search. They eventually found the body of a dead child wrapped in cloth. Suspicion immediately fell on Sarah Webb who had been cook to Lady Sydney but had left the house in Alfred Street on 21 May to enter the Bath City Infirmary and Dispensary. It was recalled that on 24 March Sarah had said she was very ill. Samuel Goddard, another servant at the house, reported that on that day he had found Sarah in the washhouse obviously ill. He claimed that he had

no idea what the problem was although he also said that he had suspected in the previous October that Sarah was pregnant but she had denied it. Elizabeth Hendy had shared a bed with Sarah but had not suspected that Sarah was pregnant. For eight weeks after 24 March, Sarah had complained of illness and violent stomach pains and had been attended from 1 to 8 May at Lady Sydney's by Charles Cook, an apothecary, who deposed that he had not suspected a recent labour and delivery. Eventually, Sarah had been admitted to the Bath City Infirmary and Dispensary and William White, the apothecary at the Infirmary, and George Norman, the Infirmary's surgeon, gave medical evidence that Sarah was suffering from symptoms 'similar to those that appear after childbirth'. George Norman also gave evidence that the baby had been full term but was in a putrid state so no signs of violence could be detected. There had been no evidence found among Sarah's belongings of childbed linen and the jury reached the verdict that Sarah Webb had feloniously murdered her male bastard child by neglecting to make proper preparations or to care for the new-born infant. On 14 May 1807, during the Summer Circuit of the Assize Court held in Wells, Sarah Webb was 'standing charged by the Coroner's inquisition with murder but the same being quashed by the court for insufficiency and no Bill having been preferred by the Grand Jury against her'. The final sentence of the assize record reads 'Let her be discharged'.<sup>82</sup>

Like Mary Cure, Sarah Webb was a domestic servant in a house in a prestigious part of town.<sup>83</sup> Although Sarah had attempted to conceal her pregnancy, a male colleague, Samuel Goddard had reason to suspect that Sarah was pregnant six months before she gave birth. Although no mention is made of the father of Sarah's baby we must question the involvement of Samuel Goddard. Sarah concealed both birth and death of her child, but ignorance about the process of decomposition, or perhaps confusion and fear and her own ill-health, meant that the body was almost certainly going to be found. George Norman gave evidence that the child was full-term but that putrefaction meant it was impossible to detect signs of violence. Whether an infant was full-term or not was usually judged by the size of the baby, the existence of hair and nails and the position of the hands. If these were clenched it was thought that the child was not full-term.<sup>84</sup> Sarah had not provided linen and this was a crucial factor in the verdict of the Coroner's jury that she was guilty of murdering her child.

The inquests on the bodies of Mary Cure and Sarah Webb's infants came to the Coroners' court within five months of each other. Mark Jackson has explained the prosecution of women for infanticide as a need to deter women from producing bastards that might later become a burden on the poor rates. 'The prosecution of one unmarried woman could thus be held up as a warning to other unmarried women in the neighbourhood'.<sup>85</sup> When Sarah Webb came to the assize court the authorities there took a lenient view and discharged her. As Jackson opined, it was not necessary for a woman to be convicted for their prosecution to serve as a deterrent. The fear and embarrassment engendered by an accusation of murder would have been sufficient. As Gowing wrote, 'stories of secret births or suspected infanticides were part of the currency of oral culture, particularly among women'.<sup>86</sup>

The *Bath Chronicle* reported at least three incidences of the discovery of murdered newborn infants, on 18 April 1782, 25 June 1795 and 20 September 1799.<sup>87</sup> In none of the cases was the mother known. In February 1806 the paper reported the inquest concerning Mary Cure (Kewer), and in the following April there was a report of the Taunton assizes including the news that Mary Cure had been acquitted. On 6 June 1806 there was a report of an inquest on a newborn infant but the mother was not named although this was undoubtedly Sarah Webb. Business at Wells assizes was reported on 14 May 1807 including the report that Sarah Webb had been discharged. These were all very short reports with little detail given, but these crimes did not go unrecorded.

### **Case Study 3 – Ann Ponting**

Ann Ponting was not accused of infanticide and the verdict on the death of her male infant child was that:

'the said Ann Ponting was delivered of said male bastard child suddenly and by surprise and the said male bastard child departed this life on its birth in a natural way and not from any intentional violence or injury received from the said Ann Ponting its mother or any other persons.'<sup>88</sup>

The inquest took place on 14 September 1794. Although occurring before the two infanticides recorded above, this story has many similarities with the previous two cases and concerns a group of servants living at the house of Richard Amy in Brock Street. Mr and Mrs Amy were away from home for some months leaving the care and management of the house in Brock Street in the hands of Sarah Thomas. The cook in the house was Ann Ponting. Some weeks previously Sarah had suspected that Ann might be pregnant but Ann had denied this. Another servant, William Warren, also asked Ann whether she was pregnant but, again, Ann denied the pregnancy. During the afternoon of 12 September Ann became ill and Sarah sent her to bed. During the evening Ann was visited by another servant, Mary Williams, who expressed concern about Ann and about the state of her room and it eventually became obvious to Ann's fellow servants that she had given birth. Ann still denied this until Mary Williams fetched her mother, Ann Williams, to help. During the night Ann Ponting admitted that she had given birth and produced the body of her dead infant. The next morning Ann Williams called in James Norman, surgeon, to examine Ann Ponting and her infant. He deposed at the inquest that he had noticed that the navel had not been tied and that there were marks on the infant's neck. Ann claimed that the baby had been born while she was standing. She had subsequently fainted and when she regained consciousness the baby was dead.

There are sufficient points of similarity in the three case studies to make comparison meaningful. The story of Ann Ponting is useful in demonstrating the difficulties posed by medical evidence and the roles of medical witness, Coroner and jury. Ann Ponting was in service at a house in Brock Street that joins The Circus to Royal Crescent. She denied the pregnancy both to another female servant and to William Warren, a male servant in the employ of Mr and Mrs Amy. In his evidence William deposed that he had offered to write to Ann Ponting's father 'as it would be necessary that care should be taken of her'.<sup>89</sup> Whether William had more reason to suspect the pregnancy than the evidence of Ann's changing physical appearance, or whether his words were intended to convey to the Coroner's court that he had no responsibility for Ann's condition we will never know. Ann denied her condition even when labour started, and she continued to deny the birth even though her colleagues could see the evidence of a disturbed bedroom and blood stained linen. Ann Ponting's fellow servants sent for help from Ann Williams, a woman from Avon Street, a poor area of



the city, but the surgeon who later attended Ann Ponting was James Norman, and it was Norman not Ann Williams who gave medical evidence at the inquest. The Bath Directory for 1800 lists James Norman as surgeon and midwife, and the 1812 Directory lists a childbed charity for poor married women at the same address as the Casualty Hospital, although there is no mention of this in the hospital records.<sup>90</sup> Norman would appear to have gained a reputation in midwifery. The marks that Norman had noticed on the baby's neck were not, apparently, taken by the jury to be significant, and this demonstrates the difficulty experienced by eighteenth century medical men in unambiguously diagnosing signs of violence. There are, as Jackson has written, medical difficulties in interpreting signs of violence on the body of a newborn child.<sup>91</sup> For infanticide to have been committed the baby must have been born alive and the injuries sustained after birth. Violence could be caused accidentally during the birth process or could be the result of a fall, particularly with a sudden unassisted birth. The umbilical cord might well, in these circumstances, be torn. It was also difficult in the eighteenth century to detect signs of violence in the event of decomposition.<sup>92</sup> In this instance, the Coroner and jury decided that any violence that occurred had not been caused by Ann Ponting and they recorded a verdict of natural death. This leads us to a discussion of the importance of medical evidence in infanticide inquests and the role of medical men in Bath Coroners' courts.

## **The importance of medical evidence and Bath Coroners**

The provisions of an ancient charter meant that the mayor of Bath, elected by members of the Corporation, always acted as the Coroner. Because of the importance of Bath as a health resort a large number of the Corporation were medical men - surgeons, apothecaries or physicians, and this led to an unusual number of medical men acting as Coroner.<sup>93</sup> Members of the Corporation were drawn from among the emerging 'middling sort' and were mainly educated men successfully running their own businesses in the city. The fact that many Bath Coroners had some medical training led to an interest in, and a willingness to hear, forensic evidence. Bath Coroners and medical men had considerable expertise and were conscientious in carrying out their duties.

Wessling drew attention to the increasing importance of medical evidence after 1773, and Jackson places the increased reliance on medical evidence taken at the inquests of infants as taking place in the 1760s and 1770s.<sup>94</sup> Before this time Jackson suggested that there was a decline in the office of Coroner due to their low status.<sup>95</sup> He has also suggested that there was little medical evidence given in Coroners' courts in England in the first half of the eighteenth century as it was not until 1836 the Coroners were able to provide fees for medical men to attend their courts.<sup>96</sup> He has admitted that the inquests concerning newborn infants were an exception and, certainly in Bath, medical evidence was always available at inquests on the bodies of infants and, indeed, at other inquests. In March 1782 three surgeons, John Donne, John Symons and William Perry gave evidence at the inquest concerning Ann Allen; John Dodds gave evidence at the inquest on the body of Benjamin Forret in March 1783; and when, in November 1794, James Clark, serving with the 83<sup>rd</sup> Regiment of Foot, then quartered near Bath, died as the result of a flogging following a court martial, Nicholas Kelly and William Day, surgeons, both gave evidence.<sup>97</sup> Bath Coroners were neither of low status nor incompetent and if, as Jackson suggested, the reliance on medical evidence in Coroners' courts led to the emergence of legal medicine, Bath medical men, in particular surgeons, must have contributed to the growth of forensic medicine.<sup>98</sup> On the whole, where medical evidence was ambiguous, this was more useful in the defence of women suspected of infanticide than to any further prosecution, as lack of certainty led to fewer indictments.<sup>99</sup>

Still-births and accidental infant death

Fig. 8.1 City of Bath, recorded infant deaths, 1776-1835

Year	Infanticide	Stillbirth	Natural	Open
1776-79	1			
1780-89	4			1
1790-99	3	1	1	1
1800-09	3			
1810-19	2	4		2
1820-29		6	3	2
1830-35	2			1

Source: Coroners’ Records, 1776-1835.

The sudden deaths of new-born infants were not, of course, always attributable to infanticide. Some babies were still-born and some died soon after birth from a variety of reasons other than murder. Wessling, writing of infanticide trials in Germany, has reminded us that giving birth in the eighteenth century was a hazardous business and death was often inexplicable.<sup>100</sup> In Bath, there would appear to have been an increase in recorded still-births in the period 1810 to 1839 and a closer look at the inquests that took place in that period helps to throw some light on the figures, low though they may be.

In the 2 recorded cases of infanticide in the years 1810-1829, the intention was unmistakable. One body was taken from the river, and the other was found on the steps of Gracious Court, Walcot Street, pushed into a stocking.<sup>101</sup> In the 2 natural deaths recorded in the years 1820 to 1829 the mothers were named.<sup>102</sup> In both cases the baby arrived ‘suddenly and by surprise’. The words of the surgeon, George Norman, giving evidence in one case were that the baby ‘probably’ died during or immediately after birth. In both cases the baby had ‘departed this life in a natural way’.<sup>103</sup>

The mothers of the 4 infants whose inquests were recorded in the years 1810 to 1829 at which ‘open’ verdicts were returned are not known.<sup>104</sup> All 4 children were found

out of doors, one in the river, and one outside 7, Chapel Court. The other two were both wrapped in cloths and may have been abandoned in hope of early discovery rather than to die.

In 7 out of the 11 stillbirths recorded between 1790 and 1829 the mother was known.<sup>105</sup> In several instances, the mother was said to have been taken by surprise by a premature labour. Two in particular have similarities with infanticide cases. Susanna Chew had previously denied her pregnancy and the baby was found with the afterbirth still attached in an overflowing privy.<sup>106</sup> Mary Ford concealed her pregnancy until she became 'ill'.<sup>107</sup> When the body of the baby was found in a chamber pot under her bed she broke down and confessed to being the mother. Medical evidence given by George Norman suggested that the baby had 'probably' not been born alive.<sup>108</sup>

There was one case of accidental death not shown on Fig. 8.1 that shows a number of similarities to infanticide.<sup>109</sup> A servant living in Brock Street concealed her pregnancy and underwent a solitary confinement. The fact that the mother was delivered while alone, Hoffer and Hull's 'want-of-help' plea, was made the reason for the death of the child, which fell into the close stool where it remained head down for five minutes, the mother being unable to attend to it.<sup>110</sup> Medical evidence given by Clement Cruthwell, surgeon, suggested that the child had been born alive although this was denied by the mother. The verdict was that the mother, Ann Ashley, had brought forth a bastard alive who fell into the pan and remained there for five minutes, and, as a consequence the death was accidental.<sup>111</sup>

It would appear that from 1810 that there was a reluctance on the part of the authorities, in the form of the medical men, the Coroner and the jury, to bring in verdicts of infanticide. The Coroners' records reveal a change in verdicts in the second decade of the nineteenth century from infanticide to still-born.<sup>112</sup> Of the 17 verdicts of infanticide only two mothers were prosecuted. As far as can be determined from the records, Bath authorities made no attempt to trace mothers of dead or abandoned children. It would seem that the authorities only prosecuted when the event became public. In the case of Mary Cure relatives not resident in the house became involved, and in the case of Sarah Webb, she was already in the Dispensary

when the body of her child was found. Lionel Rose in *The Massacre of the Innocents* claimed that a verdict of stillbirth was, perhaps, due to a 'case hardened' Coroner taking the easy way out.<sup>113</sup> It may have been that the Coroners in Bath were being pragmatic rather than humanitarian. Increasingly, those called to examine the body of an infant found they were unable to 'read' the body and that it denied interpretation. Their evidence, or lack of it, made possible an open ended narrative.<sup>114</sup> Ambiguous medical evidence, with which juries were unfamiliar, gave them the opportunity to record a verdict other than infanticide. This may have been due to a growing humanitarianism but it might just as well be due to an awareness of the importance of Bath's image as a pleasant visitor or retirement place and not somewhere where the harsh reality of life for some meant committing infanticide.

