

Paternalistic, Parsimonious Pragmatists: The Wigan Board of Guardians and the Administration of the Poor Laws 1880-1900

by

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Student Declaration

I declare that whilst registered as a candidate for the research degree, I have not been a registered candidate or enrolled student for another award of the University or other academic or professional institution

I declare that no material contained in the thesis has been used in any other submission for an academic award and is solely my own work.

Abstract

This thesis analyses poor law administration in Wigan Union from 1880-1900. The late-nineteenth century is fertile territory for poor law historians, and this study intends to further enhance our understanding of the period. Local studies are vital given that the weakness of central authority ensured a wide variety of practice amongst unions, and are essential to the development of a better informed national picture. With that purpose, the thesis focuses on the important Lancashire industrial town of Wigan. Analysis addresses selected themes that require greater attention from historians in order to facilitate a more developed understanding of the poor law. Chapter one analyses politics in relation to guardians' elections before and after the democratisation of the boards in 1894. Chapter two explores the role of boards of guardians, both individually and collaboratively, as active political agencies and defenders of the public interest in relation to removal of Irish paupers and in battles over rating with canal and railway companies. Chapters three and four focus on what was arguably the greatest poor law controversy of the period – the 'Crusade' against outdoor relief, initiated nationally in 1870. Wigan Union was an apparent supporter of this 'reform' movement, but appearances were deceptive. Chapter five addresses the problem of the 'casual poor', another major national concern of the period. Analysis illustrates the detail of local practice and the nature of central-local relations between the guardians and the LGB. Chapter six examines the themes of dismissal of union officers and superannuation for those deemed to have given good public service, further illustrating conceptions of professionalism and central-local relations. From this analysis, the Wigan board emerges as a politically engaged institution; financially cautious but with a paternalistic sense of obligation to the poor and pragmatic rather than ideologically driven in its policy and practice. Strong local conceptions of identity, professionalism and public service are evident within a nuanced context of central-local relations.

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Abbreviations

PP – Parliamentary Papers

LGB – Local Government Board

COS – Charity Organisation Society

NWPLC – North Western Poor Law Conference

RO – Relieving Officer

Introduction

This is a work of historical enquiry focusing on the politics and administration of the poor law in late-Victorian Wigan. It was not begun with any preconceived position to defend, nor is it motivated by *ad hominem* attacks against the ideas of particular historians. More positively, this thesis developed organically, stimulated by a passionate interest in both local history and the historical development of social policy. Local history offers particularly important opportunities for valuable original research in the case of the poor law - local variation in all aspects of administration was an indelible feature of the poor law, and there is a need for more local studies to help fill in the many gaps in our existing knowledge. A rationale for research into late-Victorian Wigan will be provided shortly, but first, why focus on the poor law at all and secondly, why during this period?

A fascination with the poor law has developed over the years through teaching the ‘fundamentals’ of the 1834 Poor Law Report and subsequent Poor Law Amendment Act to undergraduates. Students’ reactions to these landmark documents are varied, but the depiction of the allegedly ‘demoralising’ effects of the allowance system in the Report and the core principle of less eligibility embodied in the Act always seems to strike a powerful chord, either in strong agreement or, perhaps less commonly, angry rejection of the negative characterisation of the ‘undeserving’ poor. The enduringly powerful emotions triggered by the 1834 poor law are reflected in its long historical legacy. The less eligibility principle, for example, has lain at the heart of British social security policy ever since. Most famously, the Beveridge Report of 1942, the blueprint for the post-war welfare state, nonetheless unambiguously retained less eligibility in its vision of the National Assistance scheme: ‘It must be felt to be something less desirable than insurance benefit’¹ Despite the fact that those people who sought relief from the poor law authorities constituted a minority of the poor, let alone society as a whole, the wider long-

¹ Alcock, P. (1987) *Poverty and State Support* (Longman), p. 55. National Assistance was the means-tested safety net for those who did not qualify for the contributory National Insurance system.

term political and ideological impact of the poor law in shaping policy responses and societal attitudes have been immeasurably greater than the numbers alone would suggest.

If this reads as a justificatory plea, then it must be remembered that historians, like all academics, are routinely required to defend their choice of study. There is nothing new about this. Academic life is as prone to fashions and trends as anything else, and sentiments on the lines of ‘we know all there is to know about that’ are not uncommon. However, claims to omniscience should always be treated with a healthy scepticism. Thirty years ago Michael Rose, one of the doyens of poor law historiography, made this very point: ‘As for Poor Law history, that had surely been ‘done’, as the hefty volumes of Sidney and Beatrice Webb’s works on the college library shelves testified.’² Rose was describing contemporary attitudes in his early years of research, before arguing the case for the necessity of further study, and his advice is worth restating. There is still much that can be learned about the poor law, which arguably should not be surprising given the longevity of the institution, its increasing scope of operations as the nineteenth century progressed, and its marked regional differences. However, writing in 2007, John Benson gloomily prophesied that:

‘It seems unlikely that the study of the Poor Law will ever again become fashionable. There is no denying the tedium of much Poor Law historiography, no denying the limitations of institutional approaches to the study of legal history, and no denying either the need to direct attention towards, family, neighbourhood, community – and employer – sources of support.’³

Poor law history may or may not become fashionable again, but fashion in itself is no indicator of worth. The analysis of the role of the factors highlighted by Benson are undoubtedly important, but widening the scope of research possibilities necessary for a fuller understanding of the non-statutory relief and survival strategies pertaining to

² Rose, M. (1981) ‘The Crisis of Poor Relief in England, 1860-1890’, in Mommsen, W.J. (1981) *The Emergence of the Welfare State in England and Germany*, (London: Croom Helm), p. 50.

³ Benson, J. (2007) ‘Poor Law Guardians, Coalminers, and Friendly Societies in Northern England, 1860-1894: Statutory Provision, Local Autonomy, and Individual Responsibility’, *Northern History*, XLIV: 2, p. 168. This sentiment seems slightly out of kilter with what is in all other respects an interesting and useful article.

poverty and destitution does not by itself negate the importance of a continuing and deepening study of the poor law as an institution. I think we should also be wary of artificially abstracting the poor law from the society it operated in, or of establishing overly rigid lines of demarcation in research. To return to the themes emphasised by John Benson, were not poor law guardians also representatives of a vital social institution in the *community*, who lived in the *neighbourhood*, many of whom were also local *employers*?

More specific historiographical references will be provided in each of the individual chapters; however, all poor law researchers owe a debt to the healthy range of broad general works in existence and these need to be acknowledged here even though to students of social policy and welfare history they need little introduction. Scholars such as Sidney and Beatrice Webb and in more recent decades Derek Fraser, Michael Rose, Anne Digby, Anthony Brundage, Anne Crowther, Pat Thane, Geoffrey Finlayson and David Englander are prominent amongst those whose work, through its variety and scope forms the bedrock of existing scholarship on the poor law.⁴ In this introduction there is not the space to provide a detailed breakdown of each writer's individual contribution or matters of debate between them, certainly not without repeating what has already been said elsewhere. However, for the specific purposes of this thesis we need to provide, with reference to the historiography, some explanation of why the final quarter of the nineteenth century is a fruitful area for further scholarship. In recent work, historians such as Steve King and Elizabeth Hurren have observed that this period, in comparison to the earlier decades of the New Poor Law, has been under-researched both at macro and micro levels. King, for example, suggests that the existing historiography of the poor law

⁴ The many important works by these authors include the following: Brundage, A. (1978) *The Making of the New Poor Law: the politics of enquiry, enactment and implementation, 1832-1839*, (London: Hutchinson); (2002) *The English Poor Laws, 1700-1930* (Basingstoke: Palgrave); Crowther, M.A. (1981) *The Workhouse System, 1834-1929: the history of an English social institution* (London: Batsford); Digby, A. (1982) *The Poor Law in Nineteenth-century England and Wales* (London: Historical Association); Englander, D. (1998) *Poverty and Poor Law Reform in Britain: from Chadwick to Booth, 1834-1914* (London: Longman); Finlayson, G. (1994) *Citizen, State and Social Welfare in Britain 1830-1990* (Oxford: Clarendon Press); Fraser, D. (ed.) (1976) *The New Poor Law in the Nineteenth Century* (London: Macmillan); *The Evolution of the British Welfare State*, 3rd edition, 2003 (Basingstoke: Palgrave); Rose, M.E. (1971) *The English Poor Law, 1780-1930* (Newton Abbot: David & Charles); (1966) 'The Allowance system under the New Poor Law', *Economic History Review* (19:3) pp. 607-620; Thane, P. (ed.) (1978) *The Origins of British Social Policy* (London: Croom Helm).

either largely ignores the period 1880-1906, or describes the quarter century preceding the advent of the Liberal welfare reforms as a period of stasis or even atrophy.⁵ In a similar vein, Hurren refers to a ‘broad poor law chronology that marginalises late-nineteenth century welfare policy.’⁶ This lack of attention from historians has arguably led to an under-appreciation of the importance of developments in the poor law in the late-nineteenth century. Hopefully, this thesis will make a contribution towards redressing this imbalance.

In approaching this task, why select Wigan? One might not unreasonably counter this question by asking, why not? Lying in the centre of South Lancashire, slightly to the north and roughly equidistant between the two regional giants of Liverpool and Manchester, Wigan has a long and important history. As a royal borough since 1246, it had a long history of self-government with its own mayor, corporation and borough courts.⁷ In the early modern period, it was a town of regional political and economic importance, being similar in size to Liverpool, Manchester and Preston, with a mixed economy most notable in the sixteenth and seventeenth centuries for the manufacture of pewter and brass.⁸ The urbanisation and population growth associated with the Industrial Revolution of the late eighteenth and nineteenth centuries affected Wigan as profoundly as many other Lancashire industrial towns. In Wigan’s case, the dominant industries became coal, iron and textiles, with the Wigan coalfield attaining national importance not just in terms of output, but also in mining technology and education.⁹ By 1880, at the commencement of the period covered by this thesis, coal and iron retained their dominance of what was by then a medium sized industrial town in the most urbanised and industrialised area of the country. Politically, the coal and iron interest was of great

⁵ King, S. (2004) ‘We Might be Trusted’: Female Poor Law Guardians and the Development of the New Poor Law: The Case of Bolton, England, 1880–1906’, *International Review of Social History* (49:1), pp. 27-46.

⁶ Hurren, E. (2007), *Protesting about Pauperism: Poverty, politics and poor relief in Late-Victorian England, 1870-1900*, (Woodbridge: The Boydell Press) p.3.

⁷ Pratt, J.K. (1995) *Government and Economy in Seventeenth Century Wigan*, University of Manchester unpublished M. Phil thesis.

⁸ Ibid.

⁹ See Craig-Smith, S.J. *Wigan and District Mining and Technical College, 1857-1975* (The Author).

significance in town politics generally and also, as this thesis will suggest, in terms of poor relief.

How has Wigan been treated by historians? Some very good work has been done but, put simply; there is not enough of it, particularly with regard to the poor law. The two most detailed works on Wigan's history are both over a hundred years old, and were written in the period covered by this study. Their focus, like much of the work dating from the late nineteenth and early twentieth centuries, looks back at earlier periods of the town's past. David Sinclair's two-volume *History of Wigan* and the Reverend G.T.O Bridgeman's three-volume *History of Wigan Church and Manor* are fascinating reads, but concentrate on the medieval and early modern eras.¹⁰ Similarly, two locally well known former Town Librarians, H.T. Folkard and A.J. Hawkes, contributed a range of monographs on a variety of themes.¹¹ The local economy, particularly the coal industry, has been widely written on, both in works focusing on Wigan specifically by for example, Donald Anderson and in broader regional analyses by historians such as Geoff Timmins.¹² More specifically pertinent to this thesis, in terms of social history and the history of social policy and welfare, there are a limited number of valuable studies, but they contain very little mention, in terms of detailed analysis, of the operation of the poor laws in Wigan. Of these, unpublished theses have proved the richest sources on local politics, society and welfare issues. Michael Hamilton and Derek Hunter have provided vital guides to the local political landscape of the period and will be referred to in the main body of this thesis.¹³ These works make brief reference to the poor law on occasion, but the poor law

¹⁰ Sinclair, D. (1882) *The History of Wigan*, Vols. 1 and 2, (Wigan: Wall); Bridgeman, G.T.O. (1889) *The History of the Church and Manor of Wigan in the County of Lancaster*, 3 Vols. (Chetham Society).

¹¹ Hawkes, A.J. (1935) *Outline of the History of Wigan*; and (1945) *Sir Roger Bradshaigh of Haigh, knight and baronet 1628-1684: with notes of his immediate forbears* (Manchester: Lancashire and Cheshire Antiquarian Society). Folkard, H.T. (1916) *Wigan and district: a local record* (Wigan: J. Starr).

¹² Anderson, D. (1994) *Wigan Coal and Iron* (Wigan: Smiths); (1984) *The Standish Collieries, 1635-1963* (Ashton-in-Makerfield: The author); Timmins, G. (1998) *Made in Lancashire: A history of regional industrialisation* (Manchester University Press).

¹³ Michael T.Hamilton: *Popular Conservatism in the Borough of Wigan 1868-1886*, Huddersfield Polytechnic M.A. thesis, 1983. This formed the basis of Hamilton's subsequent paper, *A Tory Town: Popular Conservatism in Wigan 1868-1886*, Occasional Papers in Politics and Contemporary History No. 6, University of Salford, 1986). Derek Hunter: *Politics and the Working Class in Wigan, 1890-1914*, University of Lancaster M.A. thesis, 1974. See also Dennis Brown: *The Labour Movement in Wigan, 1874-1967*, Liverpool University M.A. thesis 1969. Less directly relevant, but important research works are Heyes, M. K (2004) *Secondary Education and the Working Class: Wigan 1920-1970*, University of

is not the focus of their enquiry. David Crompton's *Infant Mortality in Wigan 1900-1914*, similarly contains a short mention of the poor law, but is nonetheless a richly detailed work in terms of its main object.¹⁴ Other works fall to some extent outside the time period of this present study, such as J.M. Humphries' *Economic Change and its Effect in Wigan and District 1918-39*, whilst on the same era the most famous published work is, it goes without saying, George Orwell's *The Road to Wigan Pier*.¹⁵ Eric Midwinter's long-established *Social Administration in Lancashire, 1830-1860* makes a number of references to the poor law in Wigan but as the title suggests, only with regard to its early stages and as the author acknowledges, within the context of a very broad county-wide survey.¹⁶ Trevor Griffiths' *The Lancashire Working Classes c.1880-1930*, focuses on Wigan and Bolton specifically, but is virtually silent on the subject of the poor law.¹⁷ There is then, considerable scope for original research into the politics and administration of the poor law in Wigan. However, before we explore the specific research themes to be addressed, it would be useful to provide more information on the local economic and political context in which the Wigan guardians undertook their work.

Figure 1 below illustrates the location of Wigan Union in North-West England, adjacent to Ormskirk Union to the west and Bolton to the east.¹⁸

Durham PhD thesis; Savage, E.F.A. (1980) *The Emergence of Middle-Class Wigan, 1870-1899*, University of Salford M.Sc. Thesis – in summary, a study of housing development in Swinley.

¹⁴ David G. Crompton: *Infant Mortality in Wigan 1900-1914*, University of Manchester M.Sc. thesis 1990.

¹⁵ Orwell, G. (1937) *the road to Wigan Pier* (London: Victor Gollancz); Humphries, J.M. (1986) *Economic Change and its Effect in Wigan and District 1918-39*, Manchester Polytechnic MA thesis.

¹⁶ Midwinter, E. (1969) *Social Administration in Lancashire, 1830-1860: poor law, public health and police* (Manchester University Press).

¹⁷ Griffiths, T. (2001) *The Lancashire working classes, c. 1880-1930* (Oxford: Clarendon).

¹⁸ Figure 1 illustrates all of the Lancashire unions and those in North Cheshire, with the southernmost Lancashire unions being, from West to East, Birkenhead, Liverpool, Toxteth Park, Prescott, Warrington, Barton-upon-Irwell, Chorlton and Ashton-under-Lyne.