In *Women Alone*, Bridget Hill suggested that women were accused of infanticide in order to deter other women from becoming pregnant. According to Hill, this was an economic response of the Poor Law authorities rather than a moral response.<sup>115</sup> The Overseers of the poor in Bath parishes certainly exhibited their hostility to single women in their determination to remove them from their parishes.<sup>116</sup> Possibly with the growth of enlightenment ideas of humanitarianism, the authorities took the view that it was preferable, when the mother was known, to bring in verdicts of stillbirth, natural or accidental death. This may have been a relief to individual women but did nothing to address the problem of the vulnerability of women and female domestic servants in particular. In some cultures, abandonment and infanticide were an acceptable way of dealing with unwanted babies.<sup>117</sup> Marilyn Francus has suggested that, 'if anything, the infanticide of lower-class and illegitimate children was not entirely unwelcome, for no one wanted more children begging on the streets or being abandoned to the care of the parish'.<sup>118</sup> This goes against the drive to increase the population in order to supply the army and navy, but the authorities in Bath were anxious to clear the streets of beggars and we can speculate that, as Francus continued, the civic elite were also anxious to re-instate single working infanticidal mothers in the work force and that this may well suggest that 'socio-economic realities were of greater concern than the ethics and psychology of infanticide'.

## Conclusion

Infanticide was perceived as a problem and legislation had been brought in making infanticide/concealment a capital felony. Over the years, courts became unwilling to find women guilty of infanticide and if they did, the death penalty was rarely used. For example, during the Summer Circuit of the Assize Court held at Wells on Tuesday 16 August 1814, Mary Hucklebridger was accused of, 'wilful murder of her new born male bastard child on 3<sup>rd</sup> June last at Twerton by stuffing a cloth into the mouth and nostrils whereby the child was smothered and instantly died'. Although she was found guilty of murder and not concealment, she was sentenced to be imprisoned in the House of Correction at Ivelchester (Ilchester) for twelve calendar months.<sup>119</sup>

High numbers of female domestic servants in Bath, in the period 1776 to 1835, may have resulted in a higher number of recorded infanticides than those recorded elsewhere in England but the numbers remain very small over all.<sup>120</sup> A disconnection from their communities may have influenced some women: some will have denied the pregnancy not only to their neighbours but also to themselves, or may have been ignorant and fearful of what was happening to them. A major motivation, however, may have been the economic, as well as the social, problems associated with single motherhood. The case studies used show that the women in Bath suspected of infanticide corresponded to profiles posited by Malcolmson and confirmed by other historians. The two women, Mary Cure and Sarah Webb, who were sent to the assize court, were dealt with leniently in line with national trends. It was not necessary for the women to be convicted of infanticide, attendance at the assize court following a spell in gaol would have been enough, it was hoped, to deter other single women from pre-marital sex.

The high incidence of medical men acting as Coroner in Bath led to an interest in, and willingness to accept, medical evidence at inquests. This had the effect, due to the inconclusiveness of the evidence, of causing Coroners and juries to doubt whether or not infanticide has been committed. This was beneficial to women's defence and meant fewer indictments and fewer convictions. It can be argued that the

involvement of Bath's medical men in inquests furthered the growth and development of forensic medicine in the late eighteenth and early nineteenth centuries.

In the 1810s and 1820s there was a drop in the number of infanticides recorded in Bath and, at the same time, a rise in the number of still-births and open verdicts. Juries were being given ambiguous and inconclusive evidence on which to base their verdicts and they became unwilling to bring in verdicts of infanticide when the identity of the mother was known, possibly preferring verdicts of still-birth, natural or accidental death.

Although there was a rise in humanitarianism there was also a desire to keep down the number of children dependant on the poor rates or begging in the streets. This was particularly important in Bath where, in the early years of the nineteenth century the city was in the throes of an economic crisis partly brought about by the loss of the fashionable company. Bath was, therefore, attempting to attract to the city a new genteel clientele and, responding to national trends, was promoting a respectable social tone. Resident genteel women and retired men occupied their days in establishing charities intended for the help of the 'deserving' poor. In the very same houses owned by or leased to members of 'polite' society, some female domestic servants were having to conceal their pregnancies, endure solitary confinements, kill their babies and dispose of their bodies. This, to some women, was an economic fact of life.

- <sup>1</sup> The population of Bath in 1801 was 33,000. Neale, *Bath, A Social History*, Table 2.1, p.41; the population of the parish of St Michael was 3,526 in 1801, of which 401 (11%) were recorded as female servants, 38 (1%) were male servants, 1801 census return for the parish of St Michael, D/P/ba.mi. 9/4/6, Somerset Record Office (SRO), Taunton, Somerset.
- <sup>2</sup> RW Malcolmson, 'Infanticide in the eighteenth century' in J.S. Cockburn, *Crime in England, 1550-1800*, (London, 1977), p.192; Olwen Hufton *The Prospect before Her: A History of Women in Western Europe, Vol. 1, 1500-1800*, (London, 1995) p.274; J.R. Dickinson and J.A. Sharpe, 'Infanticide in early modern England: the Court of Great Sessions at Chester, 1650-1800' in Mark Jackson (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550-2000*, (Aldershot, 2002), p.49; Dana Rabin, 'Bodies of evidence', states of mind: infanticide, emotion and sensibility in eighteenth-century England' in Jackson, *Infanticide*, p.77; Deborah A Symonds 'Reconstructing rural infanticide in eighteenth-century Scotland' in *Journal of Women's History*, Vol.10, No.2, (Summer) 1998, p.64; Mark Jackson, *New-born Child Murder: Women, Illegitimacy and the Courts in Eighteenth-Century England*, (Manchester, 1996), pp.29-51; Julius R Ruff, *Violence in Early Modern Europe 1500-1800*, (Cambridge, 2001), p.152.
- <sup>3</sup> Jackson, *New-born Child Murder*, p.6.
- <sup>4</sup> Laura Gowing, 'Secret births and infanticide in seventeenth-century England' in *Past and Present*, 156, Aug.1997, pp.87-115; Dickinson and Sharpe, 'Infanticide in early modern England', p.36; Rabin 'Bodies of evidence', p.73 n.1.
- <sup>5</sup> Dickinson and Sharpe, 'Infanticide in early modern England', p.36.
- <sup>6</sup> Peter C. Hoffer and N.E.H. Hull, *Murdering Mothers: Infanticide in England and New England, 1558-1803*, (New York, 1981), p.xiii.
- <sup>7</sup> *The Concise English Dictionary* defines 'infanticide' as 'the killing of an infant soon after birth'. *The Concise English Dictionary*, (Oxford, 1991).
- <sup>8</sup> Gowing, 'Secret births', p.106/7.
- <sup>9</sup> Coroners' Records, 27 May 1783.
- <sup>10</sup> Coroners' Records, 12 June 1797.
- <sup>11</sup> Coroners' Records, 16 June 1798. The assumption was made by Coroners and juries that the mother was the agent of infanticide or abandonment.
- <sup>12</sup> Malcolmson, 'Infanticide', p.188.
- <sup>13</sup> Malcolmson, 'Infanticide', 1977, pp.187-209.
- <sup>14</sup> Malcolmson, 'Infanticide' p.192; JA Sharpe, *Crime in Early Modern England, 1550-1750*, (London, 1984), p.110; Ruff, *Violence*, p.152; Rabin, 'Bodies of evidence', p.77.
- <sup>15</sup> J.M. Beattie, *Crime and the Courts in England, 1600-1800*, (Oxford, 1986), pp.113-124.
- <sup>16</sup> Beattie, *Crime and the Courts*, p.124.
- <sup>17</sup> Hoffer and Hull, *Murdering Mothers*.
- <sup>18</sup> Hoffer and Hull, *Murdering Mothers*, p.73, Table 3.1.
- <sup>19</sup> Mary Nagle Wessling, 'Infanticide trials and forensic medicine: Württemberg, 1757-93' in Michael Clark and Catherine Crawford (eds), *Legal Medicine in History*, (Cambridge, 1994).
- <sup>20</sup> Jackson, *New-born Child Murder*; Jackson, *Infanticide*.
- <sup>21</sup> Jackson, *New-born Child Murder*, p.11.
- <sup>22</sup> Marilyn Francus, 'Monstrous mothers, monstrous societies: infanticide and the rule of law in restoration and eighteenth-century England' in *Eighteenth-Century Life*, May 1997, Vol. 21, Issue 2, p.134.
- <sup>23</sup> Francus, 'Monstrous mothers', p.134.
- <sup>24</sup> Deborah A. Symonds, *Weep Not for Me: Women, Ballads and Infanticide in Early Modern Scotland*, (Pennsylvania, 1997).
- <sup>25</sup> Symonds, *Weep Not for Me*, p.70.
- <sup>26</sup> Anne-Marie Kilday, 'Maternal monsters: murdering mothers in South-West Scotland, 1750-1815, in Yvonne Galloway Brown and Rona Ferguson, (eds) *Twisted Sisters: Women, Crime and Deviance in Scotland since 1400*, (East Linton, 2002), pp.156-179.
- <sup>27</sup> Lynn Abrams, 'From demon to victim: the infanticidal mother in Shetland, 1699-1899', in Galloway Brown and Ferguson, *Twisted Sisters*, p.199.
- <sup>28</sup> Gowing, 'Secret births', pp.88 and 107.
- <sup>29</sup> Anne-Marie Kilday, 'Women and crime' in Barker and Chalus, *Women's History*, pp.174-193, p.184.
- <sup>30</sup> Anne-Marie Kilday and Katherine Watson, 'Child murder in Georgian England' in *History Today*, 55 (01) January 2005, pp.40-46, p.42.



- <sup>31</sup> See Chap. 7, 'Vagrancy and Prostitution'.
- <sup>32</sup> Rabin, 'Bodies of evidence', p.81.
- <sup>33</sup> When on 1 January 1820 Anne Highman, singlewoman, gave birth 'suddenly and by surprise', the medical evidence presented to the court suggested that the child had 'possibly' died during birth as there were no signs of violence. Elizabeth Dixon gave birth on 4 August 1826 to a bastard prematurely, and, although the child had been born alive, she had died soon after birth. Both these cases resulted in a verdict of natural death. Coroners' Records, 1 January 1820; 4 August 1826.
- <sup>34</sup> Jennifer Thorn (ed), *Writing British Infanticide: Child-Murder, Gender, and Print, 1722-1859*, (Newark, U.S., 2003), p.20.
- <sup>35</sup> Thorn, *Writing British Infanticide*, p.21.
- <sup>36</sup> Dana Rabin, 'Beyond "lewd women" and "wanton wenches": infanticide and child-murder in the long eighteenth century', in Thorn, *Writing British Infanticide*, p.45.
- <sup>37</sup> Evans, 'Unfortunate Objects', p.5.
- <sup>38</sup> Evans, 'Unfortunate Objects', p.3.
- <sup>39</sup> Evans, 'Unfortunate Objects', p.147; Beattie, *Crime and the Courts*, p.123.
- <sup>40</sup> 21 Jac. 1, C27.
- <sup>41</sup> Beattie *Crime and the Courts*, p.113.
- <sup>42</sup> Hufton, *The Prospect before Her*, p.270.
- <sup>43</sup> Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century*, 2<sup>nd</sup> edition, (London, 2003), p.148.
- <sup>44</sup> Malcolmson, 'Infanticide', p.197.
- <sup>45</sup> 43 Geo. 111 c.58.
- <sup>46</sup> Jackson, *New-born Child Murder*, p.170-1.
- <sup>47</sup> Jackson, *Infanticide*, p.7.
- <sup>48</sup> Malcolmson, 'Infanticide', p.192; Sharpe, *Crime in Early Modern England*, p.110; Hufton, *The Prospect Before Her*, p.274; Symonds, 'Reconstructing infanticide' p.64; Rabin, 'Bodies of evidence', p.77.
- <sup>49</sup> Malcolmson, 'Infanticide', p.192; Sharpe, *Crime in Early Modern England*, p.110; Ruff, *Violence*, p.150.
- <sup>50</sup> Linebaugh, *The London Hanged*, p.147.
- <sup>51</sup> Hitchcock, 'Unlawfully begotten on her body', p.77.
- <sup>52</sup> Hitchcock, 'The English workhouse', p.210.
- <sup>53</sup> See Chap. 3, Removal Orders.
- <sup>54</sup> John Curry, 'Diary' and Chap.4 of this thesis.
- <sup>55</sup> Evans, 'Unfortunate Objects', p.132.
- <sup>56</sup> Hill, *Women Alone*, p.121.
- <sup>57</sup> Gowing, 'Secret births', p.87.
- <sup>58</sup> Coroners' Records, Sarah Webb, 6 June 1806; Mary Whitehead, 25 Dec 1810.
- <sup>59</sup> In 'Monstrous mothers' Francus recorded an accused mother, Mary Wilson, as claiming to be ignorant of the birthing process 'never having encountered it' p.142.
- <sup>60</sup> Thorn, *Writing British Infanticide*, p.19.
- <sup>61</sup> Coroners' Records. When, on 14 April 1783, the body of a female newborn was found in the privy in the grounds of Sir Neal O'Donel's house in The Circus, the female servants all said they had no idea who the mother might have been. Again, on 28 March 1826, the body of a male newborn was found in the privy of 7 Chapel Court. It was recorded that seven or eight families lived in the house but all the likely women were recorded as having no knowledge of a pregnancy.
- <sup>62</sup> Coroners' Records, Sarah Webb, 6 June 1806; Ann Ponting, 14 Sept 1794.
- <sup>63</sup> Hitchcock and Black, *Chelsea Settlement*, p.xviii.
- <sup>64</sup> Dickinson and Sharpe found cases of married women and men accused of infanticide, Dickinson and Sharpe, 'Infanticide in early modern England' pp.35-51, p.41.
- <sup>65</sup> Rabin, 'Beyond "lewd women"', p.56.
- <sup>66</sup> Linebaugh, *The London Hanged* Linebaugh claims that in some years infant mortality was 74%, p.147.
- <sup>67</sup> Jackson, *New-born Child Murder*, p.40. Dickinson and Sharpe found cases of married women and men accused of infanticide, Dickinson and Sharpe, 'Infanticide in early modern England' pp.35-51, p.41. Rabin, 'Beyond "Lewd Women"', p.56.

- <sup>68</sup> Chivers, 'Sudden death in Bath'. All the inquests were examined for this earlier MA dissertation.
- <sup>69</sup> Coroners' Records, Mary Cure, 1 Feb 1806.
- <sup>70</sup> It is not made clear whether there were family connections between the various Lovells recorded in this case.
- <sup>71</sup> Western Circuit Gaol Book PRO: ASSI 23/9, Public Record Office.
- <sup>72</sup> Malcolmson, 'Infanticide', p.198; Mark Jackson, 'Developing medical expertise: medical practitioners and the suspected murder of new-born children' in Roy Porter (ed), *Medicine in the Enlightenment*, (Amsterdam, 1995), pp.145-165, p.155.
- <sup>73</sup> Hoffer and Hull, *Murdering Mothers*, p.69.
- <sup>74</sup> Ruff, *Violence*, p.105
- <sup>75</sup> Francus, 'Monstrous mothers', p.142; Symonds, 'Reconstructing rural infanticide', p.70; Ruff, *Violence*, p.153.
- <sup>76</sup> Malcolmson, 'Infanticide', p.199; Hoffer and Hull, *Murdering Mothers*, p.69; Beattie, *Crime and the courts*, p.120; Ruff, *Violence*, p.154; Francus, 'Monstrous mothers', p.133 & 142.
- <sup>77</sup> Hoffer and Hull, *Murdering Mothers*, p.69.
- <sup>78</sup> Pigot, *Bath Directory, 1830*, Bath Central Library.
- <sup>79</sup> Coroners' Records, 4 August, 1826.
- <sup>80</sup> Hoffer and Hull, *Murdering Mothers*, p.69.
- <sup>81</sup> Coroners' Records, Sarah Webb, 6 June 1806.
- <sup>82</sup> Western circuit Gaol Book PRO: ASSI 23/9.
- <sup>83</sup> The houses in Alfred Street were built in 1772 and Alfred Street gives direct access to the Upper Assembly Rooms, Neale, *Bath, A Social History* p.315.
- <sup>84</sup> Jackson, *New-born Child Murder*, p.90-1; Ruff, *Violence*, p.154.
- <sup>85</sup> Jackson, *New-born Child Murder*, p.46.
- <sup>86</sup> Gowing, 'Secret births', p.89.
- <sup>87</sup> *Bath Chronicle*, 18 April 1782, 25 June 1795, 20 September 1799. Bath Central Library.
- <sup>88</sup> Coroners' Records, Ann Ponting, 14 Sept 1794
- <sup>89</sup> Coroners' Records, Ann Ponting 14 Sept 1794.
- <sup>90</sup> *Bath Directories*, 1800 and 1812, Bath Central Library; Rules and Orders. 1788-1826'
- <sup>91</sup> Jackson, 'Developing medical expertise' p.155.
- <sup>92</sup> Hoffer and Hull, *Murdering Mothers*, p.9.
- <sup>93</sup> In the 59 years from 1776 to 1835, 30 Bath Coroners had medical training. Murch, *Biographical Sketches*; Derry, 'Notes on various visitors'
- <sup>94</sup> Wessling, 'Infanticide trials', p.125; Mark Jackson, 'Suspicious infant deaths: the statute of 1624 and medical evidence at Coroners' courts' in Clark and Crawford, *Legal Medicine in History*, pp.64-86, p.75.
- <sup>95</sup> Jackson, *New-born Child Murder*, p.85.
- <sup>96</sup> Jackson, *New-born Child Murder*, p.86.
- <sup>97</sup> Coroners' Records, Ann Allen, 26 March 1782; Benjamin Forret, 19 March 1783; James Clark, 10 Dec 1794.
- <sup>98</sup> Jackson, *New-born Child Murder*, p.85.
- <sup>99</sup> Malcolmson, 'Infanticide', p.200; Beattie, *Crime and the Courts*, p.121.
- <sup>100</sup> Wessling, 'Infanticide trials', p.132.
- <sup>101</sup> Coroners' Record, 24 Sept 1810; 21 May 1813.
- <sup>102</sup> Coroners' Records, 1 Jan 1820; 4 August 1826.
- <sup>103</sup> Coroners' Records, Ann Highman, 1 Jan. 1820, and Elizabeth Dixon, 4 Aug. 1826.
- <sup>104</sup> Coroners' Records, 20 April 1814; 1 April 1819; 2 Jan 1824; 28 March 1826. An 'open' verdict was not an expression used in the records but where little evidence was given and no specific verdict was recorded the verdict has been categorised as 'open'
- <sup>105</sup> Coroners' Records, 14 Feb 1809; 22 Dec 1813; 4 April 1814; 26 April 1819; 30 Oct 1819; 20 Aug 1821, 11 Feb 1823; 18 Oct 1823; 20 July 1824; 14 Oct 1824; 10 Feb 1826.
- <sup>106</sup> Coroners' Records, 22 Dec 1813.
- <sup>107</sup> Coroners' Records, 4 Jan 1814.
- <sup>108</sup> Coroners' Records, Susanna Chew, 22 Dec. 1813, Mary Ford, 4 April 1814.
- <sup>109</sup> Coroners' Records, 4 Jan 1814.
- <sup>110</sup> Hoffer and Hull, *Murdering Mothers*, p.69.
- <sup>111</sup> Coroners' Records, 4 Jan. 1814.

<sup>112</sup> The first recorded verdict of stillbirth was in Feb. 1809. The increase in stillbirth verdicts occurred in the second decade of the century.

<sup>113</sup> Lionel Rose, *The Massacre of the Innocents: Infanticide in Britain, 1800-1839*, (London, 1986), p. 62.

<sup>114</sup> Francus, 'Monstrous mothers', p.143.

<sup>115</sup> Hill, *Women Alone*, p.115.

<sup>116</sup> See Chap.3.

<sup>117</sup> Malcomson 'Infanticide', p.188.

<sup>118</sup> Francus, 'Monstrous mothers', p.134.

<sup>119</sup> Western circuit Gaol Book PRO: ASSI 23/10. This infant death is not recorded in the Coroners' Records for Bath as Twerton was not at that time part of the city of Bath.

<sup>120</sup> Hufton, *The Prospect Before Her*, p.270: Beattie, *Crime and the Courts*, p. 114-118.

## Chapter 9: Suicide

### Introduction

#### City of Bath

**An Inquisition** indented taken at the Guildhall in and for the said City of Bath this seventh day of September 1787 .....So the Jurors aforesaid on their Oath aforesaid **Do say** that the said Sarah Arlott in manner and by the means aforesaid feloniously wilfully and of her Malice forethought did kill and murder herself.....<sup>1</sup>

[Signed] Wm Anderdon Mayor & Coroner

#### City of Bath

**An Inquisition** indented taken at the Guildhall in and for the said City of Bath the twenty fourth day of April.....One thousand seven hundred and eighty four.....upon the view of the body of John Staker .....Doctor in Physic now lying dead in his House.....[the Jury]....**Do say** that the said John Staker not being of sound mind memory and understanding but lunatic and distracted..... did then and there give unto himself.....one mortal wound .....of which mortal wound the said John Staker then and there instantly died And so the Jurors .....**Do say** that the said John Staker not being of sound mind memory and understanding but lunatic and disturbed in manner and by the means aforesaid did kill himself.<sup>2</sup>

[Signed] James Leake Mayor and Coroner

Sarah Arlott was a barmaid at the Castle Inn in the St Michael's parish and her mistress, Eliza Cook, wife of Thomas Cook, the innholder, described her as having 'more than a quickness in her Temper and Sullenness of Disposition' not, perhaps, ideal in a barmaid.<sup>3</sup> On 5 September Eliza Cook accused Sarah of defrauding her husband, Thomas Cook, by stealing money from the bar. Eliza Cook had also mislaid some edging so she confronted Sarah on that score saying 'that as she would be guilty of one thing so she might of another and that she most likely had the edging'. Shortly after, another servant, wishing to clean out the water closet, found the door fastened on the inside but deduced that Sarah was in there. Sarah managed to open the door

but when Eliza Cook saw that she had cut her throat and was lying on the floor with 'a large quantity of blood' she sent for assistance from Betty Tanner, Sarah's aunt. From around eight o'clock that night Betty Tanner sat up with her niece at the Castle Inn until a quarter past three o'clock on the morning of 7 September when Sarah died from the wound she had inflicted on herself approximately thirty hours previously. The Coroner, William Anderdon, and thirteen jurors found that Sarah Arlott had committed a felony and her body was dealt with accordingly. A brief entry for 7 September 1787 in the volume 'Business Before the Mayor and Justices' concerns Sarah Arlott and states 'witnesses examined, Inquest taken, verdict felo de se, warrant for burying body in public highway. Parish of St Michael'.

John Staker was a physician in Bath and lived in Queen Square, one of the most prestigious addresses in the City. It is, perhaps, no coincidence that on 25 April 1782, two years almost to the day before John Staker's death, his wife had died.<sup>4</sup> At the inquest on the body of Staker witnesses included Henry Harington, physician, John Symons, surgeon, John Kitson, apothecary and close associate of Staker, and William Tickle, also an apothecary.<sup>5</sup> The story that Staker's colleagues told was by no means straightforward but suggests that Staker had become in some way involved with a female patient. He had asked Harington to attend the woman and her husband claiming ill-health but was later seen in the town apparently well. Harington had found his behaviour 'rather Extraordinary in the Common Course of Business'. John Kitson, John Symons and William Tickle all added to the picture of a disturbed individual. John Murphy, Staker's servant, gave evidence that Staker had asked his advice 'concerning the lady and all his patients' which Murphy had thought strange as Staker usually kept his servants at arm's length. Then on Saturday morning Staker's friend, John Howell finding Staker's bedroom door locked broke in with the help of Murphy and discovered Staker on his bed having shot himself in the head. The verdict was that John Staker had shot himself while lunatic and disturbed. The inquest took place on 24 April and in the 29 April edition of the *Bath Chronicle* there appeared as an item of news 'Saturday died suddenly, Dr Staker, an eminent physician of this city'.<sup>6</sup>

When Sarah Arlott cut her throat in the water closet of the Castle Inn she set in motion a legal system that ended with her clandestine burial in a public highway.<sup>7</sup>

When Dr John Staker took a loaded horse pistol in his hand and shot himself he also started a chain of legal events that included an inquest but ended with a discreet notice of his death in the *Bath Chronicle*.<sup>8</sup> The way in which the authorities responded to these deaths illustrates two major themes influencing Bath civic elite: control of the lower orders, particularly women, and the need to bolster the image of Bath in the wider community. Having lost the patronage of the fashionable company, Bath needed to attract respectable visitors and residents, and, while the suicide of a servant would not attract a great deal of interest, the suicide of an eminent physician in a city appealing to potential residents on the grounds of good health, would not read well, particularly if details of the medical evidence given at the inquest became known. The *Bath Chronicle* had as much of a vested interest in the prosperity of the city as had any other business.

Sarah Arlott may indeed have been a thief and evidence at John Staker's inquest certainly suggests that he was having some sort of crisis, but the class and gender differences displayed, in the context of eighteenth century Bath, are worth further exploration.<sup>9</sup> Suicide is a strategy of last resort for the desperate and an investigation into the ways in which the authorities responded to suicide reveals both the attitude of the authorities and details of the lives of individuals in respect of relationships with neighbours, gender differences, status, and old age.

### **Felon or Lunatic?**

Both Sarah Arlott and John Staker committed suicide but a big difference between the two verdicts was that whereas Arlott was deemed to be *felo de se*, to have committed a felony, Staker was deemed to have been *non compos mentis*, to have been lunatic when he shot himself.<sup>10</sup> If the 'self-murderer' was a felon his goods were forfeit to the Crown, or, in the case of Bath, to the Corporation. If a verdict of *felo de se* was declared the deceased's family faced social, legal and religious sanctions. They had to face the shame of the act, his or her goods and chattels, the value of which was set by the Coroner and jury, were confiscated and the body was denied Christian burial. In poor families the repercussions could be short and sharp. Forfeiture of the goods and chattels sometimes led to the pauperisation of the family. Few poor families had any reserves and, as we saw from the pauper examinations, the time between the death or

desertion of a spouse and an application for poor relief could be measured in days.<sup>11</sup> In wealthy families the situation might be complicated and prolonged and the forfeiture of goods and chattels upset customary inheritance laws. Michael MacDonald has suggested that in the seventeenth century the authorities often were 'repellently eager to get their hands on suicides' chattels, regardless of the consequences for heirs.<sup>12</sup> He has also shown that forfeiture was deeply unpopular and declined from the time of the Restoration.<sup>13</sup>

Not only did the families of suicides face economic sanctions but they also faced religious and social sanctions. Felonious suicides were denied Christian burial: there could be no reading of the burial office nor could their remains be buried in consecrated ground.<sup>14</sup> Suicides were often buried at crossroads, at night, face down with a stake through the body, all of which rituals were thought to confuse the spirit of the deceased and were designed to deter would-be suicides and punish the families of the deceased.<sup>15</sup> One way for the problems of forfeiture and disgrace to be avoided was if the deceased were declared to be a lunatic, *non compos mentis*, at the time of his or her death. In this case the only difficulty the family faced was the stigma of possible inherited insanity. The reluctance of juries to declare a suicide *felo de se* suggests solidarity with their community which helped both to change custom and to influence attitudes. The change from *felo de se* to lunacy verdicts indicates a lessening of religious belief. The person was no longer seen as having acted at the instigation of the Devil but as having made a choice: temporary lunacy was the only way this choice could be made acceptable to contemporaries, although some writers felt that the charge of lunacy was sometimes used with insufficient grounds.<sup>16</sup> This process of a lessening of religious belief is one that Michael Macdonald and Terence Murphy have called 'the secularisation' of suicide.<sup>17</sup> The change also allows for an increased awareness of the possibility of individual mental distress.