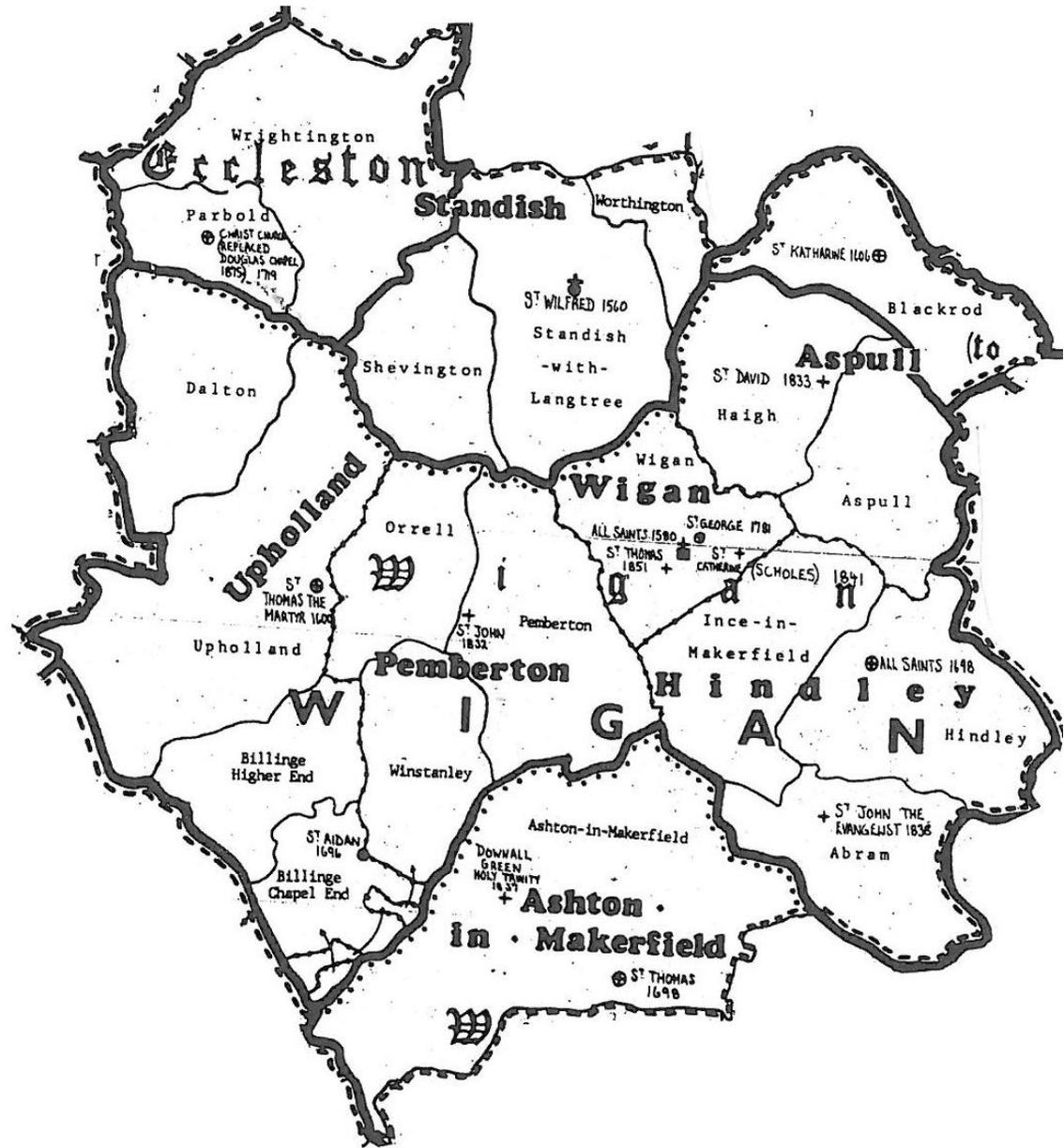
Figure 1: Poor Law Unions in North West England



Source: <http://www.workhouses.org.uk/index.html?map/nwest.shtml>

Figure 2 below provides a map of Wigan Union delineating its twenty constituent townships. The map includes parish churches, but has been included here to illustrate the geographical size and location of the townships themselves so as to acquaint the reader with the whereabouts of places that are regularly referred to throughout this thesis.

Figure 2: Wigan Poor Law Union, depicting the twenty individual townships



Source: The Museum of Wigan Life

The population of Wigan Union at the 1881 Census was 139,897, 73.2% of which was concentrated in Wigan Borough and the fast-growing townships of Ashton, Hindley, Ince

and Pemberton.¹⁹ For example, Wigan itself had a population of 48,192 in 1881, whilst Pemberton's population was 13,763. A decade later the population of the union had increased to 166,762, of which Wigan accounted for 55,013 and Pemberton 18,400.²⁰ Several of the predominantly rural townships situated in the north and west of the union, by contrast, had much lower populations which were relatively static in the late-nineteenth century. Worthington, for example, on the north-central edge of the union had a population of 285 people in 1881, a figure which had only increased to 288 in 1891. Similarly, Dalton, in the north-west of the union had a population of 494 in 1881 which fell to 456 in 1891.²¹ In summary, it was in the eastern and southern townships of the union that the bulk of the population resided.

The population statistics noted above strongly correlate with the dominant forms of economic activity within the union. In the mainly rural townships to the west and north, a mixture of pasture and arable farming predominated with potatoes, oats and wheat being grown in Billinge, the north of Orrell, Upholland, Dalton, Wrightington, Parbold and Shevington. Stone quarrying was an important activity in Billinge, Upholland and Parbold.²² In the borough itself and the eastern townships in the union, the staple industries of coal and cotton were king. Wigan's economic expansion was facilitated by its location at the heart of major transport links. In the late-eighteenth and early-nineteenth centuries Wigan was at first connected to the Leeds-Liverpool Canal and subsequently to both the Lancaster and Bridgewater Canals by 1820. By opening new and quicker routes to Liverpool, Manchester and the textile towns in North and East Lancashire, the canals provided a huge stimulus to the development of the Wigan coalfield.²³ Connection to the canals was followed by links to the railways. The Liverpool and Manchester Railway opened in 1830 and had a branch in Wigan as early as

¹⁹ *Wigan Almanac and Advertising Yearbook*, 1892, pp. 50-51 (Wigan: Thomas Wall).

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Victoria History of the Counties of England*, Lancashire (1966) reprinted from the original edition of 1911, Volume Four, edited by Farrer, W. and Brownbill, J. – hereafter referred to as *VCH*. For entries on Billinge, see p.83; Orrell, p.90; Dalton, p.97; and *VCH* Volume Six for entries on Wrightington, see p.169; Parbold, p.178 and Shevington, p.199.

²³ Fletcher, M. (2005) *The Making of Wigan* (Barnsley: Wharncliffe Books).

1832.²⁴ In 1836 Wigan was linked with Preston by what became known as the Northern Union Railway which in time became part of a through-route between London and Scotland. By 1848, Wigan was connected with Manchester, Bolton, Bury and Liverpool in the network that became part of the Lancashire and Yorkshire Railway.²⁵ The coal and cotton industries served by these links had been the engine of Wigan's growth and prosperity in the nineteenth century; however, their scale and importance in terms of employment opportunities would place Wigan in a precarious economic position in the early twentieth century. Trevor Griffiths has argued that 'Lancastrian towns were far removed from the single-industry settlements and company towns of early industrialization', contrasting them with the more monolithic economies on the South Wales and North East England coalfields.²⁶ In relation to this, J.M. Humphries' study of Wigan and District emphasises the ancient market function and long tradition of the borough as a service and commercial centre – in 1911, for example, 18% of the occupied population worked in the non-staple sector.²⁷ However, Humphries adds a cautionary note that whilst 'Wigan was not Lancashire's Jarrow' it was still nonetheless dominated by coal and cotton, and employment in these industries was heavily segregated by gender.²⁸ In 1911, 62.4% of the employed population of Wigan and District worked in mining, metalworking and textiles: 50.3% of working men were involved in mining, and 62.3% of working women were engaged in textiles.²⁹ The metalworking and engineering trades for which the Wigan area was also famous were heavily dependent on mining, for example, Walker Brothers at Pagefield in the borough that produced rolling stock and mining machinery and the massive Wigan Coal and Iron Company (formerly Kirkless Iron Works) on the border of the borough and Aspull township that specialised in pig iron production.³⁰ Whilst decline would increasingly become evident as the new century

²⁴ Crosby, A. (1998) *A History of Lancashire* (Chichester: Phillimore)

²⁵ *Ibid*, p.84, and Brown, D. (no date) *Coalopolis*, (Wigan: James Risley) p. 3. This volume is held by Wigan Library and based on Brown's 1969 MA thesis already cited.

²⁶ Griffiths, *op. cit.*, pp. 6-7.

²⁷ Humphries, *op. cit.*, p. 14. Humphries' definition of Wigan and District equates to the boundaries of the poor law union except for Blackrod and Ashton townships.

²⁸ *Ibid*, p. 11.

²⁹ *Ibid*, pp. 11-12.

³⁰ *Ibid*, p. 9.

progressed, in the period covered by this thesis the old staples dominated the local economy and their influence was inextricably intertwined with local politics.

Wigan borough was a Tory stronghold characterised by ‘conservatism and quietism’ according to Dennis Brown and ‘the twin pillars of deference and loyalty’ in the view of Michael Hamilton.³¹ In parliamentary elections in the borough, for example, apart from the first election of two that took place in 1910, the Conservatives won every contest between 1874 and 1918.³² This general dominance, which was not confined to the borough but also permeated the surrounding townships, was clearly evident in poor law elections as chapter one will make clear, but it needs to be emphasised at this stage just how deep rooted was the Conservative Party’s influence on political, social and economic life in the Wigan area. A network of the largest landed and industrial property owners, with the Earl of Crawford (of the Lindsay family of Haigh Hall, to the north-east of Wigan) at its apex via their influence as employers and through their patronage effectively controlled local politics. Leading Tory figures of immense local influence included, for example, major ‘aristocratic’ figures such Nathaniel Eckersley and Algernon Egerton alongside industrial titans like Alfred Hewlett, managing director of Wigan Coal and Iron and Maskell William Peace, its secretary.³³ Men such as these established an entrenched leading position in an array of local institutions, providing support for both Brown’s and Hamilton’s view that a key factor alongside Liberal weakness in explaining Conservative dominance was in the latter party’s willingness to embrace and cultivate the newly enfranchised working-class vote in a way that the local Liberals found abhorrent. For example, the Mechanics Institution in King Street, Wigan, was presided over by the Earl of Crawford, and its trustees included Eckersley and Peace, Wigan M.P. F.S. Powell and colliery-owning guardian William Bryham.³⁴ Crawford was also, among other organisations, president of Wigan Cricket Club and, with Powell, a patron of Wigan Rugby Football Club, alongside other Tory luminaries such as Colonel Blundell M.P., Lord Gerard of Bryn, Clerk to the Board of Guardians Henry Ackerley

³¹ Brown, D., (*Coalopolis*, p. 6; Hamilton, 1983, op. cit., p. 73.

³² Brown, *Coalopolis*, p. 10.

³³ Hamilton, 1983, op. cit.

³⁴ See Wigan Yearbook, 1890, p.60. The Yearbooks provided annual updates of such information.

and guardian Richard Blaylock.³⁵ F.S. Powell was a particularly significant individual dispenser of patronage, donating a Boys' Reading Room to Wigan in 1895 and giving £2,000 towards a new school in the following year.³⁶ This paternalistic engagement with the social and cultural life of the area was not matched by the local Liberals, who, although unlike the party at national level were not divided after 1886 on the question of Irish Home Rule, nonetheless were gradually supplanted by Labour as the chief opposition in Wigan from the mid-1890s. The nascent Labour movement in Wigan, headed by the Trades Council established in 1888 and a Labour Representation Committee in 1903, would have to wait until after World War I before it replaced the Tories as the dominant force in local politics, and thus Brown's view of 'conservatism and quietism' as continuous and entrenched characteristics seems particularly apt.³⁷

Ethnic and religious divisions were also an important feature of local politics and society, particularly in relation to Irish immigrants. Liverpool and Manchester attracted the largest concentration of Irish people in Lancashire, though from the 1840s there were rapidly growing populations in Wigan, St. Helens and Preston.³⁸ By the late-Victorian period, the Irish presence in Wigan, St. Helens and Leigh accounted for between a quarter and one third of the local population.³⁹ However, there may be a tendency to conflate Irish-born with Irish ethnicity here, since as David Crompton makes clear, the 1891 Census recorded 3,476 people of Irish birth living in the borough, constituting some 6% of the population of 55,013.⁴⁰ Nevertheless, whether native-born or the descendants of previous immigrants, in Wigan borough, there were large concentrations of Irish people, mainly from the west of Ireland, settled in Wallgate and Scholes.⁴¹ As John Walton has articulated, the Irish in England were frequently accused of under-cutting the

³⁵ Ibid, 1892, p. 46.

³⁶ Hunter, op. cit., p.26.

³⁷ Brown, *Coalopolis*, p. 19. The bulk of this volume provides a detailed guide to the development of the Labour movement in Wigan. See also Hunter, op. cit., for further detailed analysis of the movement including the Trades Council, which as Hunter points out, was intended to serve the out-townships as well as the borough.

³⁸ Walton, J. (1987), *Lancashire: A Social History, 1558-1939* (Manchester University Press), p. 183.

³⁹ Griffiths, op. cit., p. 275.

⁴⁰ Crompton, op. cit., p. 104.

⁴¹ Brown, *Coalopolis*, p. 11. Crompton, op. cit., notes that St Patrick's electoral ward in Scholes had a very high concentration of Irish people.

indigenous working class by their willingness to accept lower wages and of being strike-breakers.⁴² However, despite the housing segregation, social and cultural differences and undoubted tensions that existed between those of Irish ethnicity and the 'local' working class, Derek Hunter argues that accusations of under-cutting and strike-breaking were conspicuous by their absence in Wigan in the 1890s.⁴³ Ethnic and religious tensions were fostered by the local press, particularly the Tory and Anglican supporting *Wigan Examiner*, which as we shall see later in this thesis, unflinchingly fomented anti-Irish and anti-Home Rule feeling. Unsurprisingly, then, as Dennis Brown observes, the Irish vote in late-Victorian Wigan was solidly Liberal.⁴⁴

This thesis focuses on the work of the board of guardians, but it needs to be acknowledged here that, obviously, the guardians were not the sole providers of relief. As Alan Kidd has pointed out, the role of charities, working class mutual aid organisations and self-help was far greater in the nineteenth century than in contemporary Britain. For example, gross state expenditure on poor relief in 1870 was £7.7m, whilst estimates for annual sums devoted to charity *for London alone* for the same year ranged from £5-7m.⁴⁵ The Charity Organisation Society established a branch in Wigan in 1882, which will be discussed in detail in chapter three; however, it is important to give mention to the existence of the small organised charities in operation, some of which survived on the legacies of charitable bequests from the seventeenth and eighteenth centuries. An illustrative example of this is the Wigan Indigent Clothing Society that during the winter months distributed clothing from the Savings Bank in King Street each Wednesday from 12.00 to 1.30 p.m. In the 1880's and 1890's this organisation was run by Mrs Eckersley, Mrs Byrom and Mrs Farington, wives of prominent local Tories. Partly funded by subscriptions, it also relied on income from Sixsmith's, Diggles and Willis's charities, dating from 1688 and 1726 respectively.⁴⁶ However, outside the remit of the poor law,

⁴² Walton, op. cit., p. 253.

⁴³ Hunter, op. cit., p. 29. Hunter bases this view on an analysis of letters in the Wigan local newspapers from 1890-1914.

⁴⁴ Brown, *Coalopolis*, p. 15.

⁴⁵ Kidd, A. (1999) *State, Society and the Poor in Nineteenth Century England* (Basingstoke: Macmillan) p.67.

⁴⁶ Wigan Yearbook, 1889, p. 49. *VCH*, Vol. Four, p. 66, provides a discussion of Sixsmith's, Diggles and Willis's charities.

by far the largest local relief organisation was the Lancashire and Cheshire Miners' Permanent Relief Society (LCMPRS) formed in 1872⁴⁷, which, as its name suggests, was of great regional importance and merits some explanatory detail here, not least as its role may at the end of the thesis assist us in formulating conclusions about the guardians' outdoor relief strategy.