## Historiography

In the eighteenth century there was a national debate concerning the nature of suicide and more than one writer expressed concern about the perceived increase in the incidence of what was, after all, a felony.<sup>18</sup> Caleb Fleming wrote in 1773 about the

‘increased numbers of self-murders about this great city, and in other parts’.<sup>19</sup> The view that suicide was increasing was encouraged by a number of high-profile suicides following defeat in America and the French Revolution.<sup>20</sup> Nineteen Members of Parliament committed suicide between 1790 and 1820, including Samuel Whitbread II, a Whig politician, who committed suicide in 1815, followed three years later by Samuel Romilly, and by the Foreign Secretary, Lord Castlereagh in 1822. Linda Colley has attributed this spate of suicides to defeat in America, the pressures of war and overwork. On 3 July 1788 the *Bath Chronicle* ran an article deploring the spread across the social spectrum of gambling which resulted in ‘suicide, adultery, bankruptcy and the gallows’.<sup>21</sup> A few years later ‘Censor,’ writing to the same paper, gave as causes for the apparent increase in suicide ‘a timidity of women often bordering on folly’, and ‘debauched young men’ with more money than they needed spending the excess in alehouses.<sup>22</sup> Whether or not suicide could ever be justified and the desirability or otherwise of punishment were also debated. Cesare Beccaria, in 1778, wrote of suicide as ‘a crime which seems not to admit of punishment, properly speaking; for it cannot be inflicted but on the innocent, or upon an insensible dead body’.<sup>23</sup> William Rowley, on the other hand, writing in 1788, had no doubts but that, ‘any human being destroying himself is criminal’.<sup>24</sup> Suicide, in Rowley’s opinion, if not strongly discouraged, might lead to depopulation. He is not so clear on the issue of punishment, preferring to leave the issue to ‘the judicious legislator’.<sup>25</sup> In *The Theory of Moral Sentiments*, published in 1790, Adam Smith wrote that ‘such unfortunate persons’ were worthy ‘not of censure, but of commiseration’.<sup>26</sup>

David Hume’s anti-religious *Essay on Suicide* was thought so radical that it was suppressed during his life and only became fully available to the public in 1783, several years after his death.<sup>27</sup> Hume wrote that however miserable life might become, man was constrained by superstition and dared not fly to the refuge of death ‘lest he offend his maker, by using that power, with which that beneficent being has endowed him’.<sup>28</sup> Hume was being provocative and, not surprisingly, his essay provoked a robust response, particularly from clergymen. In a sermon preached in Dudley, after the suicide of a parishioner, Revd Luke Booker asked: ‘What are we to think of those who have perverted Reason and Argument to defend the crime?’<sup>29</sup> Hume’s point that, ‘a man, who retires from life does no harm to society’ was answered by Booker in the following terms: ‘if he be in a humble station, he ought by



his labour make himself useful to his fellow creatures; if in an elevated rank he owes a tribute to the Public which must be paid'.<sup>30</sup> At an anniversary service for the Royal Humane Society in 1797 Revd G. Gregory also took suicide as his theme.<sup>31</sup> Gregory sought to advance arguments against a crime which had become 'more frequent' and its prevention was one of the 'most laudable' efforts of the Society. In the introduction to his sermon Gregory attacked the atheist as necessarily 'a bad man'. In speaking of suicide, Gregory used sickness as a metaphor for the shame felt by relatives. Shame has a 'foul and contagious nature' and even the innocent consider themselves as 'infected by its malignity'. This was similar language as that used, some years later, by John Parrish of the Bath Penitentiary when he described prostitutes as 'pernicious agents of corruption'.<sup>32</sup> Suicide and prostitution were the result of spiritual disease and Gregory was sure that one of the causes of suicide was a decline in religious principle.<sup>33</sup> He also preached that young people should be kept away from 'irreligious' books and, to drive home his point he continued, 'Mr Hume is the hero of modern infidels of whom the writer has never heard a single good or benevolent action'.<sup>34</sup> 'Celebrated philosophers' were also targeted by Rowley who noted that no vindicators of suicide themselves had had the resolution to commit 'the horrid action'.<sup>35</sup> What is more interesting is that Rowley included his chapter 'On suicide' in a treatise concerning 'female nervous, hysterical, hypochondriacal ... diseases'. Suicide was, therefore, closely associated in his mind with the female who, in turn, was nervous and hysterical.

In the twentieth century sociologists have paid more attention to the subject of suicide than have historians. Emile Durkheim, in *Le Suicide* first published in 1897, saw the roots of suicide in an individual's relationship with society and the suicide rate as an indication of the mental health of a society. Modern historians have pointed out Durkheim's lack of historical content as a weakness.<sup>36</sup> Maurice Halbwachs was a follower of Durkheim and built on his work but with a greater emphasis on psychology.<sup>37</sup> Halbwachs also wrote that we should abandon the idea of opposition between mental disorder and social factors. Suicide was, he claimed, always a matter of interaction between the individual and his social world. Juries in reaching a suicide verdict had to take into account evidence of intention, the state of mind of the deceased and the manner of their death.

Historians appear to have been slow to recognise the value of suicide as a subject worth investigation. The first important historical work dealing with the subject of suicide is Olive Anderson's *Suicide in Victorian and Edwardian England*.<sup>38</sup> To a large extent Anderson followed a Durkheimian model, although she also used, to great effect, case studies. She was well aware of the problems surrounding the use of suicide records, particularly with regard to concealment and 'official procedures for identifying and recording suicidal deaths'.<sup>39</sup> Anderson found that there were age and gender differences in suicide and she argued that urbanisation made life easier for young and old women. There were gender differences in Bath but age differences are not so easy to ascertain as only in a few cases is it possible to deduce the age of the suicide from the Coroners' Records.<sup>40</sup> It is difficult to establish whether life was easier in Bath for young and old women than it was in a rural environment. Certainly many young people, men and women, came into Bath in the hope of a better life and many were successful. We come face to face with some, however, in the poor law records or, in desperation, in the Coroners' records.

Arguably one of the most useful essays on suicide is that written by Michael MacDonald in 1986.<sup>41</sup> MacDonald argued that a statistical approach to suicide is inadequate and claims that an important cultural change in respect of suicide took place in the period he was reviewing.<sup>42</sup> It was a change from a superstitious, folkloric attitude which punished suicides by declaring them *felones de se*, to a more sympathetic view which encouraged juries to find suicides lunatic or *non compos mentis*, a medical explanation that explained rather than condemned.<sup>43</sup> MacDonald thought that this change originated from a feeling that the forfeiture of felons' goods was both unjust and made no economic sense to the community.<sup>44</sup> MacDonald also argued that the change took place first among the upper class of society, and that changing attitudes filtered down through Coroners and their juries. As we shall see, in Bath *felo de se* verdicts declined between 1770 and 1835 except for a specific group of those already in prison. MacDonald also highlighted this group as eliciting felony verdicts.<sup>45</sup>

MacDonald also has a number of interesting points to make concerning the social status of Coroners and juries. In Bath the mayor was always the Coroner and, therefore, part of the civic elite.<sup>46</sup> Juries were usually picked from among the deceased's community and some may have been neighbours. They represented, over

time, a cross section of the community and although, in Bath, by the end of the period most jurymen could sign their names a few still made their mark.<sup>47</sup> They were, on the whole, not as educated as the Coroners but would have been ‘sensitive to local opinion’ and aware of the probable result of their verdict.<sup>48</sup> Coroners’ courts, as MacDonald pointed out, were place where elite and popular cultures met and juries may well have felt pressured on occasion by the Coroner from above, and by community interests and beliefs from below.<sup>49</sup> In giving their verdicts at any inquest Coroners and their juries were both influenced by the predominant culture and at the same time helped to transform that culture. They were of crucial importance in changing attitudes to both infanticide and suicide.

MacDonald’s essay did not go unchallenged and, in 1988, Donna T Andrew, while agreeing that suicide had become secularised, questioned the view that opinion had become more ‘enlightened’ – a word that MacDonald, in fact, never used.<sup>50</sup> In contrast, Andrew suggested that the decline in felony verdicts may have had more to do with a growing interest in inherited property rights. She concentrates her attention on the suicides of the wealthy and those from the upper echelons of society and points out that four vices – duelling, gambling, suicide and sexual irregularities - were all upper class vices.<sup>51</sup> In Bath the status of suicides was rarely recorded, although in some cases we can deduce status from witness statements, but the overwhelming number of suicides would appear to have been from the labouring population – servants and labourers.<sup>52</sup> Andrew also argued that the main reason for the strong resistance to reform of the law that she has found in letters and pamphlet literature was that reform would ‘rob the state of its greatest weapon for social control, that is, its ability to take the life of an erring citizen’ - those already in prison.<sup>53</sup> Prisoners were certainly among the few *felo de se* verdicts recorded in Bath and those whose status could be defined as from the middling sort, doctors and clergymen, always had lunacy verdicts.<sup>54</sup>

Michael MacDonald and Terence Murphy in their book *Sleepless Souls* rejected a Durkheimian reliance on statistics in favour of focusing on the meaning of suicide.<sup>55</sup> They define the social meaning of suicide as ‘how it is defined and identified, and how it is understood’.<sup>56</sup> Their thesis is that attitudes to suicide changed over a long period, 1500-1800, from an early hardness to a more tolerant and sympathetic attitude after

1600. They attribute a more tolerant attitude to a reaction against religious enthusiasm and to the spread of Enlightenment ideas. Such ideas were spread by the growth of the print medium and the increase in literacy. The decline in severity did not go unchallenged, and as we have seen, the church spoke out against any softening of the approach to suicide. R. Healy, in an historiographical review, questioned MacDonald and Murphy's idea concerning 'secularisation' and preferred Susan Morrissey's 'hybridisation' claiming that religious and post-Enlightenment views continued to be held, not so much separately as side-by-side.<sup>57</sup>

MacDonald and Murphy also raised the problem of the classification of suicide. As they say, 'records of suicides present formidable problems'.<sup>58</sup> Their premise is that every era had a defined hermeneutics of suicide and that the secularisation of suicide coincided with the growth of print media and the increase of literacy. They attempted to assess the impact of the recording of suicide in local newspapers. As the suicide of John Staker suggested, the newspapers in Bath rarely recorded the suicidal aspects of deaths if they involved prominent citizens.<sup>59</sup> The incidence of suicide is not one which lies well with the image of Bath as a healthy (mentally as well as physically) respectable city. The classification of suicide is particularly difficult in incidences of drowning where, unless there were witnesses, intention cannot be determined.

As the title suggests, in *'This Rash Act': Suicide across the Life cycle* Victor Bailey wrote that suicide was more likely at particular points in the life cycle.<sup>60</sup> One of the crisis points for suicide was when young people entered the work force: he wrote that those entering apprenticeship and domestic service were particularly vulnerable. Insufficient detail in the Bath records makes it impossible either to support or refute this claim. We have already seen some of the problems that arose from the apprenticeship scheme, and there was a high proportion of female servants in Bath, a group identified as vulnerable in a number of areas. It is interesting that Bailey found female domestic servants in Hull over-represented in the suicide figures. Another crisis time arose for young couples when the woman had to give up regular work to care for young children. Until the children were able to add to the family income and the wife return to work families suffered financial strain. We have seen in Bath that this was a point when families were likely to apply for poor relief and, possibly, to be removed.<sup>61</sup> A third pressure point was old age and Bailey found that for Hull this

most affected men who, with failing health and strength, found it necessary to accept less skilful employment.

Bailey also claimed that the motives that can be found in the deceased's background are central, and that the urban poor still had close kinship ties that were important in dealing with life crises. Neale, writing about suicide in Bath, claimed that because Bath had a shifting population the kinship ties that governed behaviour were missing.<sup>62</sup> It can, however, be shown that in Bath kinship ties were still important and that immigrants relied on family and neighbours in times of crisis.<sup>63</sup>

## Sources

A close examination of the 'City of Bath Coroners' Examinations and Inquisitions, 1776-1835', throws some light on the lives, as well as the deaths, of people in Bath in the late eighteenth-century.<sup>64</sup> As the records are contained in books it is unlikely that any records have been lost. Under-reporting may still be a problem as some inquests may not have been recorded, and, in some cases, inquests may not have been held even though suicide was suspected. There is also the problem of misclassification as intention was all important and intention dies with the suicide. This may be particularly true of drowning verdicts as will become evident later. We do not have recorded in the inquests the age or status of the deceased although in some cases it is possible to deduce age and status from witness statements. Nor do we have a record of any questions that the Coroner might have asked witnesses. This is an important point as it is impossible to assess how much the Coroner may have phrased his questions to elicit certain answers. We must also question the reliability of witnesses. They will often have been related to or close associates of the deceased. They were, therefore, hardly unbiased. It is obvious in the wording of a few inquests that the witnesses were attempting to convince the Coroner and jury as to the state of mind of the deceased. This would enable a lunacy rather than a felony verdict to be brought in. The term 'suicide' is not used in the records for Bath, but it seems reasonable to include as suicides such verdicts as 'of unsound mind' and 'hanged herself'.

Official records such as Coroners' records were, of course, influenced by the context in which the inquests and recording took place. Coroners, juries and recording clerks will all have reflected contemporary society's perception of suicide. They will have brought to the process knowledge of the city and, possibly, knowledge of the deceased.

It is impossible to arrive at a suicide rate for Bath in this period. It is not possible, because of the difficulty with misclassification, to quantify definitively the number of suicides which took place, nor is it advisable, until later in the period, to rely on population figures. Neale has attempted a suicide rate for 1778-98 which he calculated at 7.5 per 100 000, that, according to Neale, was comparable to the rate for England and Wales, 1972-6, of 7.72 per 100 000.<sup>65</sup> If Neale is correct in this, it does not point to the existence of the culture of deprivation and violence that he also posited.<sup>66</sup> The population of Bath in 1775 was in the region of 17 000 and, by 1831 had risen threefold to 51 000.<sup>67</sup> Reported suicides occurred evenly across the time scale and did not increase from between one and four per year, except for the years, 1792, 1798 and 1827 when five per year were recorded. It could be argued that suicides declined over the years given the rise in population. This would agree with findings in Westminster for the years 1812 to 1836 where it was found that although the number of suicides taking place each year had increased they had not increased in line with an increase in population. The Deputy Coroner for Westminster warned that 'too general inferences' should not be drawn 'given the comparatively small number of cases to which they refer', and I would give the same warning concerning Bath figures.<sup>68</sup> A change over time did occur with regard to *felo de se* verdicts which declined.

In Bath during the period 1770-1835, the ratio of lunacy to *felo de se* verdicts was 13:1. The ratio in Marlborough for the same period was also 13:1.<sup>69</sup> During the period of the first volume of Coroners' Records, 1776-1798 in Bath the ratio was 8:1, which was the same as the ratio in Wiltshire for the same period.<sup>70</sup> However, for a much earlier period, December 1537 to June 1558, in Nottinghamshire the ratio was 1:8.<sup>71</sup> This bears out Macdonald's claim that Coroners became increasingly reluctant to return *felo de se* verdicts. Macdonald and Murphy were also able to show that in Norwich there were no *felo de se* verdicts between 1770 and 1799.<sup>72</sup> In the same

period in Bath there were only four such verdicts. The date of the last *felo de se* verdict in Bath, that of Edward Thompson in October 1824, corresponds to the period when a change in attitude can be seen in Bath away from Enlightenment humanitarianism towards a hardening of attitude towards the poor, possibly in response to economic pressures. Apart from this one late *felo de se* verdict, Bath followed the national trend towards a more sympathetic attitude to suicides and their families.