The LCMPRS was funded by contributions from both colliery proprietors and employees to provide for the maintenance of widows and orphans of members killed, and for relief of members disabled by colliery accidents.⁴⁸ The society grew rapidly during this period; in 1879, for example, it had 27,281 members, a figure which had nearly doubled to 51,671 in 1892.⁴⁹ Its central offices were in King Street in Wigan and, unsurprisingly, the local Tory hierarchy was at the heart of its operations. The aforementioned Alfred Hewlett was one of the two vice-presidents; its trustees included the Earl of Crawford, Lord Gerard and the Rt. Hon. Alfred Egerton and amongst the honorary members of the management board were mining engineer William Harbottle and colliery manager C.F. Clark, poor law guardians for Orrell and Ashton townships respectively.⁵⁰ The LCMPRS was administered by employers at branch level, with worker contributions deducted from wages. Management control was further cemented by employer supplementation of employee contributions which enabled companies to legally contract out of the 1881 Employers' Liability Act – in all but one of the collieries in the central area of the Lancashire coalfield society membership was made a condition of employment.⁵¹ To all intents and purposes then, the LCMPRS can be viewed as an 'employer welfare' scheme that nonetheless commanded sufficient worker support to remain more popular than the Lancashire and Cheshire Miners' Federation's rival trade-union run relief organisation established in 1898.⁵²

⁴⁷ Griffiths, *op. cit.*, p. 197.

⁴⁸ Wigan Yearbook, 1890, p. 55.

⁴⁹ Wigan Yearbook, 1892, p. 40; 1880, p. 89.

⁵⁰ *Ibid*, 1890, p.55.

⁵¹ Griffiths, *op. cit.*, pp. 197-200.

⁵² *Ibid*, pp. 199-201.

Having established the local political and economic context, it is now necessary to establish clear limits to the scope of the thesis which prompts the question of what specific themes are to be examined and what is to be excluded? There is an inevitable arbitrary quality to such decisions, but they are necessary all the same. This thesis does not focus on education or medical services under the poor law, nor does it specifically address indoor relief policy through the analysis of workhouse administration. These are all important and major themes and a study of each of them could form the basis of a thesis in its own right. However, educational, medical and workhouse services have featured prominently in poor law historiography, and other issues which I would argue are of equal interest and importance have not been so well served and merit our attention. The overarching aim of this thesis is to examine the role played by a board of guardians in administering the poor laws specifically and in shaping the public domain more generally by focusing on a period that has been relatively neglected by historians. It does this by analysing selected specific themes that have received insufficient attention in existing literature, within the geographical context of a region – North West England – and a particular poor law union – Wigan – that both merit much greater depth of study than has heretofore been afforded in poor law historiography. However, before we outline the specific research questions to be addressed, it is necessary to introduce the idea of the ‘public domain’ within the context of the rise of professional society, which is a lens through which the thesis will view the work of the Wigan guardians and provides an important narrative thread throughout the individual chapters that follow. It would be useful with this in mind to broaden the parameters of discussion by considering how we tend to think of poor law boards of guardians more generally. It is a fair generalisation to state that poor law boards of guardians, in the eyes of many contemporaries and later historians, have a less than glowing reputation. Notwithstanding their oft deserved representation as ‘guardians of the rates’, rather than of the poor, a common image in the historiography of the poor laws portrays the boards as crude, unsophisticated and in some instances incompetent organisations, unsuited to the huge social, economic and political importance of their work. Referring to the mid-nineteenth century, Sidney and Beatrice Webb claimed that:

‘The student of the local Poor Law administration...can hardly avoid the conclusion that the inefficiency, parsimony and petty corruption at the base of the Administrative Hierarchy must have inevitably gone far to nullify any superiority in science and statesmanship that may have been manifested in the guidance and control from the top’.⁵³

Of course, as leading Fabians, such a contemptuous dismissal of the capabilities of local officials was par for the course, however this thesis will suggest that the competence, professionalism and sense of public duty exhibited by both boards of guardians and the central authority in the form of the Local Government Board were very comparable, rather than being poles apart as claimed by the Webbs.

In comparison with the growing kudos associated with other forms of public service in the late nineteenth century – whether statutory or otherwise – it might be considered unwise to go even as far as describing poor law administration as a ‘Cinderella service’: more one of the Ugly Sisters. As Patricia Hollis has noted: ‘Poor law work was far less comfortable, and poor law boards much inferior in social status’.⁵⁴ Aside from their notable lack of glamour, the competence and professionalism of boards of guardians was at times brought into question. Hollis describes the experiences of Ethel Leach, who on election to the Great Yarmouth board of guardians in 1895 found that: ‘In contrast to her school board meetings, there were no agenda papers, no minutes, no accounts’.⁵⁵ Given the voluminous records left by Wigan and many other unions, this may be an extreme example not representative of the broad reality, but it serves to illustrate the general point being made here by way of introduction, that poor relief was the ‘dirty work’ of state welfare provision and the boards of guardians responsible for its administration are not commonly depicted as paragons of competence and sophistication. However, is it time for a re-evaluation of the individual and collective labours of these much maligned public servants?

⁵³ Webb, S and Webb, B. (1963) *English Poor Law History, Part II, the last hundred years*. Vol. I, (London: Cass) pp. 229-30. (First edition, 1929, London: Longmans).

⁵⁴ Hollis, P. (1987) *Ladies Elect: Women in English Local Government 1865-1914*, (Clarendon Press: Oxford) p.209. The comparison in this instance is with service on school boards.

⁵⁵ *Ibid*, p.218.

The concepts of the ‘public domain’, as articulated by David Marquand and ‘professionalism’ as explained in a seminal account by Harold Perkin are helpful in considering this question.⁵⁶ The ‘public domain’ is, as Marquand freely acknowledges a rather amorphous concept and as such is best defined here by directly quoting the author at some length:

‘...the public domain – the domain of citizenship, equity and service whose integrity is essential to democratic governance and social well-being...the public domain has its own distinctive culture and decision rules. In it citizenship rights trump both market power and the bonds of clan or kinship. Professional pride in a job well done or a sense of civic duty or a mixture of both replaces the hope of gain and the fear of loss (and, for that matter, loyalty to family, friends or dependants) as the spur to action...the public domain is both priceless and precarious – a gift of history, which is always at risk. It can take shape only in a society in which the notion of a public interest, distinct from private interests, has taken root; and, historically speaking, such societies are rare breeds. Its values and practices do not come naturally, and have to be learned. Whereas the private domain of love, friendship and personal connection and the market domain of buying and selling are the products of nature, the public domain depends on careful and continuing nurture’.⁵⁷

Marquand’s central thesis is that the values of the public domain outlined above have been increasingly undermined by neo-liberal hegemony since 1979 and his book is a clarion call for a social democratic counter attack. Whilst this aspect of his argument does not directly concern us here, the values of the public domain itself and, perhaps even more importantly, how the contours of that domain were gradually chiselled out in the Victorian and Edwardian eras are of clear importance. In piecemeal fashion, and for deeply complex and interrelated social, political and economic reasons, the boundaries of the public domain were at first established and then extended, for example, in the form of public health legislation, the establishment of public education, factory reform, the 1854 Northcote-Trevelyan Report, the 1872 Ballot Act, the 1884 Corrupt Practices Act, the rise of philanthropy and ‘municipal socialism’. All of these and the many other possible examples that could be listed constituted, Marquand argues by paraphrasing William

⁵⁶ Marquand, D. (2004) *Decline of the Public* (Cambridge: Polity Press); Harold Perkin (1990) *The Rise of Professional Society* (London: Routledge).

⁵⁷ Marquand, *op. cit.*, pp.1-2.

Gladstone, a ‘softening of the public conscience’ motivated by a sense of public duty and: ‘a new sense of the public interest and a new willingness to assert it against the pressures of market power, on the one hand, and the ties of kinship, neighbourhood and clientelism, on the other’.⁵⁸ Further to this, Marquand suggests, a key driving force in the development of the public domain was the ‘remarkable upsurge of organised professions, and the gradual emergence of a distinct professional class that espoused an ethic of its own’.⁵⁹

In explaining this development, Marquand draws heavily upon the work of Harold Perkin and it is to Perkin’s analysis that we also must now turn. Perkin’s classic text has a depth of detail and insight that defies simple summary, but for the purposes of this thesis it is useful to select particular elements of his argument that have a direct bearing on the line of analysis to be pursued here. As the title of his book obviously suggests, Perkin argues that from around 1880 English society became increasingly a *professional* society: ‘Where pre-industrial society was based on passive property in land and industrial society on actively managed capital, professional society is based on human capital created by education and enhanced by strategies of closure, that is, the exclusion of the unqualified.’⁶⁰ Increasingly, occupations required specialist training, qualifications and selection by merit – the development of the modern civil service following the 1854 Northcote-Trevelyan Report is the perhaps the most familiar example of this – and those occupations were successful in convincing government and society of the essential nature of the services that they provided, services which, because of the education and training required, could only be exclusively provided by them. By thus controlling entry to their occupation, professionals were able to create a degree of market scarcity and hence increase the demand and concomitant economic rent, in this case salary, for use of their skills.⁶¹ Perkin notes that in 1880 there were only 27 qualifying professional associations

⁵⁸ Ibid. pp.37-8.

⁵⁹ Ibid, p53.

⁶⁰ Perkin, op. cit., p2.

⁶¹ Ibid, pp. 2-10.

in England, but that number increased by a further 21 between 1880 and 1914, and by a further 27 by 1918.⁶²

However, it is not the purpose here to become embroiled in the semantics of what does or does not constitute a ‘profession’ or trade association as such – the key point to note from Perkin and Marquand’s work is that in a broad sense, during the period covered by this thesis, England was an increasingly professional society, influenced and increasingly shaped (particularly so in the case of social policy and welfare provision) by the values of professionalism in an expanding public domain characterised by the values articulated by Marquand noted above. What is of direct concern to us is the question of where did the poor law fit in to all of this? The poor law scarcely features in either Marquand’s or Perkin’s analysis – this is not a criticism of their work, broad in aim and scope as it is – but surely, if we are to advance our understanding of the role of the poor law in English society it is important and right to ask how the authorities at both national, and particularly for our purposes local level, were affected by the major developments that both authors describe? The poor law was a centuries-old, deeply entrenched social and political institution, and whilst its abolition was not seriously on the political agenda in 1880, running it more professionally, fairly and in the public interest would come to be so. The poor law did not operate in a vacuum: it did not hover wraith like and above the fray, immune to the social and economic change of the society of which it was such a crucial part, and thus conceptions of public service in the context of the rise of professional society are, it will be argued here, clearly visible in the work of local poor law boards of guardians in a variety of ways that will be referred to where appropriate throughout this thesis.

The question of how the Wigan board exercised its role as ‘guardian of the public domain’ through its administration of the poor laws opens up several worthwhile lines of enquiry. In responding to the key issues of the day, how did the board regard its responsibilities and develop its own sense of public duty and, within the bounds of those responsibilities, define and shape the public interest? These broad questions are

⁶² Ibid, p.20.

addressed in more specific form in relation to the particular issues selected for discussion in the individual chapters.

Firstly, as has already been acknowledged with reference to Harold Perkin, the public domain was enriched by the growth of democracy in the second half of the nineteenth century by the extension of the parliamentary franchise and the introduction of the secret ballot. However, how was the poor law affected by these wider developments? How democratic was the poor law and how did this change during the period 1880-1900? To what extent were guardians' elections contested and, principally, how prominent an issue was poor law administration itself within those contests? What does the answer to this particular question tell us about local and regional approaches to poor law policy?

Secondly, a significant recent development in poor law historiography especially pertinent to this thesis is the notion of regional welfare cultures or 'states of welfare' (in contradistinction to welfare states) articulated most prominently by Steve King, with other significant contributions coming from Anne Digby and Christine Hallas. King's work on this theme spans the later years of the 'old' poor law and early years of the 'new' and contends that the North and West regions of England had an embedded culture of parsimony on the part of administrators and low expectations on the part of relief applicants that persisted, rather than being newly imposed, in the years after 1834:

'Volatile poor law practice, meagre allowances, uncertain and shifting entitlement and the downright obstructive attitude of many local welfare officials drummed into generations of poor and potentially poor people the message that there was no such thing as a right to relief.'⁶³

⁶³ King, S. (2000) *Poverty and Welfare in England, 1700-1850: A Regional Perspective* (Manchester University Press), p. 221. See also, by the same author, 'Regional Patterns in the Experiences and Treatment of the Sick Poor, 1800-40: Rights, Obligations and Duties in the Rhetoric of Paupers', *Family and Community History*, Vol. 10, No. 1., May 2007, pp. 61-75. Christine Hallas also emphasises the importance of regional patterns of welfare, and the importance of not forming national perspectives based almost exclusively on studies of the lowlands of the south and east. Her work on Wensleydale and Swaledale in North Yorkshire suggests that for the poor in that region, recourse to the poor law tended to happen later rather than sooner in the poverty cycle - 'Poverty and Pragmatism in the northern uplands of England: the North Yorkshire Pennines c. 1770-1900', *Social History*, Vol. 25., No. 1, January 2000, pp. 67-84. Ann Digby has demonstrated how distinctive welfare patterns and cultures of resistance to central government continued into the twentieth century through her analysis of boards of guardians and Public Assistance Committees in Lancashire, Durham and the West Riding in the 1920s and 1930s: Digby, A.

King argues that the North was the English region that most exemplified the residual or safety net functions of poor relief – a reactive, minimalist regime that assumed that people on or not actually in receipt of relief had a dense set of alternative welfare strategies. The principal sources of non-statutory relief in the North were friendly societies, charities, and work and kinship networks. Other characteristics of this regional state of welfare were a heavy skewing of resources towards the elderly within a context of marked intra county variation in the generosity and scope of local relief systems, very prone to fluctuations over time, particularly in Lancashire. However, sub-regional regime variations do not, according to King, invalidate the broad characterisation of the North in the terms described above.

The historical-geographical approach of Felix Driver, covering the first fifty years of the new poor law, provides further significant insight into identifiable regional welfare patterns. Driver's specific local enquiry is centred upon Huddersfield union, but the general survey sections of his work shed further light on Lancashire as a whole and, with relevance to this thesis, South Lancashire in particular. Lancashire in the 1870's had a low rate of pauperism, illustrating continuity with the pre-1834 situation. The South Lancashire belt of unions, which included Wigan, all built new workhouses in the period 1848-57.⁶⁴ However, within that cluster, there were widely divergent ratios of outdoor to indoor pauperism. Driver notes that in South East Lancashire, the adjacent unions of Manchester, Salford and Ashton-under-Lyne had very high indoor to outdoor pauperism levels, whilst in the West Yorkshire unions of Huddersfield, Wakefield and Dewsbury that adjoined the Manchester group, the reverse scenario was the case.⁶⁵ However, Driver does not comment on the Lancashire unions, including Wigan that lay immediately to the west of the Manchester group, a gap that this thesis intends to fill. Thus, in general pauperism levels in the North and West were lower than in the South and East, but at sub-regional level clusters of unions had very different approaches to

(2006) 'Changing Welfare Cultures in Region and State', *Twentieth Century British History*, Vol. 17, No. 3, pp. 297-322.

⁶⁴ Driver, F. (1993) *Power and Pauperism: The workhouse system, 1834-1884*, Cambridge University Press), pp. 86-87. The other unions referred to here are Ormskirk, Bolton, Bury, Oldham, Warrington, Leigh, Barton-upon-Irwell, Salford, Manchester and Ashton-under Lyne.

⁶⁵Ibid, p. 53.

administering the workhouse test. These variations were particularly important during the period covered by this thesis because of the ‘Crusade’ against outdoor relief that for two decades after 1870 was the keystone of national poor law policy. What was the Wigan union’s response to the ‘Crusade’? Was it an enthusiastic participant, an ardent opponent or something in between? Did the ‘Crusade’ force a substantial change in outdoor relief policy in Wigan or were the established practices of relief, what we might call for argument’s sake, the ‘Wigan way’, effectively unchanged? How do the answers to these questions enhance our understanding of the ‘state of welfare’ in Lancashire? These are important questions and two chapters within the thesis are devoted to addressing them.

The nature of the ‘state of welfare’ in Wigan union was also shaped by its approach to the treatment of the ‘casual poor’, more disparagingly labelled ‘vagrants’ by poor law authorities for over three hundred years. More references will be provided in chapter five of this thesis, but as important historical overviews, notably by Robert Humphreys, have made clear, the question of how to respond to the social needs and problems associated with this most marginalised section of the population has continually challenged policy makers at national and local level. Those responses have for the most part been characterised by the stigmatisation, pathologisation and repression of the ‘roofless and the rootless’ since Elizabethan times.⁶⁶ How were these poor people treated in late-Victorian Wigan? Were they treated distinctly differently from other groups of paupers and did that change during this period? Steve King has argued that whilst interesting, vagrancy, ‘narrowly defined’ was not that important in terms of the poor law as a whole.⁶⁷ In terms of the numbers ‘relieved’ as vagrants or casuals by poor law unions this view is undoubtedly correct, as chapter five will illustrate. However, if it was so unimportant *per se*, why did poor law unions and the central authorities expend much time and energy arguing about how vagrancy could be ‘remedied’? In a thesis examining the role of the guardians as a public body within the public domain it is important to

⁶⁶ Humphreys, R. (1999) *No Fixed Abode: A History of Responses to the Roofless and the Rootless in Britain* (Basingstoke: Macmillan).