### ***Felo de se* verdicts in Bath**

During the period of the Coroners' Records, 1776-1835, 7 people were declared *felo de se*, 5 men and 2 women. Of these, 3 (all men) were already in prison on felony charges. The Coroners and juries had little alternative but to bring in verdicts of felonious killing or all could have been seen as evading earthly justice. Richard Maishfield was not in prison nor can any record be found in the Sessions Book for the years before his death in 1788 to suggest that he had been in trouble with the authorities.<sup>73</sup> For a few months prior to his death, Maishfield had been lodging with Mary Scudamore, a widow, but had expressed his intention to go to London. Early on the morning of 15 September he had left the house but had returned shortly to take his leave of fellow lodgers. Shortly after that, his body was found by Mary Scudamore hanging in her washhouse. A surgeon was sent for but his attempts at reviving Maishfield were not successful. In the volume Business before the Mayor and Justices 1786-1793, there is, however, an entry for 15 September 1788, the date of the inquest, recording Richard Maishfield's name and that, 'witnesses examined, inquest taken, verdict *felo de se*'.<sup>74</sup> An entry of this sort was unusual in itself and a quick search of the source revealed only one other – that for Sarah Arlott.

The last recorded verdict of *felo de se* was on the death of Edward Thompson.<sup>75</sup> For a month prior to his death Thompson had lodged with Matthew Morrow at No. 8 Avon Street where he had kept to his bed. His address at a lodging house in Avon Street suggests that he was poor. He also had gout in his foot and was in a great deal of pain. Sometime between ten and eleven o'clock of the morning of 12 October Morrow had gone to Thompson's room to ask whether he intended to get up. Getting no response,

he shook Thompson and pulled back the bedclothes and noticing a quantity of blood, Morrow sent for the surgeon from the Casualty Hospital. Job Lockyer Seale found that Thompson had partially severed his windpipe and had cut an artery in his arm. Seale immediately rendered aid and, as Thompson seemed to recover slightly, he was transferred to the Casualty Hospital but died at five o'clock that evening. At the inquest Thompson was deemed to have committed a felony. Whatever caused Edward Thompson to take his own life, it seems likely that his poverty and pain were contributing factors. He may also have been seen by his neighbours as malingering. Christian teaching was that in the face of pain or illness prayer and fortitude were what were called for and the sick were asked to remember that human suffering was as nothing compared to the suffering of Christ.<sup>76</sup> By 1824 suicides were no longer subjected to religious sanctions although the church still expressed disapproval.<sup>77</sup>

Of the two women declared *felo de se*, we have already met one, Sarah Arlott: the second woman was Susanna Patient who took her own life in June 1805.<sup>78</sup> She is described as a 'singlewoman' and was a servant in the house of Mrs Wroughton in Catherine Place, a 'good' address. All four witnesses, who were fellow servants, did their best to have her declared a lunatic. Their testimonies all included mention of her erratic and lunatic behaviour. They were not able to convince the jury who brought in a verdict of felonious suicide, that Susanna 'not having the fear of God before her Eyes' had been 'moved and seduced by the Instigation of the Devil'. Susanna Patient was not thought to have suffered a fit of lunacy, nor was she seen as having made a choice; her suicide was the result of demonic intervention which she had been unable to resist, but why the jury appears to have disregarded the witnesses' statements is not clear. Attached to the records with sealing wax is a warrant for her burial in a public highway leading from Lansdown to the parish of Charlcombe, probably what is now Lansdown Road. The warrant is signed by K.M. Young, constable for the parish of Walcot, and confirms that Susanna Patient was buried in the highway at one o'clock in the morning of 8 June 1805.

The use of language is of particular interest here. Recourse to the Devil shows the deep-seatedness of old beliefs in a post-Enlightenment age.<sup>79</sup> Despair, anguish and a disturbed mind suggested to seventeenth century observers, Roy Porter has written, a battle between the Holy Ghost and the Devil for possession of an individual soul.<sup>80</sup>



These ideas, however, no longer had currency after 1650 and symptoms were then ascribed to individual bodily sickness, hysteria or, later, nerves.<sup>81</sup> MacDonald claimed, however, that ‘it was not until the reign of George III that juries abandoned the belief that suicide was a diabolical crime’.<sup>82</sup> In the Bath records, by the 1830s the part that pain and suffering might play in the mental state of a suicide was acknowledged. In February 1830 Mary Reece was deemed to have been lunatic because she was ‘labouring under a disease of the body and [was] in a despondent state of mind’.<sup>83</sup> Clarissa Morling in 1831 was thought to have been ‘in sound mind memory and understanding’ but took oxalic acid (a poison found in some bleach) while in a ‘temporary state of derangement occasioned by the loss of a child’.<sup>84</sup> This still elicited a lunacy verdict. Porter has reminded us that John Wesley upheld a belief in demonic possession, but although in Bath, in 1805 juries were still using the language of supernatural intervention, by the 1830s such language was no longer being used.

The inquests involving prisoners tend to confirm Macdonald’s assertion that *felo de se* verdicts were used as a weapon of social control by punishing, if not the suicide then their families, those who would otherwise have evaded justice.<sup>85</sup> As Sarah Arlott was accused of theft she might also fit this model. Three of the men were already prisoners: of the others we do not know why they were treated in this way, but the inquests were of sufficient note to warrant particular recording. The refusal of Christian burial and public humiliation was still being used in Bath to punish suicide in the nineteenth century.

### **Suicide as an indication of the mental health of the community**

Emile Durkheim in *Le Suicide* regarded suicide as being socially determined.<sup>86</sup> The rate of suicide was therefore seen as a measure of the social health of a society. If one accepts Durkheim’s view one would expect suicide to increase in times of economic difficulty. Some years have been identified as being particularly difficult in Bath. If we look at the years 1790, 1792 and 1793 one would expect suicide to be high in 1790 and 1793, times of stress, but not in 1792. As can be seen in Table 8.1, in Bath the

reverse was the case. It must be emphasised that the numbers involved are so small that it is difficult to draw any firm conclusions.

**Fig. 9.1 Economic Welfare & Suicide.**

Year	Index of economic welfare	No. of suicides
1790	85	0
1792	104	5
1793	86	2

Source: City of Bath Coroners' Records, 1776-1835

Neale, *Bath a Social History*, Table 3.7, p.88.

The five suicides that took place in 1792 were all of women, four of whom drowned. The suicides are distributed throughout the year so no seasonal pattern can be discerned. One of the women, Elizabeth Cooper, had recently had a child who was with a wet nurse.<sup>87</sup> Evidence was given that Cooper had been in low spirits for some time. It is possible that she was suffering from what we now know as post-natal depression. Another suicide, Ann Shell, was well known to the witnesses.<sup>88</sup> They gave evidence that she was unable to take care of herself so it is possible that declining health and a fear of old age and dependence may have contributed to her suicide.

If one wished to cling to a Durkheimian view it could be argued that the evidence from Bath suggests a society that is stronger and healthier in lean times. However, it is difficult to establish this argument here and a more psychoanalytic view of suicide as a result of personal distress is easier to argue. This latter view is reinforced by a number of suicides. James Ashman had served two and a half years of his apprenticeship as a cordwainer when he threw himself in the river.<sup>89</sup> Witnesses gave evidence that he had run away several times, that he had a violent temper and that he threw knives at other apprentices in the workshop. Ashman was obviously disturbed and unhappy and may have been suffering from some form of mental illness. Mary Ann Hendy committed suicide when her brother left home to join the army.<sup>90</sup> Jess Anker was a Norwegian who had lived in Bath for five months when he shot himself.<sup>91</sup> His wife had died

eighteen months previously and Anker never recovered from her death. These inquests, and others, point to suicide as a consequence of individual crisis rather than national, or even local, economic problems.

### **Methods used to commit suicide.**

Although it is impossible to know the intention of a suicide, the means chosen often make sure that the act is recognised as suicide and guarantees a suicide verdict. The cutting of wrists or throat was obviously a suicidal act.<sup>92</sup> Drowning was more problematic. It was difficult for Coroners and juries to know whether there had been an intention to commit suicide or whether the drowning was accidental and other evidence came into play, including the state of mind of the deceased. Witnesses were at pains to convince juries that the suicide had ‘been in low spirits’, talked to her/himself or laughed out loud. Running about purposelessly or general restlessness was also used by witnesses as a symptom of lunacy. When, in April 1777, Ann White, a servant of John Winchester of The Circus, drowned herself her fellow servants described her as ‘depressed and dejected’, ‘talked to herself without rationality’ and ‘was addicted to being alone’. Agnes Bond was a widow who hanged herself in September 1779. She was described as ‘confused and distracted’ and ‘made simple mistakes’. Jane Cathcart was ‘flighty’ and ‘disordered in her mind’ before hanging herself in December 1796.<sup>93</sup> Roy Porter in *Mind Forg’d Manacles* asserted that lunacy in early modern England was thought to be visible and known by its appearance.<sup>94</sup> He continued: ‘[Madness] was synonymous with behaving crazy, looking crazy, talking crazy. Villagers, churchwardens, and doctors alike – all could spot “antic dispositions”’. Porter pointed out that no medical opinion was offered in courts until the nineteenth century as to what constituted lunacy. What counted were the common perceptions of witnesses and juries.<sup>95</sup> We will never know what it was that convinced a jury that Susanna Patient was not lunatic but that Ann White and Jane Cathcart were.

Although it is difficult to assign either wealth or status to suicide victims, except for a few cases, it would appear that most came from the labouring population. Any method used to commit suicide, therefore, needed to be cheap and easily available. Anderson

wrote that ‘In Southwark the chosen door to death was usually the one which a man’s occupation made it easiest for him to open’.<sup>96</sup> This was not the case in Bath and, although some people in Bath must have had access through their work to poisons and tools, as can be seen from Table 8.2, hanging was the method most often employed. Cords, or, sometimes, silk handkerchiefs, were tied to nails, rafters, door posts and bed testers. These were items that came easily to hand and the act could be committed in private.

**Fig. 9.2 Recorded methods used to commit suicide, 1776-1835.**

Method used	Male	Female	Total
Hanging	24	10	34
Drowning	10	14	24
Throat cut	14	4	18
Jumped from window	3	4	7
Gunshot	9	0	9
Poison	3	2	9
<b>Total</b>	<b>63</b>	<b>34</b>	<b>97</b>

Source: City of Bath Coroners’ Records, 1776-1835.

The second most frequent method was drowning. The river was a constant feature in the life of the labouring poor and, to some, became a friend in death. With no water laid on to lodging houses, people filled their kettles, washed themselves and their clothes, and washed and watered their horses in the river. Boats and barges operated on the canal and the river and young boys played in and around the water. Except at places like the watering place at the bottom of Avon Street, the riverbanks were often steep and the river was fast flowing and accessible. Few people would have learnt to swim and clothes of natural fibres - linen, wool and leather - must have aided submersion. MacDonald and Murphy detected a ‘dramatic’ drop in the number of drownings returned as suicides.<sup>97</sup> By the end of the eighteenth-century it was more common in London for such deaths to be returned as ‘found drowned’. The wording used in Bath was ‘not known how or why’ the body came to be in the water. Such verdicts have been classified in this research as ‘open’.<sup>98</sup>

A total of 18 people used a razor or penknife to cut their throats. Some then died of infections rather than the actual wound but the intention was obvious. Out of the 14 men who died in this way, nine used a razor. In the other cases no instrument was recorded. One of those who used a razor was James Dowdle.<sup>99</sup> He was a prisoner in the gaol who had been committed on a criminal case on 29 September 1802. On 31 August 1803, his daughter Mary visited him with a razor, a clean shirt and his breakfast. She left these objects with him and later returned to collect the dirty clothes. She gave evidence that ‘to her great astonishment and surprise he was lying on his bed his throat cut and bleeding fast’. Whether this was a surprise or not must be open to doubt, in any case James Dowdle died eleven days later. As he was already in prison the verdict was that he had been of sound mind and had feloniously killed himself.

## **Suicide and status**

It is difficult, but not always impossible, to know the status of suicides. On a few occasions trades or professions are recorded. Several were servants: there was also a cordwainer and two apprentices. Among those recorded as being of higher status were a baron, an esquire, a gentleman, two doctors, two clergymen and a bookseller, Francis Joseph of Milsom Street.<sup>100</sup> This last inquest must have raised some interest in the city. Joseph had taken an overdose of laudanum and the examination of witnesses and the inquisition took place on 26 January 1825. A total of seven witnesses were examined, two of whom were surgeons. William Day had attended the deceased and had used a stomach pump but had been unsuccessful: Benjamin Acton had attended the deceased in the past and he undertook an autopsy. His findings were that the condition of the brain of the deceased was consistent with lunacy. Several neighbours were called, and Joseph’s apprentice, all of whom attested to his unstable state of mind. The jury brought in a verdict of suicide while lunatic. A *felo de se* verdict would have meant the forfeiture of all the goods that one can assume a bookseller would have, and shame for any family. There is a small item in the *Bath Journal* for 31 January 1825 in the ‘Deaths’ column – ‘Suddenly, Mr Joseph, bookseller, Milsom Street’, but no mention of an inquest or a lunacy verdict.<sup>101</sup>

The two clergymen referred to were the Revd Francis Devis Grose who shot himself in December 1817, and the Revd John Burgess who hanged himself in March 1818. Both men were found to have been 'lunatic' and both these deaths were recorded as news items in the *Bath Chronicle* but no mention was made of the involvement of the Coroner nor was suicide reported.<sup>102</sup> These three cases are in strong contrast to the two women who were found *felo de se* and buried in the public highway. It would appear that professional male status ensured a tactful entry in the local papers but no adverse publicity, while the families of poor women suicides were more likely to be humiliated by *felo de se* verdicts, public disgrace and clandestine burial.

### **Age-related suicide.**

As Susannah Ottaway has written 'the eighteenth century was no "golden age of ageing" for elderly women'.<sup>103</sup> There are two important problems in a discussion of age and suicide: one is general and one is specific to Bath Records. Firstly, when is 'old age', when does it start? As Lynn Botelho and Pat Thane pointed out in the introduction to *Women and Ageing in British Society Since 1500* old age has never been a fixed category.<sup>104</sup> Ottaway has also emphasised elsewhere that the experience of old age depended on gender, health and socio/economic situation as much as on chronology.<sup>105</sup> Secondly, ages are rarely recorded in the Bath Coroners' records, consequently I have included in this category anyone known to be over the age of sixty years, or anyone referred to in the records as old or elderly.

It is sometimes possible to deduce the age of the deceased from witness statements. One such case involves Ann Williams.<sup>106</sup> Mrs Williams was described as a widow who had lived at Gibbs Court for fifteen to sixteen years. Gibbs Court was situated off Walcot Street and was a notorious slum. The first witness, Robert Cook, had known the deceased for sixty years. Mary Cook, his wife, had known her since she was a child. Mrs Williams was constantly concerned about money and often asked Mary Cook to pawn items for her. Another witness, Elizabeth Turpin, had been in the habit of sitting with Mrs Williams and confirmed that she appeared worried about money. She was frequently heard to say that she did not know what would become of

her. On the morning of the 15 April 1827, the milkman called at the door of Susanna Painter, also living in Gibbs Court, to ascertain whether she required any milk. He asked one of Susanna's little boys to call on Mrs Williams to see whether she wanted milk. The boy returned to say that Mrs Williams had not answered her door. Later Susanna knocked on the door and, getting no reply, she dragged a chair over to the window and climbed on it in order to see through a window. She was horrified to see Mrs Williams hanging by a cord from a hook in the wall. Her screams brought Robert Cook and Joseph Hill, another lodger, to the scene. They broke down the door and took down the body. The verdict was that 'the said Ann Williams not being at the time of her destroying herself of sound mind memory and understanding but lunatic and distracted in manner and by the means aforesaid did kill herself'.

In *Voices of Eighteenth-century Bath* Trevor Fawcett quotes a similar story, though possibly with a happier outcome, from the *Bath Chronicle* of 6 June 1782.<sup>107</sup> Between four and five o'clock in the morning a watchman saw Elizabeth Bartlett who was nearly seventy years old, walking down Avon Street. He followed her and watched as she lay down in the river and pushed off from the bank. Her clothes kept her afloat for long enough for the watchman to rescue her with a hayrake. The report continues,

On being asked the cause of this rash action she gives the following account: That she can get nothing from the poor parish in the country where she was born, and being only a room-keeper here is not entitled to any thing; that her strength begins to fail her, that in the season when the playhouse is kept open, she earned three shillings per week, but that the house was to shut the next Saturday.

The report ends with an appeal for 'benefactions' to be sent to the newspaper. These stories show how close to the margin of destitution many elderly women lived and confirm other findings that the old were expected to work for as long as they were able.<sup>108</sup> These reports do not suggest a community full of hostility and aggression, as Neale has suggested, but one where old age and poverty were dreaded, despite a genuine show of concern and neighbourliness. It may say a great deal about the provision of poor relief but it does not indicate Neale's 'shifting agglomeration' of people.<sup>109</sup> Nor does it accord with Olive Anderson's assertion that urbanisation benefited old women. Although during the season there was plenty of work for women as servants, laundresses, charwomen and in the textile trades, in out-of-season

months, women, particularly the old, were subject to unemployment as the story of Elizabeth Bartlett shows.<sup>110</sup> To be old, poor and a woman in eighteenth century Bath was not an enviable position.

These cases could be seen to confirm Durkheim's view of suicide as a response to social conditions but there must have been many more people in very similar circumstances who did not commit suicide. What makes one person succumb to despair and not another is an individual matter. As Halbwachs wrote, it is the interaction between psychological and social conditions that are important.<sup>111</sup>

Bailey found in Hull that in late old age (which he defined as sixty-five plus) men were more likely to commit suicide than women.<sup>112</sup> He gave possible reasons for this as the loss of strength and consequent loss of earnings affecting men more than women. He also saw women as more used to making ends meet, and as being of more use to adult children as housekeepers or with childcare. As we have seen in Bath, and as Bailey pointed out for Hull, women were also concerned with economic matters and the loss of earning capacity. Domestic servants and elderly women were groups identified in Bath as particularly vulnerable. For the parish of St James, 1780-1784, out of 44 removals, exactly half were of single (never married) or widowed women.<sup>113</sup>

## **Gender differences.**

Another look at Table 9.2, showing the methods used to commit suicide, highlights the fact that the only category where the number of females was greater than the number of males was for drowning. Anderson also found that more women than men drowned themselves.<sup>114</sup> Drowning was a difficult category for Coroners and juries, and it remains difficult for us. It is impossible to assign intention unless there was a witness, which was rare. Verdicts for accidental drowning show that accidental drowning of men far exceeded that of women:- 62 men were thought to have drowned accidentally but only 5 women. This can partly be explained by men's more frequent use of the river: they worked on boats, fished, swam and watered their horses in the river. This may not, however, be a full explanation. Healy has suggested that a folkloric tradition may have influenced a gender preference among females for drowning, linking



women with deities and water.<sup>115</sup> This seems to be stretching a point and ease of access and cheapness would seem more likely.

When a body was recovered from the water it was difficult for the exact circumstances in which the person entered the river to be established. This can be demonstrated by the death of Elizabeth Hawkins.<sup>116</sup> On the 11 June Elizabeth Hawkins and her friend, Ann Testin, came into the city from Holloway, a run-down area outside the jurisdiction of the city authorities. They met James Baker and the three of them spent the evening in an alehouse drinking. During the evening Hawkins redeemed a dress from the pawnbrokers and an argument broke out between Hawkins and Baker as to who owned the dress. It is apparent from witness statements that Hawkins and Testin were prostitutes and Baker was possibly their pimp. In any event, he claimed to have a right of ownership of Hawkins' redeemed dress. At around 11 o'clock they had left the alehouse and the two women, supporting each other as both were drunk, began their walk home. When they reached the river Hawkins attempted to walk into the water but was stopped by John Robbins who worked on the river, and, once again, continued with Testin to Holloway. In the early hours of the morning Robbins heard that Hawkins was in the water so he took out his boat and recovered her body. Although the verdict of the Coroners' jury was that Hawkins had committed suicide while lunatic we cannot be certain that she was not murdered or that she did not fall into the river accidentally while drunk. It can be argued that if a male body was recovered it was assumed that the deceased had had an accident, but if a female body was recovered it was thought that the deceased had been lunatic and had killed herself. This is speculative but would explain the differences that have been revealed. None of the names of females recovered from the river could be traced either in *Business before the Mayor and Justices* or in *Information concerning Vagrants 1820-27*.<sup>117</sup> As we have seen in a previous chapter, this latter volume only covers a short period of time but records the names of 'common prostitutes', 'nightwalkers' and women found on the streets and unable to give an account of themselves. It has not been possible, therefore, to discover whether any of the women whose bodies were recovered from the river were known to the authorities as prostitutes. Two and possibly three can be identified as such from the witness statements.

Bath, as a city of genteel residence, attracted a large number of females and, therefore, female servants. For much of the period, 1770 to 1835, females outnumbered males.<sup>118</sup> During the period of the records male suicides outnumbered females by almost 2:1. This corresponds with figures for 1812 to 1836 in Westminster where the average number of suicides per year was just over 19 of which 73 per cent were male and 27 per cent were female.<sup>119</sup>

## Conclusion

Contemporary society became increasingly concerned about the perceived rise in the number of suicides, particularly among the more affluent sections of society and this was thought to be connected with duelling, gambling and sexual irregularity, all of which were prevalent in Bath. The Bath records, however, suggest that there was no increase in the occurrence of suicide in the period but that most suicides were from the labouring population and involved, largely but not exclusively, domestic servants and labourers. A study of suicide in Bath gives us an insight into ways in which the civic elite and the church maintained control of the community, and reveals that Coroners and juries differentiated suicides on the basis of class and gender.

Sarah Arlott was found to be a felon. Coroners and juries used *felo de se* verdicts as a deterrent against suicide and as a punishment of those from the labouring classes who were thought to have escaped justice in respect of a previous crime - a punishment that impacted most on the relatives of the suicides. Sarah Arlott was also one of two women buried in the public highway. By bringing in *felo de se* verdicts and by sanctioning the use of ancient burial rites, the church was ensuring that the population understood that a 'bad' death would be followed by a 'bad' burial, and little hope of eternal life. A suicidal death upset the natural order by pre-empting the visitation of God that heralded the desired transition from this world to the next. For secular society there were also social sanctions. If the deceased had held any goods or chattels these were forfeit to the crown, or, in Bath, to the corporation, and there were implications for the family left behind. The social punishment affected the living not the dead. *Felo de se* verdicts were used rarely but specifically, against 3 men who were already in prison, and 2 women from the labouring sort. In the cases of the

women, the use of clandestine burials indicates that gender was an element as well as class.

John Staker was thought to have been lunatic when he committed suicide.

Suicides from the middling sort were found to be lunatic and although some of the deaths were recorded in the local paper no mention was made of either inquest or verdict. It was in the interest of the *Bath Chronicle*, as it was for all other commercial concerns in Bath, to minimise the news of the suicides of prominent citizens in order to preserve the city's image of respectability. Thus the interests of the local newspaper coincided with those of the civic authorities in the city.

When, as a last resort some of the poor chose to take their own lives, various methods were used. More men than women hanged themselves: drowning was used by more women than men. Drowning was cheap, easily accomplished, and clothing made of natural fibres will have aided immersion. Drownings made classification of suicide difficult, as it was, and still is, impossible to know the intention of the deceased. It is at least possible that the authorities were more likely to classify the drowning of a male as accidental, but of a female as suicide, with, gender again a factor in bringing in verdicts.

Neale's portrayal of the 'lumpenproletariat' as 'a mere shifting agglomeration of people' who were 'aggressive and hostile' and living in 'a culture of deprivation and violence' is based on a partial study of the Coroners' records.<sup>120</sup> More extensive research suggests a more positive view of the labouring sort. They were certainly deprived, and, no doubt, on occasions aggressive, but they also displayed many instances of neighbourliness and kindness. There is little evidence to support the claim made by Anderson that urbanisation favoured women, young or elderly. Although there were employment advantages for women in Bath, and many women migrated to the city from the country, such employment was low paid and seasonal. Young female servants and elderly women did not have an easy time of it in Bath and some, at least, committed suicide.

Although their research ends at 1800, Macdonald and Murphy showed that 'the elderly in early modern England were unusually suicidal'.<sup>121</sup> The reasons are not

difficult to find. Waning physical and mental powers for propertyless men and women brought uncertainty and poverty. Poor relief, removal, or the poorhouse were possible scenarios for many and some used suicide as a strategy to avoid poverty.

Sarah Arlott and John Staker were treated very differently by the Coroner, an important figure in the city. Their individual tragedies serve to highlight for twenty-first century readers, the attitude of the ruling elite to the poor, and poor women in particular, in Bath, in the 'long' eighteenth century.

- <sup>1</sup> Coroners' Records, 7 Sept 1787.
- <sup>2</sup> Coroners' Records, 24 April 1784.
- <sup>3</sup> Coroners' Records, 7 Sept 1787.
- <sup>4</sup> *Bath Chronicle*, 25 April 1782.
- <sup>5</sup> Henry Harington became Mayor in 1793, John Symons in 1803, and John Kitson in 1818.
- <sup>6</sup> *Bath Chronicle*, 29 April 1784.
- <sup>7</sup> 'Business Before the Mayor and Justices', Bath Record Office, 7 Sept 1787.
- <sup>8</sup> *Bath Chronicle*, 29 April 1784.
- <sup>9</sup> Michael MacDonald has suggested that not only were prisoners who killed themselves regarded as felons but also those suspected of crimes. Michael MacDonald, 'The secularisation of suicide in England 1660-1800', in *Past and Present*, Vol. 111, May, 1986, pp.50-100, p.92.
- <sup>10</sup> The Latin phrase '*non compos mentis*' was not used in the Bath Coroners' Records but is frequently used in secondary literature. The phrase used in Bath was 'not being of sound mind, understanding or memory but lunatic and distracted.'
- <sup>11</sup> MacDonald, 'The secularisation of suicide', p.72.
- <sup>12</sup> MacDonald, 'The secularisation of suicide', p.57.
- <sup>13</sup> MacDonald, 'The secularisation of suicide', p.59.
- <sup>14</sup> Richard Burn, *Ecclesiastical Law. By Richard Burn...* The second edition. In four volumes. London. 1767. Vol 3 of 4 p.344.
- <sup>15</sup> Macdonald and Murphy, *Sleepless Souls: Suicide in Early Modern England*, (Oxford, 1990), pp.18-20.
- <sup>16</sup> Caleb Fleming, D.D., *A Dissertation upon the Unnatural Crime of Self-murder; occasioned by the many late instances of suicide in this city, etc ...*, London, 1773, p.11; William Rowley, *A Treatise on Female Nervous, Hysterical, Hypochondriacal, Bilious, Convulsive Diseases; Apoplexy and Palsy; with thoughts on Madness, Suicide, ...* London, 1788, p.343. Luke Booker, *Sermons on Various Subjects, intended to promote Christian Knowledge and Human Happiness...* Dudley, 1793, Sermon IV 'On suicide', p.54.
- <sup>17</sup> Macdonald and Murphy, *Sleepless Souls*, p.6. They define 'secularisation' as a rejection of the belief in the intervention of the supernatural into the natural world.
- <sup>18</sup> William Eden Aukland, baron, *Principles of Penal Law*, 2<sup>nd</sup> edition, (London, 1771), Chap. XX, ECCO; Cesare Beccaria, marchese di, *An Essay on Crimes and Punishments, translated from the Italian; with a commentary, attributed to Mons. De Voltaire, translated from the French*, 4<sup>th</sup> edition, (London, 1785), Chap. XXXII, ECCO; Clergyman of Kent, *Crude thoughts on Prevailing Subjects, Adapted to Common Life ... To which is added a short epistolary correspondence between town and country ...* (London, 1798), p.26, ECCO.
- <sup>19</sup> Fleming, *A Dissertation* p.15. See also G. Gregory D.D., *A Sermon on Suicide Preached at St Botolph's, Bishopsgate, at the Anniversary of the Royal Humane Society on Sunday 26<sup>th</sup> March 1797, by G. Gregory D.D.*, London, 1797, p.10.
- <sup>20</sup> Colley, *Britons*, p.151.
- <sup>21</sup> *Bath Chronicle*, 3 July 1788.
- <sup>22</sup> *Bath Chronicle*, 21 June 1792.
- <sup>23</sup> Beccaria, *An Essay on Crimes and Punishments*, p.103.
- <sup>24</sup> Rowley, *A Treatise*, p.334.
- <sup>25</sup> Rowley, *A Treatise*, p.337.
- <sup>26</sup> Adam Smith, *The Theory of Moral Sentiments; or an essay towards an analysis of the principles by which men naturally judge concerning the conduct... The sixth edition with considerable additions and corrections*, London, 1790, Vol 2, p.249.
- <sup>27</sup> MacDonald and Murphy, *Sleepless Souls*, pp.160/1. Completed around 1755 but not published during his life time, Hume's *Essay on Suicide* appeared clandestinely in 1777, and was published openly in 1783.
- <sup>28</sup> David Hume, *Essays on Suicide and the Immortality of the Soul: The Complete Unauthorised 1783 edition*, (Internet Release, 1995).
- <sup>29</sup> Luke Booker, *Sermons*, p.55.
- <sup>30</sup> Hume, 'On Suicide', p.19; Booker, *Sermons*, p.57.
- <sup>31</sup> Gregory, *A Sermon on Suicide*.
- <sup>32</sup> *Collective Reports*, p.12.
- <sup>33</sup> Gregory, *A Sermon on Suicide*, p.18.