⁶⁷ King, (2000), *op. cit.* p. 13.

address these questions here in order to establish how they further inform our understanding of the ‘Wigan way’ within the regional ‘state of welfare’ in Lancashire.

As with the problem of vagrancy, Steve King has also suggested that the centuries-old issues of settlement and removal were of ‘limited importance’ within the context of the poor law as a whole.⁶⁸ In terms of expenditure and numbers of people affected, this is also correct. On the other hand, settlement and removal were the focus of intense debate, acrimony and concerted political action in the late-Victorian period. In Lancashire, Wigan was at the hub of such debate and coordinated activity. Analysis of the Wigan union’s actions in this regard forms the first part of chapter two, which argues the case for viewing poor law unions as important political entities in their own right, that played a vital role in defining and shaping the public domain. The thesis contends that this is an under-appreciated aspect of the poor law, and this particular chapter focuses on the board of guardians as a defender of the public interest. It does so by analysis of the guardians’ attempts to block prospective legislation in relation to settlement and removal of Irish paupers. Following this, the chapter proceeds to explore the guardians’ battles with major commercial interests, specifically the Leeds-Liverpool Canal Company, the London and North-Western Railway Company and the Lancashire and Yorkshire Railway Company. What do these controversies tell us about the political activities and skills of poor law unions? How did they organise their campaigns? How did they see themselves and justify their actions in the public interest? How successful could they be and what were the keys to those successes? These are important questions to ask and offer a fresh perspective in poor law historiography.

Defence of the public interest also comprised a concern with improving standards of service, which to a large extent depended on the quality of officials employed by the guardians. The rise of professional society, as already noted, was a fundamental aspect of the expansion of the public domain in the late-nineteenth century, yet the role of the poor law in this context has been less well explored than many other themes in the historiography. Of the major well known studies Anne Crowther, posing the question of

⁶⁸ Ibid, p.12.

‘a second class service?’, is distinctive in her thematic focus on the quality of poor law officers in this period, examining in a national context guardians’ attempts to recruit higher quality staff, and the attempts by those staff to improve their public standing by seeking professional status and superannuation rights.⁶⁹ The formation of organisations such as the National Poor Law Officers’ Association in 1884 and the publication of ‘trade’ papers such as the *Poor Law Officers’ Journal* were important indicators of this broad trend which were also visible in Wigan union.⁷⁰ However, there remains scope in the historiography for a detailed analysis of how these themes played out at local level. As such, how the Wigan board of guardians went about hiring and firing key officials, and how it responded to requests for reward for good service in the form of superannuation are the focus of chapter six. How diligent were the guardians in these respects? What forms of conduct could lead an officer of the board to be dismissed and did boards treat problematic officials fairly and impartially? How easy was it to remove incompetent or mendacious officers? If guardians were scrupulous in their desire to be rid of those deemed unfit for office, were they equally keen to reward the worthy long-serving officers who, after decades in post, came to request pensions for their declining years?

Felix Driver has argued that the history of the new poor law ‘is to a large degree a history of power relations’⁷¹, a crucial element of which was central-local relations. This is a sub-theme that runs throughout this thesis, encompassing ideological clashes with the LGB inspectorate over outdoor relief policy, battles with the district auditor over the mode of admission of casuals to the workhouse and disputes with the LGB about the dismissal of relieving officers and a workhouse master. These conflicts are interesting in themselves, but they raise a number of questions that the thesis will attempt to address, principally in relation to the role of the guardians in the public domain. How did the guardians regard their own knowledge, probity and expertise in comparison with their ‘masters’ at the LGB? Were they uniformly hostile to the LGB, or eager to please? By

⁶⁹ Crowther, 1981, op. cit. pp. 135-155. Some of the other major surveys of the period, such as Finlayson, 1994, op. cit. discuss the rise of professionalism in this context but in less detail than in Crowther’s study.

⁷⁰ Ibid, p. 142-144.

⁷¹ Driver, op. cit. p. 165.

analysis of specific case studies in this thesis, what judgements can be made about the board of guardians' professionalism and competence? Can a case be legitimately made for regarding them as, in some respects, the equals of their 'superiors' in London?

The primary sources used for this study are a combination of the local and the national, and are indispensable in bringing originality to the thesis. A full list is provided in the bibliography, though a summary of the principal sources is as follows. In terms of locally held sources, the records of the Wigan Board of Guardians, located in Leigh Town Hall, have been mined extensively and were the starting point for all the lines of enquiry pursued in this thesis. The main minute books have been read through in their entirety for the period 1880-1900, a laborious but highly rewarding process essential for developing an understanding of how the board worked, and the issues and priorities that were the focus of its attention. Supplementing this are the board's various committee records, ledgers and correspondence, less complete in terms of coverage of the period, but nonetheless very important. The statistical records left by the board have also been used extensively. The guardians' records have been used in close conjunction with the local newspapers, which often provide greater detail than the official minute books. In that sense, these sources are complementary, each providing information absent in the other. Regarding nationally available sources, Parliamentary Papers, such as committee reports and minutes of evidence, Local Government Board annual reports and papers have been a font of information adding greater detail and depth to the study. Depth of detail is a characteristic of the MH 12 records held in the National Archives. These contain the correspondence between the LGB and poor law unions. They are a daunting source for the historian; immensely bulky volumes with no page numbers, and physically difficult to use.⁷² These records have not survived complete for all unions, in Wigan's case only for 1875, 1899 and 1900, which is both a blessing in reducing necessary research time, but a curse in that the information in the non-extant volumes is a potential goldmine not available to researchers. The surviving volumes, however, provide important detail and depth and have been used at length in chapters five and six of this

⁷² The invention of digital cameras has been a Godsend in facilitating use of these documents.

study. The MH 32 records at the National Archives, being the correspondence of the LGB inspectors, have also proved useful.

In overall summary, poor law politics and practice in late-Victorian Wigan will be analysed with specific reference to: guardians' elections; boards of guardians as political agents of change and defenders of the *status quo*; the 'Crusade' against outdoor relief and outdoor relief policy in the union; the treatment of the 'casual poor'; the dismissal of unsatisfactory officials and the superannuation of those deemed to have given good service. The issue of central-local relations is a key thread throughout all chapters, although it is given more emphatic attention in some sections than others. Other continuous threads are the themes of public service and professionalism in relation to the board of guardians. When the question was earlier put of whether it was time to re-evaluate the general role of boards of guardians in public life, it was not intended to be read as a facile attempt to transform enduring images of guardians as a motley collection of mean-spirited, hapless drudges into heroic paragons of civic virtue. Nor was it intended as a retrospective yearning for the lost virtues of the poor law. Rather, the question was framed with the intention of treating boards of guardians as accurately and as fairly as we can. To paraphrase Michael Rose, we need to make sure that we view them through the 'right end of the telescope'.⁷³ That is, to view them in their own specific context, and that any conclusions that are drawn are not inevitably linked with the Liberal welfare reforms or the rise of the welfare state which, it needs to be remembered, had not happened yet. What does the experience of Wigan tell us about the late-Victorian poor law? With this in mind, we turn firstly to analysis of the politics of guardians' elections in Wigan Union.

⁷³ Rose, M. E. (1981) 'The Crisis of Poor Relief in England 1860-1890', in Mommsen, W.J. (ed.) *The Emergence of the Welfare State in Britain and Germany* (London: Croom Helm), p. 52.

Chapter 1: A Vibrant Local Democracy? The Importance of Poor Law Electoral Politics in Wigan Union

Introduction

The democratisation of the poor law following the introduction of the 1894 Local Government Act brought to an end the tawdry electoral system that had prevailed in the sixty years after the 1834 Poor Law Amendment Act. That system, characterised as it was by plural voting and property qualifications for would be guardians, represented very limited ‘democracy’ of a sort, but with its heavy inherent bias towards the propertied classes and widespread scope for corruption and intimidation it appeared increasingly anomalous in era of electoral reform notable for the passing of the 1872 Ballot Act, the 1884 Reform Act and 1888 County Councils Act. The period covered by this thesis straddles the final years of the old system and the beginnings of the new, and thus provides an important opportunity to make comparisons between the two eras. As with many other aspects of the late-Victorian poor law, large areas of the country remain uncharted by historians. Much of the important published work that exists focuses on extreme cases: for example Anthony Brundage’s and more recently Elizabeth Hurren’s studies of Northamptonshire and the model ‘crusade’ union regime in Brixworth, whilst Pat Ryan’s analysis of East London focuses on both ends of the crusading-outdoor relief spectrum in the forms of Whitechapel and Poplar Unions respectively.¹ However, there remain huge gaps in the historiography, both in terms of geography and regime type. This chapter on poor law elections in Wigan Union represents an attempt to fill some of those gaps, principally by asking whether electoral politics and the party political composition of the board of guardians in a pragmatic non-‘Crusading’ union in North West England had a noticeable or significant impact on the administration of relief. Firstly, there will be some necessary explanation of the iniquitous pre-1894 system, followed by an examination of pressures for reform. The chapter will then move on to explore the nature of poor law elections in Wigan Union as an attempt to evaluate the

¹ Brundage, A. (1975) ‘Reform of the Poor Law Electoral System’, *Albion*, (7:3), pp. 201-215; Hurren, E. (2007) *Protesting About Pauperism: Poverty, Politics and Poor Relief in Late-Victorian England* (Woodbridge: The Boydell Press); Ryan, P. (1985) ‘Politics and Relief: East London unions in the late nineteenth and early twentieth centuries’, in Rose, M. E. (1985) (ed.) *The Poor and the City: the English poor law in its urban context, 1834-1914* (Leicester University Press), pp. 133-172.

extent to which they confirm the findings of existing scholarship or raise new questions:
Did politics matter, and if so, in what ways?

1(i): Poor Law elections before the 1894 Local Government Act

The defects attributed to the pre-1894 system are legion: poor law electoral machinery was characterised by plural voting; unrepresentative allocation of guardians; the existence of unelected *ex officio* guardians; discriminatory property qualifications; the absence of the ballot and widespread scope for intimidation and fraud. Before any analysis of these factors in relation to Wigan, some general explanatory points need to be made. Voters were entitled to exercise their franchise as both owners *and* occupiers, on a scale of one to six votes in each capacity according to rating up to a value of £250: in law, this gave a maximum of 12 votes to those privileged electors qualifying in the top band in both capacities.² Voting papers were left at the house of electors and collected the following day. The papers listed all the candidates and stated how many votes the elector was entitled to, and the voter was required to write in the names of his/her chosen candidates and then sign the papers – those unable to do this could get someone else to do it for them and to witness their marks.³ This system in practice often led to undistributed and/or uncollected papers and allegations of fraud, as will be illustrated shortly.⁴ The rating qualification necessary to stand as a guardian disqualified most ratepayers throughout the country. This varied between unions, from a rating value of £15-£40: at the formation of Wigan Union in January 1837 the proposed rating qualification was set at £20.⁵ The over-representation of small parishes was another legacy of the 1834 Act, favoured by the original Poor Law Commissioners and continuing to be supported by their successors at the PLB and LGB thereafter. Brundage points to the evidence given to the 1878 Select Committee by Inspector J.J. Henley, who took over the Lancashire district in 1884, who argued that the small rural parishes often had guardians who were ‘independent’ men,

² PP: *Report from the Select Committee on Poor Law Guardians &c.* 18th July 1878, p. iv.

³ Ibid; and Brundage (1975), op. cit, p.203.

⁴ Ibid; See Brundage for an excellent explanation of the development of poor law elections from 1834-94.

⁵ See G/Wi 1 for Wigan, and Brundage (1975) and 1878 Select Committee in general. Rating qualifications were originally set for each union by the Poor Law Commissioners, with £25 being a commonly established value – see Brundage.

minded to act for the good of the union rather than be primarily motivated by sectional interests, a characteristic he attributed to urban guardians.⁶ The LGB had had the authority to combine small parishes for electoral purposes since an act of 1868, but had been reluctant to use this power and by the time of the Select Committee had only combined 580 of 6,111 parishes of less than 300 people.⁷ The Select Committee reported that there still existed 788 parishes with a population of less than 50.⁸ This anomalous position continued in the period leading up to the 1894 Act, and can be illustrated in Wigan's case as follows. The following information in table 1 has been extrapolated from census information published in the 1892 Wigan Almanac.

⁶ Brundage, *op. cit.*, pp. 208-9. This is of course a highly contestable view: all guardians, whether urban or rural, 'independent' men or otherwise had the capacity for self-interest and public service, and often demonstrated both. Henley's views and those of other LGB officials and opponents of reform felt that democratisation would lead to the election of the 'wrong sort' of men. Henley was appointed in late 1884, but due to his involvement on the Boundary Commission he only took up his duties in March 1885. The Assistant Inspector Henry Stevens acted in his stead in the meantime: see MH32/46.

⁷ *Ibid.*

⁸ PP: 1878 Select Committee, *op. cit.*, p. vii. The legislation in question was the Act of the 31 & 32 Vict. C. 122, s. 6.

Table 1: Guardian representation by township, Wigan Union 1892⁹

Township	Population	No. of Guardians	Population per Guardian
Abram	4,309	1	4,309
Ashton	13,379	2	6,690
Aspull	8,952	1	8,952
Billinge CE*	1,983	1	1,983
Billinge HE#	1,445	1	1,445
Blackrod	4,021	1	4,021
Dalton	456	1	456
Haigh	1,170	1	1,170
Hindley	18,973	2	9,487
Ince	19,255	2	9,628
Orrell	4,914	1	4,914
Parbold	598	1	598
Pemberton	18,400	2	9,200
Shevington	1,629	1	1,629
Standish	5,416	1	5,416
Upholland	4,443	1	4,443
Wigan	55,013	8	6,877
Winstanley	568	1	568
Worthington	288	1	288
Wrightington	1,550	1	1,550

The disparity between urban and rural townships in the union is starkly evident, with the rural districts of Parbold, Dalton, Winstanley and Worthington at one extreme, and the expanding and increasingly urban industrial areas of Hindley, Ince and Pemberton at the other. The four named rural districts had a combined population of 1,910, represented in total by four guardians whilst Ince, with a population of almost exactly ten times that figure had only two guardians.

The democratic deficit inherent in the 1834 Poor Law was further entrenched by the provision that was made for *ex officio* guardians. These were county magistrates who were entitled to sit as unelected guardians in the unions in which they resided.¹⁰ The role of these guardians varied greatly from union to union and was sometimes the source of

⁹ *Billinge Chapel End; #Billinge Higher End. N.B. These were the townships, as distinct from parishes within the union. In the Wigan area parishes encompassed multiple townships. Guardians were allocated to townships, not parishes. 1892 was chosen on the grounds that it contained the most recent census data from the previous year and because the electoral reform process began in earnest in December 1892 with the lowering of the guardians' property qualification by the LGB.

¹⁰ Brundage, A. (2002) *The English Poor Laws, 1700-1930* (Basingstoke: Palgrave) and (1975), op cit.

great controversy, as at Brixworth, where the *ex officio* Earl Spencer was a thorn in the side of the elected chair of the board, Albert Pell, a local and national leader of the anti-outdoor relief ‘Crusade’.¹¹ At Wigan, however, *ex officio* guardians played a very minimal role in the period covered by this study. A number of them sat on the union assessment committee, but otherwise played little or no role in the regular business of the board and thus this particular item on the charge sheet against the pre-1894 system can, in Wigan’s case, be to a large extent downplayed.¹² However, other commonly occurring abuses in the form of spoiled, illegally altered, undelivered or uncollected voting papers were certainly evident at Wigan, though due to the limited nature of the evidence it is difficult to gauge whether Wigan was significantly worse or better than anywhere else. Derek Fraser has illustrated the nature of these problems in the mid-nineteenth century, particularly in Leeds, whilst the 1878 Select Committee provided ample evidence of the continuation of malpractice, referring to Manchester, Nottingham and Oldham.¹³ In general terms, it is possible to make strong correlations between the incidence of misconduct and the extent to which elections were contested. Elections were more frequent in urban than in rural unions, and in some regions than others. Brundage notes that in the 1870’s, 1 out of every 21 seats in England and Wales was contested, but in Lancashire it was 1 in 5.¹⁴ This should not be surprising, however. Fraser has argued that ‘where there was intense political rivalry then it was likely that the guardians would become involved. Since politics were more keenly contested in urban than in rural areas, a political administration of the Poor Law was more likely in towns than in the countryside.’¹⁵ In the urban centres of Lancashire and Yorkshire, including Wigan, there

¹¹ See both Brundage (1975) and Hurren (2007). The ‘Crusade’ in Wigan is analysed in detail in chapters three and four of this thesis.

¹² In 1880, *ex officio* guardians R. Pennington, H. Mayhew, T. Marshall and J. Leyland sat on the assessment committee (Wigan Almanac, 1880). The assessment committee, as its name suggests, decided on the amount of rates due from liable individuals and companies etc, and was regularly a source of fierce debate amongst the guardians over its membership, with individual townships and economic interest groups complaining that they were not adequately or fairly represented on it. However, as this chapter is specifically focused on the electoral system and the politics of the elections themselves, the assessment committee can not be the subject of detailed analysis here.

¹³ Fraser, D. (1976) ‘The Poor Law as a Political Institution’, in Fraser, D. (ed.) *The New Poor Law in the Nineteenth Century* (London: MacMillan), pp. 111-127; 1878 Select Committee, page v.

¹⁴ Brundage (1975), op. cit, p. 208, note 30.

¹⁵ Fraser (1976) op. cit. pp. 116-17. The 1878 Select Committee (page v) made similar observations noting that ‘there was evidence of much weight to show that, wherever strong feeling, political or otherwise, has prevailed, the voting paper system, as at present carried out, has offered great facilities for abuse...and it

were well established party political systems and rivalries and local power was keenly sought: given such circumstances, the voting system before the introduction of the ballot in 1894 provided ample opportunities for anyone with an eye on the main chance, such as a candidate or party agent, to shorten the odds in favour of his electoral cause.

The guardians' minute books and the local papers in particular provide detailed evidence of electoral malpractice in Wigan Union. The extent of wrongdoing in terms of outright intimidation of voters by employers, for example, is uncertain, but spoiled, undelivered and uncollected papers were undoubtedly a major issue.¹⁶ In the contested 1881 election in Pemberton township, 2,472 voting papers were delivered but only 1,698 were counted, 'the remainder being either spoiled or not delivered to the collectors.'¹⁷ From such evidence, it is impossible to say how many were spoiled by voters themselves, intentionally or otherwise, or how many by collectors looking to scupper an opponent's chances. At the 1887 election in Wigan itself, the *Wigan Observer* remarked that 'There were a very large number of spoiled papers, and there are serious allegations made with regard to the conduct of one of the collectors in the borough.'¹⁸ The *Observer* again, in an 1886 comment section, ruminated on a number of difficulties caused by the voting paper system, and sought to advise the electorate on how to ensure their vote was not wasted:

'Many votes are lost through people having removed or not being at home when the persons delivering the papers call; also many are not collected, perhaps not through the fault of the collector, but owing to no person being in when he calls, for he is only supposed to call once.'¹⁹

The newspaper advised voters that if they had received no papers they could obtain them in person from the returning officer (Mr Ackerley) or if their completed papers had not been collected they could return them personally to Ackerley. The scope for voter error

was shown that in some rural parishes there had been much tampering with voting papers in times of excitement', thus illustrating that such practices were far from being an exclusively urban phenomenon.

¹⁶ Brundage (1975) op. cit.

¹⁷ *Wigan Observer*, 13th April 1881.

¹⁸ *Ibid*, 13th April 1887.

¹⁹ *Ibid*, 3rd April 1886.

in filling in the papers was also recognised: ‘Voters should be particular to adhere to the instructions how to vote, as we believe many papers are spoilt by having crosses in place of the voter’s initials’.²⁰

The problems of the voting paper system were the cause of much angst in the 1891 election in Wigan borough. On 8th May, Ackerley reported to the board that of the 9,489 papers issued, only 5,410 had actually been counted, with 1,380 not delivered and 2,699 ‘not counted as bad, blank etc’.²¹ At the previous meeting when the request for Ackerley to establish these figures had been made, guardians aired a range of concerns that are illustrative of the blemished character of the system as a whole. Hindley guardian Thomas Lowe and Henry Darlington of Billinge both spoke on the effective disenfranchisement of a number of long standing local residents who did not receive any papers.²² Although, as has been noted above, people who had not had their papers delivered were entitled to obtain them in person from the returning officer, or could take them in if the papers were not called for, Wigan guardian John McQuaid was realistic enough to comment that ‘they would not always go to that trouble. Great care should, therefore, be taken to see that the distributors and collectors did their duty properly’.²³ As the returning officer, Ackerley was put in a difficult position by these irregularities, and he was at pains to emphasise that diligent steps had been taken to try to ensure fair play as far as possible, within a system that was widely acknowledged as corrupt:

²⁰ Ibid. No doubt the *Observer* was performing a valuable public service in providing this advice, but it should also be remembered that it was a Liberal newspaper and this piece concluded with a reminder to voters to select the specified Liberal candidates.

²¹ G/Wi 8a, 15/483.

²² *Wigan Observer*, 29th April 1891.

²³ Ibid. It is difficult to offer any detailed comments on the collectors of voting papers themselves, given the very limited nature of surviving evidence. There are a couple of collectors’ books extant in the Wigan archives, that list voter names and addresses, date of delivery and collection of completed papers, one of which belonged to a Mr France for Pemberton township. This also includes his comments on houses where the voters were out when he called, or had not filled in the papers etc., which possibly points to his diligence. Derek Fraser notes that in Leeds, the complaints surrounding disenfranchisement caused by non-delivery, collection, alteration of papers all stemmed from the appointment of known party workers as collectors. This may well have also been the case in Wigan and elsewhere. As the Leeds Clerk exclaimed to the LGB in an 1870 inquiry into malpractice: ‘where am I as returning officer to get 100 men altogether free from political bias?’ - cited in Fraser (1976), op. cit. p. 114.

‘The system of election was not satisfactory. Everyone admitted that. The greatest care was taken to see that the collectors did their work properly, a written memorandum being furnished them as to what they were to do. The papers were arranged in street order, and full instructions were given to the collectors.’²⁴

This particular election was strongly contested, with factionalism in the Conservative group allowing the Liberals a rare majority of the eight seats for the borough: this strife may well be a factor in explaining the high number of undelivered and spoiled papers.²⁵ It would be possible to cite further examples, but the 1891 election highlights well the inherently compromised nature of the pre-ballot system. It would seem fair to suggest that error and malpractice were endemic, with elections where these iniquities were more marked than usual generating the complaints and reflection evident in this particular case. Having discussed these systemic flaws, it is now necessary to focus upon Wigan’s role in the broader struggle for poor law electoral reform, as a prelude to analysis of the relationship between electoral conflict and relief policy.

1(ii): Pressures for reform

Despite the blatant defects of the system outlined above, Brundage suggests that it was tolerated for so long because of the general pragmatism throughout most of the country in terms of the administration of outdoor relief – the reluctance to strictly enforce the workhouse test in most unions contained electoral reform pressures in that if the workhouse test was not enforced and outdoor relief was commonly available, then democratisation seemed a lower priority.²⁶ It was the initiation of the ‘Crusade’ against outdoor relief after 1869-70 that reawakened those inclined to press for a more just system, within a wider political context that was already more sympathetic towards

²⁴ *Wigan Observer*, 29th April 1891. The Clerk went on to note that by a recent order candidates had had the power to send someone (an agent) round with the collectors to try and make sure that correct procedures were adhered to, but that had not been done in Wigan. Adoption of such a practice ‘would relieve his mind of much anxiety’. This order was most likely that dating from 1867 referred to by Danby P. Fry, Legal Assistant Secretary to the LGB, in evidence he gave to the 1878 Select Committee, Minutes of Evidence: Q 10-12.

²⁵ The party contest in Wigan guardian elections will be discussed later in this chapter.

²⁶ Brundage (1975), op.cit.

change following the 1867 Reform Act and the 1872 Ballot Act. The 1878 Select Committee appointed by Disraeli to examine the reform question sat 13 times from 29th March-28th June 1878 and took evidence from 35 witnesses, but produced a very brief report that offered little solace to those seeking a fairer and more democratic system.²⁷ The main recommendations were for triennial elections and amendment of, rather than abolition of the voting paper system.²⁸ There was to be no extension of the Ballot Act to incorporate poor law elections. The Report justified this conclusion on the grounds of increased inconvenience for voters having to attend polling stations in rural parishes and alleged increases in expenses in setting up polling accommodation, but most interestingly of all that it would increase the likelihood of elections becoming ‘political’, when they would normally be determined by ‘other considerations’.²⁹ What those considerations might have been in Wigan’s case will be explored later in this chapter, but the broader implications of the Select Committee’s assumptions are very important. Reflecting the ideological certainties of 1834, they implied that relief of the poor was merely a matter of correct administration: there was no need for ideological debate and party political contest over relief strategies. Poor relief was a matter beyond (or above) the dirty business of party politics - the 1834 Act, via the workhouse test and less eligibility, had settled the ‘big’ questions of indoor and outdoor relief and that truth should have been self-evident to all.³⁰

²⁷ PP: 1878 Select Committee, Minutes of Evidence and Appendices, op. cit., *passim*. The minutes of evidence provide an immense amount of fascinating detail, in just under 300 pages of witness submissions, far more than it is possible to expound at length on here due to space limitations, but are a marvellous guide to the detailed complexity and variety of the pre-1894 electoral system.

²⁸ Ibid, Select Committee Report. This suggested amendment allowed boards of guardians that resolved by a two thirds majority at a special meeting to conduct an election by attendance of voters at one more polling places, instead of by delivery of voting papers, to do so at the next ensuing election.

²⁹ Ibid, p. vi. Interestingly, however, the first draft of the report, on 12th July 1878, in its fifth recommendation advocated the introduction of the ballot, although plural voting was to be retained. The introduction of the ballot was removed from the final version of the report published six days later: *ibid*, p. xvii.

³⁰ There are arguably striking parallels with more recent history in this respect. The ideological certainties of the British incarnations of conservatism and neo-liberalism are particularly illustrative of how a successful political movement resolutely refuses to regard itself as ‘political’: Will Hutton’s description in *The State We’re In* (1995) of the Conservative Party as ‘the party of nature’ is especially resonant. ‘Outsiders’ such as socialists, in attempting to challenge the Conservative and neo-liberal hegemony (or natural order) are the ones being ‘political’.

The Wigan guardians, both before the 1878 Select Committee and up until the 1894 Local Government Act were supporters of electoral reform as both an individual body and in concert with other unions. However, they did not seem to push this cause as vigorously and doggedly as some of the other issues analysed by this thesis. Early in 1876, Coventry Union asked the Wigan board to support them by memorialising the LGB to get an Act of Parliament passed extending guardians' term of office to three years, a request which brought unanimous agreement from Wigan.³¹ On various occasions before 1894, Wigan was called upon and lent its support to other requests to change the law in this respect, and also to support the introduction of the ballot. Nevertheless, this support for reform was characterised by a cautious pragmatism, with the guardians taking a back-seat role and not stridently demanding change when they thought that reform might already be in the offing. This caution also affected the guardians' own internally driven policy. For example, after the April 1882 elections the board set up a special committee of Wigan borough guardians to consider whether or not to adopt the ward system for guardian elections. Discussion on this is illustrative of Wigan's relative passivity on this aspect of poor law administration. Wigan guardian Mr Hilton of the Scholes district suggested that as many towns had adopted the ward system for guardians' elections, he thought Wigan should do the same, arguing that as he was the only representative from Scholes, the largest district in the town: 'if a town were so divided where a member of the board representing a particular ward failed to discharge his duties the ratepayers could decline to return him without at the same time involving the whole town in the turmoil and expense of a contested election.'³² Ackerley explained that adoption of the ward system required a special order from the LGB, and after some discussion the aforementioned committee was appointed, one of whom, Matthew Benson felt the exercise unnecessary given that he believed 'the whole question of the mode of electing guardians in England would in all probability be soon taken up by the Government, and perhaps it would be well to wait until that were done.'³³ When the committee finally

³¹ G/Wi 8a, 11/931: Board meeting 4th February 1876. The Clerk was instructed to draw up a memorial similar to Coventry's and the board's common seal was to be affixed: G/Wi 8a, 11/940 – 18th February.

³² *Wigan Observer*, 22nd April 1882.

³³ *Ibid.* At the same meeting, and in support of Benson's arguments, another Wigan guardian Edward Smith referred to a speech in the Commons on the Poor Law Guardians (Ireland) bill by J.T. Hibbert, Chair of the 1878 Select Committee discussed earlier: Hibbert outlined the widespread desire for electoral reform

reported in November 1882, Benson's optimistic view that the tide was in the favour of reformers without Wigan taking individual pre-emptive action held sway: 'It was decided that in view of the existing agitation with regard to election of guardians generally, no action be taken in the matter at present.'³⁴ This 'agitation' could mean the reform movement in general or also may have been a specific reference to a North Western Poor Law Conference deputation to LGB President Charles Dodson on 14th November 1882, which reported, unfortunately, that 'Mr Dodson did not hold out to them any hope of the Government bringing in a Bill to make Election of Guardians triennial'.³⁵ After a quiet period, triennial elections and the ward system were raised again at the board in 1890, when Ackerley was asked to acquire information on the approximate cost of changing from the annual to triennial system; what unions in Lancashire used the triennial system and which Lancashire unions adopted the ward system.³⁶ At the next meeting the Clerk informed the board that 21 out of 31 unions in Lancashire had adopted the triennial system, news of which prompted Matthew Benson to give notice that he would move for a request to be sent to the LGB for an order to make that change, with one third of the guardians retiring each year.³⁷ However, at the next meeting Benson postponed this motion for a month at the request of some members of the board and on 20th June he withdrew the motion.³⁸ The fact that two thirds of Lancashire unions had already sought LGB sanction to switch to triennial elections is further illustration of the general caution with which Wigan approached this aspect of policy.

With regard to the issue of the ballot, disappointment over the 1882 failure to secure a national change to triennial elections seems to have temporarily discouraged the guardians more generally, as evidenced by their non-committal treatment of a request from Wolverhampton in June 1883 for support in lobbying for introduction of the ballot, and also to a circular from Rotherham in favour of retaining the existing electoral system

amongst the Lancashire unions. Smith felt the importance of Hibbert's speech was such that 'they were very soon likely to have a change'.

³⁴ G/Wi 8a, 13/309: Board meeting 17th November 1882. The committee met on 15th November.

³⁵ Ibid, 13/312.

³⁶ G/Wi 8a, 15/188: Board meeting 25th April 1890.

³⁷ Ibid, 15/203: Board meeting 9th May 1890.

³⁸ Ibid, 15/232-3.

in August 1883.³⁹ This gives the impression that the board felt the reform moment, for the time being, had passed. However, the guardians took a more positive approach in March 1887, when Halifax Union forwarded a resolution, stating that:

‘The present mode of electing guardians of the poor is very unsatisfactory, and is liable to great abuse whilst it affords no adequate protection to the voter in the exercise of his franchise. That, if such elections were conducted by ballot in the same manner as Parliamentary and municipal elections the evils at present existing would be remedied.’

The LGB were requested to obtain a change in the law to achieve this, and by a resolution moved by Wigan guardians Matthew Benson and William Bryham junior the board unanimously adopted Halifax’s resolution.⁴⁰ Wigan’s enthusiasm for the introduction of the ballot was reiterated in December 1890 by memorialising the LGB in support of a Merthyr Tydfil circular, and again in May 1891 in response to a circular from Sunderland.⁴¹ Nevertheless, by that date all pressures exerted against the existing system by Wigan and other unions since the 1878 Select Committee had failed to achieve the reforms hoped for. This could in large part be explained by the relative lack of importance attached to these elections in the higher echelons of power. In a prescient editorial in April 1882, the *Wigan Observer* commented:

‘Unfortunately, these elections are allowed to sink into insignificance, as compared with Parliamentary and Municipal contests, and until the law which controls the exercise of the franchise for members of the legislature and Town Councillors has been put on a more satisfactory footing it is not likely there will be any beneficial change in the conduction of the elections of members of Boards of Guardians.’⁴²

³⁹ G/Wi 8a, 13/344-5: Board meeting, 1st June 1883, and 13/493, 24th August 1893. Both requests were left to ‘lie on the table’.

⁴⁰ G/Wi 8a, 14/351: Board meeting, 18th March 1887.