- <sup>34</sup> Gregory, *A Sermon on Suicide*, p.19.
- <sup>35</sup> Rowley, *A Treatise*, p.337
- <sup>36</sup> R. Healy, 'Suicide in early modern and modern Europe', *The Historical Journal*, Vol. 49 No. 3, September 2006, pp. 903-920, p. 906.
- <sup>37</sup> M. Halbwachs, *The Causes of Suicide*, translated by Harold Goldblatt, (London, 1978). *on various subjects*, p.57
- <sup>38</sup> Olive Anderson, *Suicide in Victorian and Edwardian England*, (Oxford, 1987), p.1.
- <sup>39</sup> Anderson, *Suicide*, p.1.
- <sup>40</sup> Coroners' Records, 6 September 1791, James Ashman was an apprentice so probably a young man; 25 June 1810, John Amyatt M.D. was reported in the *Bath Chronicle* of 28 June 1810 as being 79 years old when he cut his throat; 16 April 1827, Ann Williams was over sixty years old when she hanged herself.
- <sup>41</sup> MacDonald, 'The secularisation of suicide'
- <sup>42</sup> MacDonald, 'The secularisation of suicide', p.52.
- <sup>43</sup> MacDonald, 'The secularisation of suicide', p.76.
- <sup>44</sup> MacDonald, 'The secularisation of suicide', p.58-60, also pp.70-73.
- <sup>45</sup> MacDonald, 'The secularisation of suicide', p.70.
- <sup>46</sup> Reference has already been made in the chapter concerning infanticide of the influence in Bath of the number of medical men who became Coroners. It was not at this time necessary for the Coroner to have medical training but the fact that they did influenced juries towards a more scientific view of evidence.
- <sup>47</sup> Coroners' Records, Job Cottle, carpenter, 1 Jan 1781, three out of fourteen jurors made their mark; Henry Mitchell, a vagrant who died in prison, 27 Dec 1800, five out of thirteen could not sign; for the last two inquests in the record both held on 24 Dec 1835, one juror out of fifteen made his mark.
- <sup>48</sup> MacDonald, 'The secularisation of suicide', p.67.
- <sup>49</sup> MacDonald, 'The secularisation of suicide', p.67.
- <sup>50</sup> Donna T. Andrew, 'Debate: the secularisation of suicide in England 1660-1800' in *Past and Present*, Vol. 119, May, 1988, pp.158-165, and Michael MacDonald's reply in the same volume, pp.165-170.
- <sup>51</sup> Andrew, 'Debate', p.163.
- <sup>52</sup> A small number of suicides came from the middling sort of professional men, and one titled man took his own life while in Bath. John, Baron Newman, hanged himself with a silk handkerchief in his lodgings in Duke Street. Coroners' Records, 28 Oct 1789.
- <sup>53</sup> Andrew, 'Debate', p.164.
- <sup>54</sup> Further discussion of the impact of *felo de se* verdicts appears later in this chapter.
- <sup>55</sup> MacDonald and Murphy, *Sleepless Souls*.
- <sup>56</sup> MacDonald and Murphy, *Sleepless Souls*, p.4.
- <sup>57</sup> Healy, 'Suicide in early modern and modern Europe', p.908.
- <sup>58</sup> MacDonald and Murphy, *Sleepless Souls*, p.220.
- <sup>59</sup> *Bath Chronicle*, 16 June 1785, reported that a gentleman at Paulton had sent his servants on errands so that he could commit 'the horrid act'. Paulton is a large village approximately ten miles from Bath, a day's travel, and sufficiently remote from the residents and visitors of Bath.
- <sup>60</sup> Victor Bailey, 'This Rash Act' *Suicide across the Life cycle*, (California, 1998).
- <sup>61</sup> See Chaps 2 and 3 of this thesis.
- <sup>62</sup> Neale, *Bath, A Social History*, p.93. Neale, although he claimed a low suicide 'rate' for the city, went on to opine that the number of murders, suicides and infanticides suggested a 'culture of deprivation and violence' In fact the Coroners' records suggest that this is not so. Neale looked at the first book of records: had he examined all the records he would found that many more people died accidentally than died as the result of violence. Accidental deaths accounted for 49 per cent of total inquests whereas a total of suicides, murders and infanticides accounts for only 27 per cent of the total inquests.
- <sup>63</sup> When Martha Abraham, a servant in Bath, fell ill on a number of occasions, she returned to her family in the country until she was sufficiently recovered to return to Bath, Bath Pauper Examinations, 20 Feb. 1774. The records also suggest a core of Bathonian residential poor, and instances of neighbourliness and kindness. When Ann Williams was found dead by her neighbours they had known each other for at least sixty years and the neighbours had sat with and run errands for Williams. Coroners' Records, Ann Williams, 16 April 1827 See also: William Flower, 19 July 1777; Evan Morris, 31 May 1779; Ann Ames, 16 January 1830. Coroners' Records.
- <sup>64</sup> Coroners' Records.
- <sup>65</sup> Neale, *Bath, A Social History*, p.92.

- <sup>66</sup> Neale, *Bath, A Social History*, p.93.
- <sup>67</sup> Neale, *Bath: A Social History*, p.44 Table 2.1.
- <sup>68</sup> *Suicide in Westminster from 1812 to 1836*. Extract from the Report of the Medical Committee of the Statistical Society of London, April, 1837.
- <sup>69</sup> Jean Cole, (ed.), *Coroners' Records of a Borough, Marlborough, Wiltshire, 1773 -1835*. (Wiltshire Family History Society, 1993).
- <sup>70</sup> R. Hunnisett, *Wiltshire Coroners' Bills 1752-1796*, (Devizes, 1981), p.1.
- <sup>71</sup> R. Hunnisett, *Calendar of Nottinghamshire Coroner's Inquests 1485-1558*, (Nottingham, 1969), p.iii.
- <sup>72</sup> Neale, *Bath, A Social History*, Table 4.3, p.124.
- <sup>73</sup> Coroners' Records, Richard Maishfield, 15 Sept 1788.
- <sup>74</sup> 'Business before the Mayor and Justices, 1786-1793', Bath Record Office.
- <sup>75</sup> Coroners' Records, Edward Thompson, 13 October 1824.
- <sup>76</sup> Donald McCormick, *The Unseen Killer: a Study in Suicide, its History, Causes and Cure*, (London, 1964), p.47.
- <sup>77</sup> In 1823 an Act of Parliament was passed which abolished religious penalties for suicide including rites of desecration and suicides bodies were then used for dissection. Andrew, 'Debate: the secularisation of suicide' and MacDonald's reply in the same volume.
- <sup>78</sup> Coroners' Records, Susanna Patient 6 October 1805.
- <sup>79</sup> In July 1778 an inquest was held concerning a new-born male infant. The verdict was that the child had been born alive but that he had been murdered 'by person or persons who not having the fear of God before their eyes but moved and seduced by the Devil did flee away' Coroners' Records, 21 July 1778.
- <sup>80</sup> Roy Porter, *Madness: A Brief History*, (Oxford, 2002), p.17.
- <sup>81</sup> Porter, *Madness*, p.29 and 85.
- <sup>82</sup> MacDonald, 'The secularisation of suicide', p.76.
- <sup>83</sup> Coroners' Records, Mary Reece, 22 February 1830.
- <sup>84</sup> Coroners' Records, Clarissa Morley, 26 July 1831.
- <sup>85</sup> MacDonald, 'The secularisation of suicide', p.70.
- <sup>86</sup> Emile Durkheim, *Suicide: a Study in Sociology*, (London, 1952), p.299.
- <sup>87</sup> Coroners' Records, Elizabeth Cooper, 9 April 1792.
- <sup>88</sup> Coroners' Records, Ann Shell, 22 October 1792.
- <sup>89</sup> Coroners' Records, James Ashman, 6 Sept 1791.
- <sup>90</sup> Coroners' Records, Mary Ann Hendy, 1 Jan 1813.
- <sup>91</sup> Coroners' Records, Jess Anker, 28 May 1798.
- <sup>92</sup> In the days before prompt medical attention and anti-biotics cut wrists ensured death either from bleeding or from septicaemia. Nowadays cut wrists would more likely to viewed as a 'cry for help'
- <sup>93</sup> Coroners' Records, Ann White, 17 April 1777; Agnes Bond, 5 Sept 1779; Jane Cathcart, 19 Dec 1796.
- <sup>94</sup> Roy Porter, *Mind Forg'd Manacles: A History of Madness in England from the Restoration to the Regency*, (Harmondsworth, 1987; republished in Penguin 1990), p.35.
- <sup>95</sup> Porter, *Mind Forg'd Manacles*, p.38.
- <sup>96</sup> Anderson, *Suicide*, p. 119/20.
- <sup>97</sup> MacDonald and Murphy, *Sleepless Souls*, p.238.
- <sup>98</sup> Coroners' Records, Hestor Bridgeman, 6 June 1814; James Knott, 3 May 1821, the first 'open' verdict where someone had drowned was the inquest on an unknown man, 5 March 1798.
- <sup>99</sup> Coroners' Records, 12 September 1803.
- <sup>100</sup> Coroners' Records, Baron John Norman, 28 Oct 1789; William Maddon Esquire, 20 Dec 1783; John Charlesmore, gentleman, 25 April 1793; Dr John Staker, 24 April 1784, Dr John Amyatt, 25 June 1810; Revd John Burgess, 17 Mar 1818; Revd Francis Devis Grose, 10 Dec 1817; Francis Joseph, bookseller of Milsom Street, 26 January 1825.
- <sup>101</sup> *Bath Journal*, 31 January 1825, Bath Central Library, Bath.
- <sup>102</sup> *Bath Chronicle*, 18 December 1817, and 19 March 1818.
- <sup>103</sup> Susannah Ottaway, 'The old woman's home in eighteenth-century England', in Botelho and Thane, *Women and Ageing*, pp.111-138, p.131.
- <sup>104</sup> Botelho and Thane, *Women and Ageing*, p.5.
- <sup>105</sup> Susannah Ottaway, *The Decline of Life: Old Age in Eighteenth-Century England*, (Cambridge, 2004), p.5.
- <sup>106</sup> Coroners' Records, Ann Williams 16 April 1827.
- <sup>107</sup> Trevor Fawcett, *Voices of Eighteenth-Century Bath*, (Bath, 1995), p.169.

- <sup>108</sup> Pat Thane, *Old Age in English History; Past Experiences, Present Issues*, ( Oxford, 2000), p.149.
- <sup>109</sup> Neale, *Bath, A Social History*, p.93.
- <sup>110</sup> Even when in full time employment many female domestic servants had no regular wage but worked for 'vails' only. See Davis and Bonsall, *Bath: A New History*, p.57. Also Bath Pauper Examinations, Ann Lane, 3 December 1772.
- <sup>111</sup> Halbwachs, *The Causes of Suicide*.
- <sup>112</sup> Bailey, *This Rash Act*, p.236.
- <sup>113</sup> St James, Removal Orders, Bundle 8, 1780-1784.
- <sup>114</sup> Anderson, *Suicide*, p.144/5.
- <sup>115</sup> Healy, 'Suicide', p.911.
- <sup>116</sup> Coroners' Records, Elizabeth Hawkins 12 June 1792.
- <sup>117</sup> 'Information concerning Vagrants 1820-27'
- <sup>118</sup> Davis, and Bonsall, *Bath, A New History*, p.69. Neale also showed that in 1821 in the forty to fifty years age group, women outnumbered men by 165:100 and by 180:100 in the over sixty years age group. Neale, *Bath, A Social History*, Table 8.3, p. 276.
- <sup>119</sup> *Suicides in Westminster, 1812*, p.109.
- <sup>120</sup> Neale, *Bath: A Social History*, p.90/93.
- <sup>121</sup> Macdonald and Murphy, *Sleepless Souls*, p.256.



## Chapter 10 – Conclusion

By 1770, Bath was past its heyday as a fashionable spa and resort, and by 1835, it had become a largely residential city. Image was always of importance to the city, first as a fashionable spa resort and then, when the fashionable company of visitors declined, in order to project itself as a genteel and respectable residential city. The building and servicing of Bath required a large number of the labouring sort, many of whom were migrants from the rural hinterland. Among the migrants were considerable numbers of single women, some of whom, because of fluctuations in the economy and seasonality, found themselves poor and pregnant. Many of the poor, both migrants and native Bathonians, found themselves in poverty and applying for poor relief, or ill and requiring medical attention. Pauper children were apprenticed by the Overseers, often out of parish. Some of the young single women, having turned to prostitution, later applied to the Penitentiary for help. A few desperate women turned to infanticide or suicide as a last resort. This thesis has brought to life some of the experiences of the poor in Bath, in the period 1770 to 1835, and has revealed the strategies they used and the responses of the parish and civic authorities, and wider civic elite including clergymen, charity subscribers and managers.

Extensive use has been made of a variety of records, including Poor Law records for the four central Bath parishes, charity records, and the Coroners' records. This work covers new ground for Bath, and has examined sources not previously used to any great extent. The nature of the sources has meant that it has been easier to detect the responses of the civic elite than it has been to uncover the strategies of the poor. By examining Poor Law records and, in addition, the diary of an Overseer, it has been possible to see the Poor Law at work and to gain some knowledge of parish priorities.