⁴¹ Ibid, 15/367-8 for Merthyr reference, and 15/617-8 for Sunderland. In June 1892, Wigan received a letter on the same lines from Falmouth Union, but as they had already petitioned the LGB, the guardians took no further steps: G/Wi 15/770, board meeting 3rd June 1892.

⁴² *Wigan Observer*, 19th April 1882.

As Brundage has argued, the 1884 Reform Act and 1888 County Councils Act had occasioned progressive extensions to Parliamentary and local government democracy to such a degree that poor law elections were ‘a glaring anomaly’ and this presented Gladstone’s Liberals with a significant campaigning reform issue around which to galvanise radical support.⁴³ Only with Gladstone’s 1892 victory, did the poor law electoral system at last receive the long hoped for government attention.

The first significant step was the LGB circular of November 1892 that lowered the property qualification for guardians to a £5 annual rateable value.⁴⁴ This bore immediate fruit in Wigan Union at the elections in April 1893, where Joseph Winstanley, ‘a well-known miner’ topped the poll and won one of the two Pemberton seats in a three-way contest, becoming the first person in the union elected under the new qualification.⁴⁵ However, Winstanley’s election was a case of one swallow not making a summer as working class or socialist candidates made little impact under even the post-1894 system for the rest of the century – this will be discussed in more depth later in the chapter. The Local Government (Parish and District Councils) Bill 1893 and the consequent Local Government Act 1894 introduced the ballot and abolished property qualifications, proxies and plural votes. However, the bill proved extraordinarily difficult to get through Parliament, and one concession made to opponents of reform was the power to retain *ex officio* guardians in a revised form, i.e. ‘co-opted’ guardians who could be invited to serve on boards, though in practice this power was very sparingly adopted.⁴⁶ There was considerable extra-parliamentary opposition to the bill, and the local and national networks of poor law unions actively lobbied both the LGB and MPs to make their views and concerns known. Wigan Union delegated responsibility to its parliamentary committee for watching the progress of the bill, and in November 1893 a deputation of

⁴³ Brundage, 1975, op cit. p.210.

⁴⁴ Ibid.

⁴⁵ *Wigan Observer*, 12th April 1893. Winstanley received 1,269 votes, R. Clayton 1,092 and the unreturned J. Moorfield 926. Clayton and Moorfield were the established guardians, a gentleman and grocer respectively, both from Ormskirk Road Pemberton. This election took place under the as yet unreformed voting paper system.

⁴⁶ See Brundage (1975) for further information and for a detailed account of the politics of the bill’s passage through Parliament.

the guardians met several MPs to express their views on certain amendments to it.⁴⁷ The guardians' general caution was illustrated by the fact that they could not agree a common line on the bill: their committee's report, which argued that the reforms proposed in the 1893 bill should be dealt with by separate legislation after a full inquiry by Royal Commission, was defeated in a vote at a board meeting. Although meetings took place in London with MPs Sir F.S. Powell and Sam Woods, the guardians took no further action regarding the bill.⁴⁸

1 (iii): 'We question the wisdom of any political party in working to disturb a condition of things which has hitherto worked so well for the common good': Politics and guardians' elections in Wigan Union

As with so many aspects of the poor law, guardians' elections varied considerably by region, whether in terms of frequency of contests, the degree to which such contests were 'political' and the sectional interests represented on the boards. In these respects, there was great diversity of experience even in adjacent unions in otherwise broadly similar areas, as Pat Ryan's study of elections in the East End of London has demonstrated.⁴⁹ Given that variety apparent from areas that have been studied, it is important to look at those unions about which we as yet know little or nothing. This section on guardians' elections in Wigan is intended as a contribution to extend and deepen our knowledge of the national picture.

Earlier in this chapter it was noted that elections were more frequent in urban than in rural areas, and this was certainly true in Wigan union. The borough itself was frequently contested during our period, whilst in some of the rural townships elections took place occasionally or in some cases not at all, but the overall picture is more complex. The

⁴⁷ G/Wi 8a, 16/158: Board meeting 17th November 1893. The guardians had received communications on the bill from Epsom, Wolverhampton and the Parish of St Mary Abbots Kensington, with those unions' resolutions on proposed amendments, asking for the Wigan board's support.

⁴⁸ *Wigan Examiner*, 18th November 1893.

⁴⁹ Ryan 1985, op. cit. comments on the strongly contested elections in Mile End and Poplar, in contrast to the relative scarcity of contested elections in Whitechapel and Stepney.

table below illustrates the frequency of contested elections within the union under the voting paper system from 1880-1894: from the 1894 elections inclusive, the triennial system became operational following the Local Government Act of that year.

Table 2: Contested elections by township in Wigan Union, 1880-1894

Township	Years of Contested Elections	Total
Abram	1880;1894	2
Ashton	1894	1
Aspull	1883	1
Billinge CE*	1887;1891	2
Billinge HE#		0
Blackrod		0
Dalton	1885;1890	2
Haigh		0
Hindley	1886;1888;1891	3
Ince	1894	1
Orrell	1894	1
Parbold	1885	1
Pemberton	1881;1882;1885;1887;1888;1893;1894	7
Shevington	1884	1
Standish		0
Upholland	1883;1886;1894	3
Wigan	1882;1884;1885;1886;1887;1890;1891; 1892;1894	9
Winstanley	1891;1894	2
Worthington	1880;1894	2
Wrightington	1894	1

Sources: G/Wi 8a; *Wigan Observer*; *Wigan Examiner*

The table above does indeed demonstrate that Wigan itself was often contested under the old electoral system whilst Billinge Higher End, Blackrod, Haigh and Standish saw no elections throughout the period. Apart from Wigan and Pemberton, no other township was contested more than three times, and Ashton, Ince, Orrell, Shevington and Wrightington were only contested after the new system came into operation in 1894. How might this be explained? It is not possible to provide a comprehensive answer in all cases given the limitations of space, but it is nonetheless feasible to offer an account. Wigan was distinctly different from all other townships in the union by virtue of its

established party system which dictated the course of its elections and will be analysed in due course. However, the simplistic rural-urban divide does not hold as an explanation for a number of the other townships, although the stereotype of a rural township held unchallenged for long periods does fit the bill in some cases. For example, in the thinly populated rural outer township of Billinge Higher End, the farmer Thurstan Fairhurst held the seat unopposed from 1880 until 1890 when he was replaced by John Gee, gentleman, without a contest taking place.⁵⁰ In 1892 Gee gave up the seat to fight the contest in Wigan, and his replacement for Billinge H.E. was Elias Daniels, a nail merchant who had nominated Gee in 1890.⁵¹ Another district where no elections took place was the township of Standish-with-Langtree, a more populous area than Billinge H.E. centred on Standish village. The Standish seat on the board was held unchallenged by Benjamin Fisher, colliery proprietor of Bradley Hall until he was replaced without a contest in 1888 by the brewer James Birkett Almond of The Beeches, Standish who went on to hold the seat without challenge after the 1894 reforms.⁵²

The Standish example raises the issue of seats dominated by individuals representing clear employer/sectional interests, the coal interest in particular, when considering the character of the union as a whole. The fact that a number of the smaller townships in the union rarely or never experienced contests is unsurprising given existing knowledge of poor law elections in general, but when we consider the cases of Ince, Ashton and Hindley - which along with Pemberton were the four largest, most urban and industrialised townships outside Wigan itself - then the paucity of contested elections is perhaps more noteworthy. In both Ince and Ashton, the first contested elections in our period occurred under the new system established in 1894 and in both townships the coal interest was pre-eminent. In Ashton, for example, Christopher Fisher Clark, a mining engineer and colliery manager and William Valiant, lock and hinge manufacturer held the

⁵⁰ See *Wigan Observer*, 29th March 1890 for the list of nominations; *Wigan Yearbooks* for yearly lists of guardians.

⁵¹ *Wigan Observer*, 30th March 1892. Daniels's address was stated as Lake Villa, Billinge Higher End: suggesting he was a nail merchant of some means. Without having any knowledge of any relationship between the two men, this does seem like an arrangement between friends.

⁵² *Wigan Yearbooks* and *Wigan Observer*: Almond's was a well known local brewery until well into the twentieth century.

two Ashton seats unopposed from 1880-1894⁵³, however neither of them stood in the 1894 election under the ballot system.⁵⁴ In Ince, William Bryham senior, mining engineer and colliery proprietor held one of the two township seats unchallenged until his death in 1893, while the other seat was held from 1880-82 by William Crompton, another colliery proprietor and subsequently by mining engineer Israel Knowles from 1882-90.⁵⁵ Similarly, in the contiguous township of Hindley, Thomas Southworth, a local colliery proprietor held one of the two Hindley seats continuously from 1880-94, although unlike in Ince at least there were three contests before the 1894 Act, though ironically Southworth and the other Hindley guardian were returned unopposed in 1894.⁵⁶ The precise configuration of reasons for the domination of Ince, Ashton and Hindley by these local luminaries of the coal industry cannot be stated with any certainty: that is, was it down to employer intimidation or manipulation of the electoral process, a lack of viable challengers before the lowering and then abolition, of the rating qualification; or contrarily, a lack of genuine interest in challenging the incumbents or genuine satisfaction with the conduct of their duties coupled with personal loyalty to prominent and/or popular local figures? Due to the limited space available in this chapter it is not possible to explore the contests in these townships in any detail, but it is important to raise these questions all the same.

In further developing this section, it is useful to provide some broader illustration of occupational background of guardians across the union as a whole: this will be done through two selected snapshots of the board at the early and later stages of our period (see table 3), to observe if there had been any significant change in the economic interests represented both before and after democratisation.

⁵³ Again, see the yearbooks and both the *Observer* and *Examiner* for yearly lists of nominated candidates and election results.

⁵⁴ *Wigan Observer*, 8th December 1894.

⁵⁵ Bryham's son, William Bryham junior, colliery manager was one of the Wigan guardians.

⁵⁶ *Wigan Observer*, 22nd December 1894, for the Hindley result of that year.

Table 3: Occupational status of guardians in Wigan Union, 1880 and 1894.

	1880	1894
Abram	Colliery Owner	Colliery Owner
Ashton	Colliery Manager; Lock and Hinge Manufacturer	Provision Dealer; Lady Guardian
Aspull	Iron Merchant	Brewer
Billinge CE*	Farmer	Tutor and Accountant
Billinge HE#	Farmer	Nail Merchant
Blackrod	Commission Agent	Gentleman
Dalton	Farmer	?
Haigh	Land Agent	Farmer
Hindley	Quarry Master; Colliery Proprietor	Gentleman; Coal Proprietor
Ince	Colliery Proprietor x 2	Lady Guardian; Common Brewer
Orrell	Mining Engineer	Farmer
Parbold	Farmer	?
Pemberton	Farmer; Mill Manager	Miner; Grocer
Shevington	Farmer	Farmer
Standish	Colliery Proprietor	Brewer
Upholland	Auctioneer	Gentleman
Wigan	Gentleman x 2; Accountant; Lime Merchant; Colliery Manager; Provision Dealer; Tinsplate Worker; House Agent	Gentleman x 2; General Dealer; Fish Salesman; Contractor; Colliery Owner; Ironfounder; Lady Guardian.
Winstanley	Agent	Farmer
Worthington	Colliery Proprietor	Farmer
Wrightington	Agent	Cleric

The only significant difference between 1880 and 1894 would appear to be the election of the miner, Joseph Winstanley, in Pemberton and the election of women guardians in 1894. Otherwise, the mixture of colliery owners and managers, businessmen, farmers and self-styled gentlemen remained broadly similar. From analysis of the frequency of contested elections and the occupational character of the board, discussion will now turn to the primary objective of this chapter by examining the relationship between elections and poor relief strategies: what was at issue in electoral contests in Wigan Union, how ‘political’ were elections and was there any connection between elections and relief strategies, outdoor relief policy in particular?

There was a patent distinction between the elections in the borough and those in the rest of the union. In Wigan itself, the elections were an intensely political affair fought out between the Liberals and Conservatives, in stark contrast to the other townships where, when contests took place, they tended to be depicted in the press as personal rivalries. The elections were very well covered by the main local papers, in the form of the Liberal leaning *Wigan Observer* and the proudly Tory *Wigan Examiner*.⁵⁷ However, what one might expect, *prima facie*, to be an ideological battle between Liberals and Tories over the direction of poor law policy turns out on closer investigation to be nothing of the sort: the party contest was effectively an extension of local borough and parliamentary politics, and was not overtly based on poor relief policy; what mattered most was winning. This point will be developed in more detail shortly but first, we need to examine another issue that was crucial in defining local attitudes to poor law elections - their financial costs.

Despite their oft stated support for electoral reform, in the period before the 1894 Act (and sometimes after it) the guardians, parties and newspapers all frequently complained when elections actually took place, moreover these objections were almost exclusively based on costs. Within the borough, there seems to have been a widely held belief that the parties should reach agreement, both between and within themselves, on the fairest balance of seats so as to avoid the accrual of ‘unnecessary’ expenses generated by contested elections, the chief beneficiary of which was the Clerk Henry Ackerley in his capacity as returning officer. Clerks were entitled to receive a maximum fee of £20 from union common funds for the general conduct of elections across the union as a whole, but there were also fees payable by each township where elections took place.⁵⁸ The township fees varied significantly according to the size of the electorate, and thus for example the costs for elections in Wigan, by far the largest township in terms of population and number of guardians, were much greater than in the rural outer townships.

⁵⁷ The *Examiner's* loyalties were particularly clear, with ‘The Organ of the Conservative Party and the oldest paper in the district (Est. 1853)’ carried under its masthead. See Taylor, D. (1983) *The role of the local newspaper in urban communities in the nineteenth century: Wigan and Leigh*, University of Salford, M.Sc. thesis.

⁵⁸ PP: 1878 Select Committee, minutes of evidence, Q. 21 – Danby P. Fry. This applied to all clerks throughout the country before 1894, not just to Ackerley.

The board minutes and newspaper reports are replete with detail on these matters, from which the following examples are typical. In 1884, Ackerley's fees came to £4/12/0 for the contest in Shevington and £90/14/0 for Wigan, whilst in 1885 the clerk received £91/7/6 for the election in Wigan; £27/19/10 for Pemberton; £2/1/6 for Parbold and 8s/2d for the dropped contest in Dalton.⁵⁹ Such sums were far from trifling, and whilst the charge of hypocrisy may to some extent be levelled at those who demanded electoral reform whilst simultaneously complaining when elections actually took place, those concerns over costs are understandable. Therefore, it is not surprising that the press coverage is littered with complaints about election finance caused by 'unnecessary' contests. In 1882, for example, the *Examiner* took great umbrage at farmer W.L. White, one of the candidates in Pemberton for challenging the two incumbents, mill manager Simon Stubbs Brown and colliery manager Jonathan Longbotham: 'It is understood Mr White's opposition is directed against Mr Longbotham, and we are at a loss to understand the grounds upon he seeks to oust a gentleman so thoroughly competent to discharge the duties of the office.'⁶⁰ The paper went on to extol the virtues of Longbotham's guardianship, and blamed White for generating election expenses in a battle which it believed he could not possibly win: 'and it is, therefore, a pity that the ratepayers should be put to the annoyance and expense of a contest, which to our mind is inexcusable and can only serve to indulge some petty personal spleen.'⁶¹ In the event, White dropped out of the race⁶², but the essential point remains, that contested elections often provoked bitter resentment on financial grounds.

Whilst many candidates throughout the union no doubt had strong party affiliations it was only in Wigan that the party machines explicitly contested elections on an organised basis, and thus elections in the borough were 'political' in the sense so often disparagingly spoken of by contemporaries.⁶³ George Stonehouse, an experienced

⁵⁹ G/Wi 8a, 13/646, for 1884 and G/Wi 8a, 13/894 for 1885.

⁶⁰ *Wigan Examiner*, 1st April 1882. This is not to uncritically agree with the *Examiner*, but simply to illustrate the kind of arguments used against contested elections.

⁶¹ *Ibid.* White's father had been a member of the board, wherein may have lain his son's hopes to emulate him.

⁶² G/Wi 8a, 13/197.

⁶³ In some elections in the other townships, the press identified party affiliation. For example, in the 1888 Hindley election the two incumbents, Thomas Lowe and Thomas Southworth, were identified as Liberal

election worker/agent from Oldham, in evidence to the 1878 Select Committee on the highly politicised nature of elections in that union, repeated the widely held view that ‘It (politics) should not have anything to do with the election of a guardian; but the parties make it so; it has no right to have anything to do with it.’⁶⁴ To paraphrase Stonehouse, the parties in Wigan certainly ‘made it so’ and the discussion that follows will explore the nature of this rivalry.

Throughout the period 1880-1900 as a whole, the Conservatives undoubtedly held the whip hand in these contests, and it is imperative in this regard to place poor law elections within the wider context of local politics. Wigan was a stronghold of Lancashire Conservatism, as historians such as Michael Hamilton⁶⁵ have made clear in relation to parliamentary politics and as such it should not be surprising that the deep rooted strength of the party in the town should also be replicated in poor law elections. The Tory *Examiner*, for example, in the prelude to the 1892 election, stated: ‘It is the duty of Conservatives to support the party leaders. The general election is at hand, and we ought to be careful to maintain our political prestige on every occasion.’⁶⁶ Hamilton also points to the relative weakness of the Liberals in Wigan, particularly in organisational terms, and this thesis can confirm that this was also a major criticism of the party in guardians’ elections. The balance of power between the two parties in terms of the number of Wigan seats held over the period is shown in table 4 below: in 1880, when no election in Wigan township took place, there were seven Conservatives and one Liberal guardian, Matthew Benson. The years indicated in the table illustrate the result in Wigan after contested elections had taken place.

and Conservative respectively. They were challenged by another Conservative, James Keen. Keen sought to prevent Lowe’s re-election, but finished a comfortable third in the poll topped by the latter. The connection between coal and Conservatism is evident in this case, with Southworth and Keen being colliery manager and colliery agent respectively. Lowe’s occupation was stated as gentleman. *Wigan Examiner*, 11th April 1888.

⁶⁴ PP: 1878 Select Committee, Q. 2114. Stonehouse described himself as a collector and distributor of voting papers, a watcher and chairman of election committees.

⁶⁵ Hamilton, M. (1986) *A Tory Town: Popular Conservatism in Wigan 1868-1886*. Occasional Papers in Politics and Contemporary History No. 6, University of Salford.

⁶⁶ *Wigan Examiner*, 26th March 1892. On 30th March, the paper added that ‘a brilliant victory will put the party workers in trim for the big election fight which will be upon us before many months are over.’

Table 4: Contested election results in Wigan (Borough) 1880-1898

	Conservative	Liberal
1880	7	1
1882	7	1
1884	7	1
1885	6	2
1886	5	3
1887	6	2
1890	5	3
1891	3	5
1892	6	2
1894	5	3
1898	5	5

Sources: G/Wi, 8a; *Wigan Observer* and *Wigan Examiner*

The results indicate the Conservatives' dominance over the whole period, though the Liberals improved their position from a very low base in the early 1880s. The lone Liberal in the Wigan section before 1885 was Matthew Benson. Benson regularly topped the poll in elections in Wigan, but even then, the Conservatives claimed that he owed this position to their goodwill. In 1884, for example, the *Examiner* proclaimed that 'Mr Benson received the support of the general body of Conservatives...we frankly admit he has in the past assiduously attended to his duties, but we are anxious to remove from the minds of our readers any erroneous impression that the result of the poll may have created.'⁶⁷ It was noted earlier in this section that there seems to have been a general feeling within political circles in the borough that elections under the pre-1894 system should be averted on cost grounds if at all possible, so long as the board was performing adequately and that it represented a fair balance of political interest. When, in 1882, 'departing from the practice which has prevailed since 1877', the Liberals forced a contest the *Examiner* was furious: 'Of course they are acting within their rights in doing so...but at the same time we question the wisdom of any political party in working to

⁶⁷ *Wigan Examiner*, 19th April 1884. Similarly, in 1886, the paper claimed that 'Mr Benson again headed the poll, thanks to Conservative votes': *Wigan Examiner*, 17th April 1886.

disturb a condition of things which has hitherto worked so well for the common good.’⁶⁸

The newspaper further justified its stance by claiming:

‘The Wigan Guardians have always been distinguished for zealous attention to the duties of their office, and the present members can fairly claim an advantage over their opponents by reason of the knowledge they possess of poor law business, acquired by the experience of past years. Under such circumstances it is hardly justifiable that the town should be put to the expense of a contest to satisfy the whim of any party.’⁶⁹

After the election, when the Conservatives had won seven of the eight seats, the *Examiner* claimed the result as ‘another evidence of the Conservatism of the borough, and a complete answer to the Liberals who provoked the struggle which has ended in their own discomfiture.’⁷⁰ The *Observer*, understandably, was having none of this, arguing that the proportion of Liberals to Conservatives ‘has borne no fair relation to the respective strength of the parties, whether judged by the votes polled at Parliamentary contests, or by the number of elected members of the Corporation. It was not to be wondered at, therefore, that the party in the minority should make an effort to gain additional seats.’⁷¹ Tory claims that it was not in the town’s interest to challenge the experienced existing board were dismissed as ‘nonsense. The Liberals proposed are in every respect as capable of discharging the duties of the office as the gentlemen who now retire, and the securing of a fair representation of the ratepayers will be quite worth the sacrifice of some little experience.’⁷² The entrenched Conservative economic interests in the town, in conjunction with the voting paper system, were regarded by the *Observer* as significant barriers to Liberal success: ‘In a town encompassed about as Wigan is by Conservative employers and dignitaries, the system of voting adopted at these elections no doubt places the Liberals at a disadvantage, but this may be counterbalanced by a little courage.’⁷³

⁶⁸ Ibid, 1st April 1882.

⁶⁹ Ibid.

⁷⁰ Ibid, 22nd April 1882.

⁷¹ *Wigan Observer*, 8th April 1882.

⁷² Ibid.

⁷³ Ibid.

Accusations of forcing ‘unnecessary’ contests went both ways, however, and in 1884 the Liberals attacked the Tories in these terms. The *Observer* stated that ‘The ratepayers have to bear the cost of the present contest simply because the Conservative Party have, by reason of their differences, not been able to settle amongst themselves the distribution of the honours.’⁷⁴ In that election, the eight available seats were fought for by ten candidates, nine of whom were Tories, a fact which even annoyed the *Examiner*: ‘as the three new candidates are also Conservatives it would really be useless to put the ratepayers to the expenses of an election.’⁷⁵ This was not the only occasion on which the Tories fielded more candidates than available seats, which obviously points to the existence of local factions in the party. Perhaps the most remarkable example came in the 1891 election, in which 15 Tories stood against eight Liberals, who benefited from the splits in their opponents’ ranks to secure a 5-3 majority of seats, the only occasion between 1880 and 1900 when there was a Liberal majority in Wigan.⁷⁶ The *Observer* was unable to resist remarking: ‘The voting shows to what a pretty muddle the various sections of the Conservative host have brought their once powerful army.’⁷⁷ What the basis of this internal disagreement between the Conservatives was, or whether it had anything to do with poor law policy, is not clear. Even the *Examiner* claimed to be bemused, referring after the defeat to ‘the quarrel (and no one exactly knows what it is all about)’.⁷⁸ On the eve of the election, the paper had warned about the danger of the emergence of independent Conservative candidates and a breakdown in party discipline:

‘This may possibly lead to considerable confusion, and such conduct is therefore to be strongly deprecated. What is the use of having a central organisation to control these matters if individuals on the plea of independence are to be allowed to go for their own hand regardless of the interests of the party as a whole.’⁷⁹

⁷⁴ *Wigan Observer*, 12th April 1884.

⁷⁵ *Wigan Examiner*, 29th March 1884.

⁷⁶ *Wigan Observer*, 1st April 1891, 4th April 1891, 8th April 1891, 15th April 1891, 18th April 1891. The *Examiner* commented that this was ‘the first time, for a generation at least’ that the Liberals had secured a majority of Wigan seats: 22nd April 1891.

⁷⁷ *Ibid*, April 22nd 1891

⁷⁸ *Wigan Examiner*, 22nd April 1891.

⁷⁹ *Wigan Examiner*, ‘Notes by the Way’, 4th April 1891.

Stunned by the poll reversal, the Tories got their act together the following year, winning six of the eight seats. On this occasion, they only fielded eight candidates to avoid the repeat of a dispersed vote, and campaigned vigorously. The *Observer* rued that ‘while the Liberals have let their merits speak for themselves, the Conservatives have left no stone unturned in a very eager attempt to win’ an election in which ‘the political element (was) completely ruling the roost.’⁸⁰ The paper commented on the very heavy polling that year, which probably reflected the Tory efforts to ‘get the vote out’. Apart from the 1891 fiasco, the Conservatives seem to have been much more organised in that respect than the Liberals, in line with Michael Hamilton’s arguments on the party’s superior ability to ‘work the constituency’ in Parliamentary elections. The *Observer* itself often commented on Liberal deficiencies in this regard in guardians’ elections. After the 1884 election, the Liberals were urged to make greater efforts to ensure that supporters who had plural votes were able to cast them in both capacities - property owners had to formally notify the Overseers of their property qualification, otherwise they could only vote as an occupier: ‘With a little extra vigilance in this direction by the proper persons the Liberal Party in the borough would be enabled to demand a much greater portion of the representatives on this onerous but important body than they have at present.’⁸¹ Even after the Liberals’ unexpected triumph in 1891, the *Observer* remained critical of party organisers: ‘Whose duty is it to see that this is attended to? Of course, it is said that the owners themselves must claim, but why do not the agents for the political parties give heed to it? The Liberals, at any rate, might devote some little time to this branch of work, for their supporters are sadly neglected...Will the leaders take the hint?’⁸²

It would be possible to add considerably more detail on individual elections during the period under discussion, but it should be very evident from the foregoing material that elections in the borough were strongly party political. However, what exactly were they fighting about? Were there any discernible party platforms on relief strategies as a basis of contested elections? There is some useful information on individual candidates’ ‘manifestoes’ from 1894, which will be considered shortly, but what can we say

⁸⁰ *Wigan Observer*, 16th April 1892.

⁸¹ *Ibid*, 12th April 1884.

⁸² *Ibid*, 29th April 1891.

generally of the party battle in Wigan in this fundamental respect? George Stonehouse, the aforementioned Oldham election agent, told the 1878 Select Committee that party loyalty, rather than voters' impressions of candidates' beliefs on poor law administration was pre-eminent in that town. Asked as to whether there was interest in a candidate's views, he replied 'Yes; but still, as a rule, they will vote for their political colour. They generally go for the party that is of the same politics as themselves.'⁸³ The evidence in the local press coverage of elections suggests that the same was generally true of Wigan. Party contests could be bitter, and national issues were often to the fore. The 1886 and 1887 elections in Wigan are important examples of this, where the issue of Irish Home Rule was a central feature of debate. In both years 'Irish Party' candidates stood for election, in an arrangement with the Liberals that aroused the fury of the Tories and the *Examiner*. In 1886, Denis McCurdy stood for the Irish Party and finished bottom of the poll of seventeen candidates, to that newspaper's delight.⁸⁴ Witheringly, it referred to the 'sorry figure at the bottom. The Irish members are already too well represented "in" the House.'⁸⁵ There appears to have been some confusion between the Liberals and the Irish Party: the former had selected two candidates, who they thought would appeal to the Irish interest in the borough, but the Irish Party went ahead and nominated their own men, which in the *Observer*'s view badly weakened the anti-Tory vote in the election.⁸⁶ In 1887, McCurdy tried again, standing with James Caulfield, once more in conjunction with the Liberals, who this time fielded only six candidates to allow the two Home Rule men to make up their 'eight'. The *Examiner* was even more splenetic about this arrangement than in the previous year, blaming McCurdy and Caulfield for forcing an expensive and unnecessary election which 'as they do not have a ghost of a chance of being elected their action is all the more reckless and vexatious.'⁸⁷ Repeating its jibes against Irish paupers, it went on: 'The Irish Nationalists if not directly represented on the board are at all events largely represented in the House. Indeed were it not for their

⁸³ PP: 1878 Select Committee, minutes of evidence, Q. 2092.

⁸⁴ *Wigan Examiner*, 14th April 1886. The *Wigan Observer* refers to him as Mr J. McCurdy. There were two Irish candidates in the original nominations but the other was forced to withdraw due to not having the necessary rating qualification.

⁸⁵ *Ibid*, 17th April 1886. This could well be a sneering reference to the workhouse, rather than a reference to Irish members of the House of Commons.

⁸⁶ *Wigan Observer*, 14th April 1886.

⁸⁷ *Wigan Examiner*, 30th March 1887.

“friends” a building half the size of the existing edifice in Frog Lane would amply suffice for the requirements of the district.’⁸⁸ The *Examiner* claimed that ‘Respectable Liberals’ objected strongly to the alliance with the Home Rulers⁸⁹ and after the results were announced claimed that the association had cost the Liberals a seat to the Tories, asserting that: ‘The fact is, the people of Wigan have a decided objection to anything that flavours of Irish Home Rule, and will have none of it.’⁹⁰ The *Observer* glossed over the Home Rule issue, merely noting that the Liberals ‘need not feel disheartened at the result.’⁹¹

In addition to Irish Home Rule, anti-vaccination was a high profile national issue at the heart of guardians’ elections of 1890-92, as the Wigan Anti-Compulsory Vaccination Society (WACVS) ran a campaign intended to stop vaccination prosecutions until the then sitting ‘Royal Vaccination Commission’ had presented its report. The Society’s tactic, adopted in March 1890 at its monthly meeting, was to pose a standard question published in the newspapers, challenging all candidates to give to pledge not to support prosecutions of parents for non-compliance with the Vaccination Acts. Of the 15 candidates who stood at the 1890 election, WACVS members Alfred Gibson and T. Worthington were specifically on the anti-vaccination ticket, and 12 of the other 13 candidates, both Liberal and Tory, wrote in answer to the newspapers offering varying degrees of whole-hearted support or at least non-objection.⁹² Neither Worthington nor Gibson, ‘the champion of the Anti-Vaccinators of the town’⁹³, was elected, coming tenth and thirteenth respectively in the poll.⁹⁴ Despite this defeat of its own candidates, the Society’s secretary, J.T. Miller wrote to the *Observer* in March of the following year to

⁸⁸ Ibid. The *Examiner* berated the Liberals for countenancing this arrangement, and instructed its readers to use only seven of their eight votes, to vote for the seven Tory candidates and not to use the eighth to vote for Liberal Matthew Benson as in previous years. The ‘edifice in Frog Lane’ is a direct reference to the Union Workhouse.

⁸⁹ Ibid, 6th April 1887.

⁹⁰ Ibid, 13th April 1887.

⁹¹ *Wigan Observer*, 16th April 1887.

⁹² *Wigan Observer*, 9th April, 12th April 1890. See *Wigan Examiner*, 29th March 1890, for a report of the WACVS meeting. A letter to the *Examiner* of 5th April 1890 in support of the anti-vaccinators, signed by ‘AMOS JACQUES’, urged ‘Don’t trust them again with the power they have used to the injury of yourselves or your children.’

⁹³ Ibid, 29th March 1890.

⁹⁴ Ibid, 16th April 1890.

claim success in the campaign, saying that: ‘The candidates who were elected were true to their promise, and the prosecutions which characterised and disgraced the six previous years have been conspicuous by their absence.’⁹⁵ Interestingly, in the 1891 election, Gibson stood as an official Liberal candidate and was elected, being the eighth ranked in the poll, defeating the Tory Richard Blaylock by 12 votes.⁹⁶ Even if the Liberals were less well organised than the Conservatives, it seems very likely that Gibson benefited from being on a party list rather than as an independent. The importance of being in the party machine was commented on by the *Examiner* in 1890:

‘It is next to impossible to enter the charmed circle except through the ordinary doors. This may be wrong – in the abstract – but in these matters we have to deal with the fact that in Wigan elections have always been fought on political lines.’⁹⁷

WACVS Secretary J.T. Miller posed a similar question to candidates in the 1892 election, and ten of them, including Gibson, offered support, but even though once again standing in the Liberal bloc he was defeated at the poll in the resounding Tory victory of that year discussed earlier.

The examples of anti-vaccination and Home Rule illustrate the prominence of ‘national’ issues in guardians’ elections in Wigan borough. Religion was also electorally significant⁹⁸, but poor relief strategies do not seem to have been obviously focal points of the contests, certainly before 1894. The 1894 election saw the publication of electoral addresses or ‘manifestoes’ in the press, which to some extent represented a raising of the profile of relief administration, though we should be careful not to overstate this. The addresses ranged from specifically detailed agendas to pleas for support based on the character and integrity of the individuals concerned. The eight official Tory candidates

⁹⁵ Ibid, 21st March 1891.

⁹⁶ Ibid, 18th April 1891.