The Overseers in Bath came from the tradesmen and shopkeepers in the city. Except for two, or possibly three, Overseers for Walcot who appear to have embezzled the parish of a serious amount of money, they were hard-working, honest and efficient. They were prepared to relieve paupers while their settlements were decided, and to sanction medical care for the ill, but were, arguably, less conscientious when dealing with pauper apprenticeships. They were, more than anything, both pragmatic and

parochial, keeping within the city paupers who might be needed as labour in the future, but also removing paupers to other city parishes, which will have done little to relieve poverty in the city generally. John Curry's diary, an unusual source, reveals that his work consisted mainly in determining the settlement of paupers, removing them and their children and investigating putative fathers. These would appear to have been Walcot parish's priorities in the period 1811 to 1831, and the parish vestry were prepared to expend a good deal of time and money in these areas.

Overseers did not work in isolation and settlement and bastardy examinations were undertaken by Justices of the Peace and the civic authorities must have been aware of the workings of the Overseers. The Justices of the Peace, in Bath, were educated men often with businesses in the city and, therefore, with a financial interest in the success of the city. Because of the fact that Bath was a health resort, there were an unusually large number of medical men on the Corporation, and, therefore, eligible to serve as Justices and Coroner. This had an effect on the attitude of Coroners to the use of medical evidence that was of particular importance in infanticide inquests. The Justices were hard-working and their work load increased throughout the period, necessitating the appointment of extra Justices. Moreover, much of their work involved Poor Law issues, including the care of the city's pauper children.

A significant number of children were removed from Bath, some with their mothers, some without. When dealing with pauper apprentices, the Overseers in Bath appear to have had in mind the needs of the parish in unburdening itself of future applicants for poor relief, while balancing the future labour needs of the city, rather than any great desire to train youngsters. Apprenticing children outside the city meant they might well acquire a settlement in a different parish to the one in which they were born. Keeping them close at hand meant that the children, when old enough, could join the work-force. It is a commonplace that apprentices, pauper apprentices in particular, were badly treated, and one girl in Bath died, possibly because of ill-treatment. John Curry's diary casts a more positive light on parish attitudes to children, as he spent some time prosecuting crimes committed against children. It is doubtful as to how much genuine training was available to pauper children, nor is it possible to be sure just how much they were regarded as a source of cheap labour, but the apprenticeship scheme was in decline nationally in the period covered here.

Applying for poor relief was only one strategy among many available to the poor in an economy of makeshifts. It is not possible to know whether this was regarded as a first reaction of those in dire poverty, or was a last resort. The records for Bath show us that the labouring poor were mobile despite, or maybe because of, the settlement laws. Paupers examined as to their settlement, in the main, came from the surrounding counties of Somerset and Wiltshire. Others, however, revealed more complex patterns of migration. Not only did the poor move from a rural to an urban environment, but, when in the city, moved around between the four central parishes. When examining removal orders, the extent to which women were involved with the Poor Law became apparent. Not only were more women than men examined as to their settlement, but more women than men were removed, and the majority of those removed were recorded as being single. These numbers increased in the 1820s and 1830s reflecting the civic elite's concerns around the issues of single women, prostitution and respectability.

Prostitution was seen as a problem by the authorities as single women touting for business did not accord with the image Bath wished to project. There were two main responses to this: one, a short-term solution, was for the watch to take up prostitutes and bring them before the Justices. The other, more long-term solution, was to open, in 1805, the Bath Penitentiary for Penitent Prostitutes. This institution was only ever able to take a small number of women at a time, but was never short of applicants. In 1816, the Penitentiary opened a Lock Hospital to treat diseased women. This, too, seems to have had a waiting list of women hoping for treatment and rehabilitation, but was always seen as controversial, and in 1824, the Lock Hospital was replaced with a chapel. This was a significant moment for poor women in Bath as they now had to rely on the Poor Law authorities and the poorhouses for treatment for venereal disease. The charitable elite, in the form of the subscribers to the charity, had given priority to the acquisition of what they hoped would be a prestigious chapel rather than the physical well-being of poor, sick, young women. The closure of the Lock Hospital accorded with other events in Bath around the 1820s that suggest a change in attitude towards the poor and, more specifically, poor women.

A number of events came together in the 1820s to suggest a hardening of attitude towards the poor; the increase in the number of single women removed from Walcot between 1827 and 1832, the rise in the number of women taken up as 'common prostitutes' in 1823, and the merger of the Casualty Hospital and the Bath City Dispensary in 1824, the replacement of the Lock Hospital with a chapel, also in 1824. Against this must be put an arguably gentler reaction to infanticide detected in the period 1810 and 1829, and a more humane attitude to suicide between 1805 and 1835 with only one suicide, in 1824, being declared *felo de se*. It would appear that juries and Coroners began to perceive infanticide and suicide as individual tragedies, but parish officers saw single women and prostitutes as disruptive and contrary to good order. Individual occasional acts of infanticide or suicide could be tolerated: large numbers of sexually active women on the streets could not. Why should attitudes have changed in the 1820s? The answer to this has both a local explanation and a national one.

Davis and Bonsall wrote that Bath was involved from 1812 in the revival of radicalism that was also a national phenomenon.<sup>1</sup> Neale saw the stirrings of radicalism as early as the 1780 with the Gordon Riots followed by, in the 1790s, a number of strikes by Bath's labouring population and the imprisonment of Benjamin Bull, a tailor from St James, who was charged, in 1793, with sedition.<sup>2</sup> Bull's offence was to publish and distribute Thomas Paine's *The Rights of Man*. The 1812 upsurge of radicalism centred around a parliamentary election when two freemen of the city, John Allen and Colleton Groves, attempted to have their names entered as candidates, and for the names of freemen to be entered as electors. Although gaining popular support, the two men were unsuccessful in electoral terms, but became 'heroes in the radical cause'.<sup>3</sup> Bath radicals were involved in the Spa Fields meetings in late 1816 and early 1817, under the leadership of John Allen and Henry Hunt, the latter standing as a radical in Bristol elections. An unsuccessful attempt was made, in 1820, to elect to Westminster relatives of two marquises, rather than the one tory and one whig customarily elected. In 1828 and 1829, however, Lord John Thynne and Lord Brecknock were returned to parliament for the city of Bath.<sup>4</sup> Despite this, Bath had displayed its radical credentials.

In addition to occasional political unrest in the city, and following the loss of the fashionable company, the Corporation faced an economic crisis due to their investment in development and improvement in the city. Neale has showed that for the year 1820 to 1821, Corporation expenditure stood at £13,148, of which £2,145 was interest spent on servicing a debt of £63,613.<sup>5</sup> It was important for the economic success of both the Corporation and of individual members that Bath maintained an image of genteel respectability, law and order. Social order had to be reinforced, so the Corporation may have felt it important that the merged Casualty Hospital and Bath City Infirmary and Dispensary should reinforce ideas of patronage and deference. A chapel replaced the Lock Hospital and large numbers of single women were removed. At the same time, the parishes had to be seen to be addressing the issue of prostitution by ensuring the watch took up large numbers of prostitutes even if very little further action was taken.

The growth of radicalism in Bath reflected a trend that, nationally, was working towards parliamentary reform, but, according to Boyd Hilton, sections of society were terrified of a revolutionary, and mainly artisanal, tradition of radicalism and this resulted in the ‘moral panic’ that gripped society in the 1820s.<sup>6</sup> Hilton wrote of the ‘demonisation’ of the poor that had become commonplace since the 1780s, and of polite society’s inability to distinguish between poverty and immorality.<sup>7</sup> Hilton has claimed that: ‘in the eyes of the polite and commercial sections of society, the town labourers especially were carriers of a revolutionary germ so contagious that it made them “dangerous to know”’.<sup>8</sup>

The desire of the Bath civic elite to project an image of respectability was also part of a national cultural shift that was, in turn, a reaction against ideas of rationality and Enlightenment.<sup>9</sup> Hilton has insisted that this was a new movement following the American and French revolutions, and that it was encouraged by the evangelical revival.<sup>10</sup> Poor single women in Bath became caught between these two strands: the growth of radicalism and the reaction against this in the form of a desire for respectability.

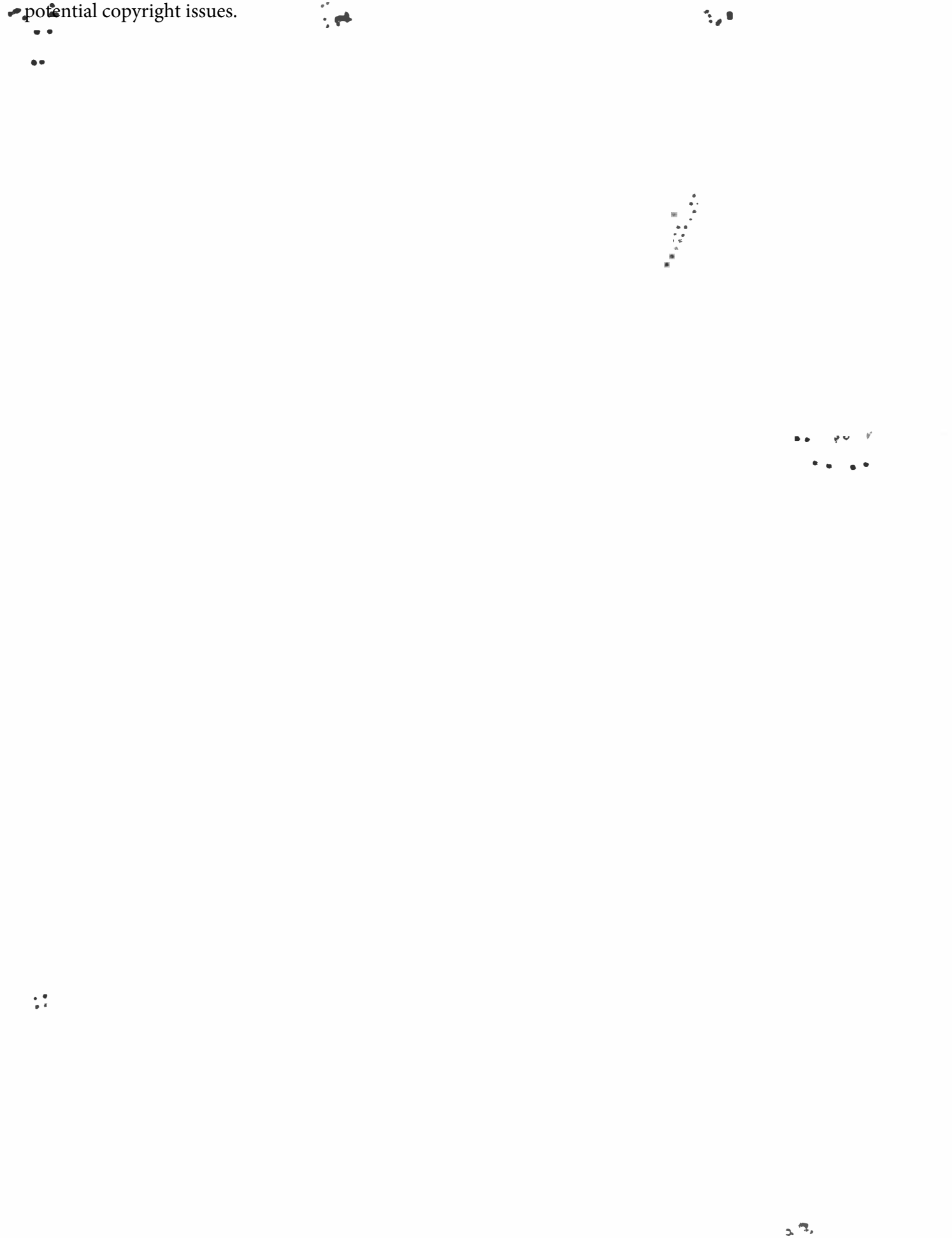
Bath, as a spa resort, became, in the late eighteenth and early nineteenth centuries, a victim of its own success, and of the success of the increasingly-moneyed middling

sort. As visitor numbers increased, the fashionable company who could no longer rely on exclusivity stopped visiting Bath and the city changed to a largely residential population. With a national fear of radicalism and a trend towards respectability, Bath sought to rid itself of its earlier reputation for frivolity, and looked for a new image of gentility. Moreover, Bath was facing severe economic problems, problems that were part of a national picture of post-war depression, anxiety, and economic, social and moral uncertainty. The climate in which the strategies of the poor and the responses of the civic elite were being played out had, therefore, both local and national dimensions. Even after the Poor Law Amendment Act of 1834, the poor continued to need poor law assistance and to need medical assistance, sometimes provided by charities. Some poor, young, single women continued to become pregnant, to be removed or to become prostitutes, and some committed infanticide or suicide. All of these events can be traced through the records of Bath, showing a different side of the city from that previously written about by historians. Bath played a large part in the social life of the fashionable company in the early years of the eighteenth century, and it can now be seen that it fitted into a national picture of urban poverty, particularly affecting young women, at the end of the eighteenth and beginning of the nineteenth centuries. The ‘resonating void’ was not in the courts, closes and alleys that harboured the labouring population of Bath but in the understanding of the nature and causes of poverty.

- <sup>1</sup> Davis and Bonsall, *A History of Bath*, p.220.
- <sup>2</sup> Neale, *Bath, A Social History*, p.324-328, p.313. See also Steve Poole, 'Radicalism, loyalism and the "reign of terror" in Bath, 1792-1804', in *Bath History*, Vol. IV, (1992).
- <sup>3</sup> Neale, *Bath, A Social History*, p.330-331.
- <sup>4</sup> Davis and Bonsall, *A History of Bath*, p.221-222.
- <sup>5</sup> Neale, *Bath, A Social History*, Appendix A, pp.384-390.
- <sup>6</sup> Boyd Hilton, *A Mad, Bad, and Dangerous People? England 1783-1846*, (Oxford, 2006), p.37/8, p.577
- <sup>7</sup> Hilton, *A Mad, Bad, and Dangerous People?*, p.580.
- <sup>8</sup> Hilton, *A Mad, Bad, and Dangerous People?*, p.38.
- <sup>9</sup> Hilton, *A Mad, Bad, and Dangerous People?*, p.25.
- <sup>10</sup> Hilton, *A Mad, Bad, and Dangerous People?*, pp.174-184.

# Map of Bath c.1801

This map has been redacted  
from the online thesis due to  
potential copyright issues.



From Sylvia McIntyre, ‘The rise of a resort town’, p.213.



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