⁹⁷ *Wigan Examiner*, 19th April 1890.

⁹⁸ The *Examiner*, more so than the *Observer*, tended to note the religious affiliation of candidates. It remarked on the connection between Anglicanism and Tory candidates, and Catholicism and Liberal candidates. Non-conformism seems to have been squeezed out when it came to representation on the board, and there are examples of letters to the press bemoaning that fact. In 1890, the Reverend E. Franks stood unsuccessfully in Wigan as an independent asking for support on the grounds that Non-conformism deserved representation: *Wigan Examiner*, ‘Notes by the Way, 5th April 1890.

issued a joint address that was short on specific commitments: ‘Our motto, if elected, will be *economy* with *efficiency*, and we promise to be *true* and *sympathetic* guardians to the distressed poor, the aged and the young, and at the same time protect the rates against *waste*.’⁹⁹ The Liberals, by contrast do not seem to have published an address (or none that was located in research), perhaps reflective of the already postulated lack of organisation in comparison to the Conservatives. Newspaper election addresses have been found for candidates in Ashton, Ince and Abram townships. Four out of the five candidates in Ashton published these; all three in Ince and one of the two candidates in Abram. A number of these do offer specific, indeed ‘progressive’ commitments, almost exclusively on indoor relief. Joseph Mitchell in Ashton supported the right of aged couples in the workhouse to live together, opposed uniforms for workhouse children and supported provision of cottage homes and foster parents for them: he claimed that as a ‘considerable Ratepayer’ he could not ‘be accused of selfishness in advocating these reforms.’¹⁰⁰ In Ince, Isaac Lawrence made very similar promises as did James Knowles.¹⁰¹ On the other hand in Abram, Alfred E. Johnson, a colliery proprietor who successfully defended his old seat against the challenge of Henry Houghton, a checkweighman, only promised in his short address ‘to safeguard the best interests of the ratepayers of the district.’¹⁰²

The most notable feature of the 1894 election was the candidacy of three women guardians, all of whom were extremely successful: all three women topped the poll in their respective districts. Two of them issued individual addresses, whilst Annie Phillips in Wigan stood as a member of the Tory bloc.¹⁰³ The other two were Annie Johnson in Ince, wife of a local JP and Sylvia Halliday Wilson in Ashton, who was married to a

⁹⁹ Ibid, 15th December 1894. Emphasis is in the original.

¹⁰⁰ *Wigan Observer*, 1st December 1894.

¹⁰¹ Ibid, 8th December 1894 (Lawrence) and 12th December 1894 (Knowles). Mitchell gave his occupation as ‘gentleman’ in the lists of nominations, whilst Knowles was a colliery agent – *Wigan Observer*, 8th December 1894.

¹⁰² *Wigan Observer*, 8th December 1894. See 19th December for details of the result in Abram.

¹⁰³ Mrs Phillips’s decision to stand as a Tory, argued the *Observer*, probably cost her votes despite her immense popularity as whilst many Liberals voted for her, even more would have done so had she not thrown in her lot with the Conservatives: ‘we sincerely hope she will not work to deepen the impression that some people had that she will be bound by the party strings. Personally, we do not think she will, but that she will be found working with the other ladies on the board, and strengthening them in the humanitarian work to which they have put their hands’. *Wigan Observer*, 22nd December 1894.

Congregationalist minister. Both Johnson and Wilson's addresses contained the types of appeals that Patricia Hollis has identified as being typical of women guardians – for example, Mrs Johnson's address claimed that 'the presence of Women on Public Bodies, having the care of the aged poor and the needy, will bring about an improvement in the condition and brighten the lives of those sisters and brothers who have been less fortunate than ourselves.'¹⁰⁴ The popular notion that women could bring unique qualities to the relief of the poor was expressed in more specific detail by Mrs Wilson. In justifying her candidacy 'purely on humanitarian grounds' she believed that women as guardians were particularly qualified in that:

1. They can see that the food and clothing supplied by contract are of good quality and suitable for the inmates.
2. They can especially attend to the requirements of women and children, and can see that the infants are properly nursed and fed.
3. In cases of outdoor relief they can enter intelligently and sympathetically into the circumstances of widows and others needing parochial assistance.
4. They can influence Boards of Guardians in favour of a wise economy, and unite them in the endeavour to use the ratepayers' money for purposes which it is intended.'¹⁰⁵

Mrs Wilson stated her independence of and opposition to the role of party politics on boards of guardians, as did Mrs Johnson, who claimed she had 'no clique or interest to serve.'¹⁰⁶ Interestingly, both women made references to outdoor relief which seem to be suggestive of a humane pragmatism, rather than a harshly moralising COS type stance. Mrs Wilson's view is quoted above whilst Mrs Johnson promised to 'suggest a reform

¹⁰⁴ Ibid 15th December 1894. Mrs Johnson was another supporter of the boarding out policy that was actually already being practised by the guardians. An Anglican, she appealed for support from people of all denominations. Hollis, P. (1987) op. cit., and see also King, S. (2004) op. cit.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

which will remove the complaints of the sensitive poor.’¹⁰⁷ The complexities of the outdoor relief question in Wigan are dealt with at length in later chapters, but it is important to note their appearance as issues in the 1894 election under the reformed system. Overall, however, despite the election of three women to the board, the 1894 election, as has been generally observed by Brundage and other historians, did not herald radical change of board membership. In Wigan itself, for example, 6 of the 8 retiring members were re-elected under the ballot, with a majority of 5-3 in favour of the Conservatives: Annie Phillips and J.T. Ashton replaced previous Tory guardians Robert Layland, who had not sought re-election and the late Richard Blaylock.¹⁰⁸ Despite the general lack of change, the poll in the borough was also notable for the appearance for the first time of four specifically identified ‘Labour’ candidates. These four men, an ironworker, a general dealer and two assurance agents, were backed by the Wigan Trades Council that had reformed in 1890.¹⁰⁹ They finished at the bottom of the poll, but were not by any means routed – J. Hooton, the general dealer, finished highest of them in 13th place but received only 247 votes less than the long-serving Liberal Matthew Benson who won the last of the available eight Wigan seats on the board.¹¹⁰

Such was the entrenched dominance of Conservatism in Wigan that both the Trades Council and the Social Democratic Federation found it nigh on impossible to make any gains on the board of guardians or town council in the 1890s¹¹¹, and thus there was no Labour or socialist breakthrough in the next guardians’ elections for the borough in 1898.¹¹² At this election Wigan had by now ten available guardian seats and at last adopted the ward system that had been discussed on the board in 1882 (see earlier).

¹⁰⁷ Ibid. Her address, however, failed to specify what this suggested reform was.

¹⁰⁸ See *Wigan Observer*, 22nd December 1894, for a detailed breakdown and analysis of the results. Mr Blaylock had actually been killed in an assault not far from the town centre – he was the landlord of the Crofter’s Arms in Market Street Wigan.

¹⁰⁹ Derek Hunter: *Politics and the Working Class in Wigan, 1890-1914*, University of Lancaster M.A. thesis, 1974, pp 19-20.

¹¹⁰ *Wigan Observer*, 22nd December 1894.

¹¹¹ Hunter, *Politics and the Working Class in Wigan*, op. cit.

¹¹² The triennial system had been introduced under the 1894 Act. The union adopted a policy of different groups of guardians retiring each year. Following the first elections under the new system, the guardians for Dalton, Haigh, Abram, Ashton, Aspull, Billinge CE, Billinge HE, Blackrod and Hindley were to retire on 15th April 1896; Orrell, Parbold, Pemberton, Ince, Shevington, Standish, Winstanley and Upholland on 15th April 1897; Wigan, Worthington and Wrightington in April 1898. *Wigan Observer*, 22nd December 1894.

There were contests in seven of the ten wards in the borough, with Annie Phillips one of three candidates having a walkover. Such was her popularity since being elected in 1894 that the *Observer* commented that to oppose her would have been ‘a daring act’.¹¹³ The overall results indicated a weakening of Tory dominance, with a balance of power of five Tories and five Liberals: the caveat that needs to be added here is that some candidates are described as ‘Progressives’, rather than Liberals. For example, in Victoria ward, the only one of the seven contested wards with a three-way rather than two-way fight, J. Ballard defeated the Tory T. Prescott and Socialist A.E. Stoker. The *Wigan Observer* described the ‘Progressive’ Mr Ballard as having ‘obtained the complete support of the Liberal and Labour parties’¹¹⁴, though it is not clear if the ‘Progressives’ were a formal alliance of the Liberals and Labour. Mr Stoker was the only named Socialist in the election as a whole.

In conclusion, an overview of poor law elections in Wigan during the period 1880-1900 reveals the existence of some interesting, arguably contradictory perspectives: A deeply ideological, inherently political institution was widely regarded as non-political, or at the very least that it *should not* be political; a belief, widely shared across the political spectrum that the old electoral system was corrupt and needed reform, coupled with a begrudging or hostile reaction to elections actually being held; a local politics of the poor law, particularly in Wigan Borough that also focused on wider national issues not immediately concerned with the key questions of relief policy, particularly outdoor relief policy. Brundage has suggested that the crusade against outdoor relief was a key factor in both reawakening calls for electoral reform in the 1870’s and stimulating election battles following the much more democratic system introduced in 1894. In the ‘Crusading’ union of Brixworth, for example, an Outdoor Relief Association was formed to fight the 1894 election in a bid to overturn the restrictive policies established during Albert Pell’s dominance of that board. More radically, George Lansbury and Will

¹¹³ *Wigan Observer*, 19th March 1898. Mrs Phillips represented All Saints ward in the town centre. The Liberals E. Molyneux and Dr Matthew Benson were unopposed in Lindsay ward and Swinley wards respectively.

¹¹⁴ *Wigan Observer*, 6th April 1898. Stoker came third in the poll with 92 votes.

Crooks in Poplar famously drove that board to adopt 'generous' outdoor relief policies.¹¹⁵ However, in such unions reformers were fighting against an extreme anti-outdoor relief strategy. In many other unions, including Wigan, such a strategy had not been adopted. Despite the many complexities and ambiguities over the administration of outdoor relief in Wigan (see chapters three and four) there was no discernable fundamental party disagreement over the dominant established relief strategy, and this would seem to be a reasonable explanation of why this most controversial of issues was not the major focus of electoral contests in Wigan. Wigan's political battles on outdoor relief during this period were primarily between the union and the LGB inspectorate. The party battle in Wigan should be seen within the wider political context of the jousting between the Conservative and Liberal parties, an extension of municipal and parliamentary politics. The board of guardians was another important arena where that contest could be fought out, and both parties, especially the Tories, were intent on winning.

¹¹⁵ Ryan, 1985, op. cit. and, by the same author, 'Poplarism 1894-1930', in Thane, P. (ed.) *The Origins of British Social Policy*, (London: Croom Helm) pp. 56-83.

Chapter 2: Defenders of the Public Interest? The Poor Law Union as Political Agency

Whilst chapter one explored the nature of poor law politics and elections in Wigan Union, this chapter will enhance that discussion by analysis of the Wigan Board of Guardians as a political entity in its own right. By thinking of the poor law union as political agency, evidence from Wigan reveals the board of guardians to be a confident, assertive, sophisticated and proactive institution keenly aware of any political developments at both national and local level that might have impinged upon its own jurisdiction. Whilst being wary of the mutability of such terms, it can be demonstrated that boards of guardians had a strong sense of public duty and a regard for the public interest.

In order to explore this hypothesis, attention will focus upon the activities of the Wigan board in relation to three selected issues: firstly, attempts by the board to block a series of parliamentary bills that sought to reform the laws of settlement and removal pertaining to the Irish poor between 1880-1884; secondly, an examination of the endeavours undertaken to secure a fairer contribution to the rates from the Leeds and Liverpool Canal Company (LLCC) from 1890-1892; thirdly, and in a similar vein, the attempts to obtain victory over the London and North Western Railway Company (LNWR) between 1882 and 1887 in disputes over a revaluation of the poor rates. These particular issues have been chosen not because they are unique examples of concerted political campaigning by the Wigan guardians (far from it), but because by virtue of the available sources, they are especially illustrative of the organised and sophisticated response to particular problems that the board encountered, and allow the historian to follow these disputes through their full cycle. The first two disputes saw the guardians involved in coordinated political activity with other poor law unions, whilst in its dealings with the LNWR, they campaigned largely on their own behalf. All three scenarios on the one hand share a simple common basis: the strengthening of union finances in the public interest, though on the other they all provide illuminating evidence of the complex ways in which the late-Victorian poor law operated at local level.

2 (i): ‘There is no doubt the Irish paupers will be only too glad to get over’: The Irish Poor Removal Bills, 1880-84.

This section will scrutinize the Wigan board’s response to the several bills under a varying range of similar titles that came before Parliament in the early 1880’s. The vexed questions of settlement and removal, enshrined in legislation since 1662 and subsequently added to on numerous occasions in the eighteenth and nineteenth centuries, were, as historians have acknowledged, immensely complex and deeply problematic to both poor law authorities and the poor themselves.¹ Indeed, Ashforth has suggested that this very complexity is a possible factor explaining the broad reluctance of historians to engage in research on these themes.² The laws survived into the twentieth century, only being expunged from the statute book by the 1948 National Assistance Act, and arguably have still not received the attention they deserve, particularly in relation to the late-nineteenth century. Indeed one might posit that, despite the laws being ‘dead’, the issues of settlement and removal have taken new form in the late twentieth and early twenty-first centuries in relation to the treatment afforded to asylum seekers and refugees in the UK and other welfare states: the fundamental welfare citizenship issues of entitlement, belonging and the treatment of ‘outsiders’ or ‘the other’ remain an obvious thread of continuity.³ Necessity dictates that the plethora of issues relating to settlement and removal can only be acknowledged here whilst focusing in depth on one particularly controversial aspect of those laws: the treatment of Irish paupers. Firstly, however, as a matter of contextualisation a few basic facts need to be briefly explained. Entitlement to poor relief depended upon the applicant having a legal settlement in a parish or union. After the 1834 Poor Law Amendment Act the parish remained the unit of settlement until

¹ Ashforth, D. (1985) ‘Settlement and removal in urban areas: Bradford, 1834-71’, in Rose, M. E. (1985) (ed.) *The Poor and the City: the English poor law in its urban context, 1834-1914* (Leicester University Press), pp. 57-91. Most of the well-known poor law textbooks contain some discussion of settlement and removal, but the contributions of Ashforth and Michael Rose (1976) ‘Settlement, Removal and the New Poor Law’, in Fraser, D. (ed.) (1976) *The New Poor Law in the Nineteenth Century*, (London: MacMillan) pp. 25-44, are recommended as particularly informative introductions.

² Ashforth, D. (1985) op. cit.

³ See for example, Cunningham, S. And Tomlinson, J. (2005) “‘Starve them out’: does every child really matter? A commentary on Section 9 of the Asylum and Immigration (Treatment of Claimants, etc.) Act, 2004”, *Critical Social Policy* (25:2), pp. 253-275; Bloch, A. and Schuster, L. (2002) ‘Asylum and Welfare: Contemporary Debates’, *Critical Social Policy* (22: 3), pp. 393-414.

the 1861 Irremovable Poor Act which transferred the qualifying area to the union. The 1861 Act conferred the status of irremoveability on all paupers after three years residence, and the 1865 Union Chargeability Act reduced it further to one year.⁴ The introduction of irremoveability status led nationally to a marked decline in the numbers of removals, whether between parishes and unions or the constituent nations of the UK, although even as late as 1907, 12,000 paupers were removed in one year.⁵

A range of contemporary objections protested against the survival of settlement and removal laws, including presumed restrictions on labour mobility; the inhumane nature of the laws and the financial costs to unions of investigating cases, but despite the recommendation of an 1878 parliamentary select committee for the abolition of compulsory removals, the practice was allowed to continue. The laws' survival has been explained in terms of their deterrent value: the fear of removal being a threat that 'hung like a shadow' over poor migrants.⁶ The determination of Wigan and other North-West unions to maintain powers of compulsory removal of Irish paupers in the 1880s supports this explanation. In 1879, Inspector Cane told a Select Committee that he had previously canvassed opinion of the unions in his district on the settlement and removal laws, and noted that: 'In only five unions, which were all favourable to the abolition of the law of removal in England, were distinct reservations made in favour of retaining the power to remove Scotch and Irish paupers.'⁷ He did not name them, but it would very surprising if Wigan was not one of the unions he referred to. However, by the early 1880's the actual removal of Irish paupers to Ireland was scarcely being practised by Wigan and many other urban unions including those such as Manchester, which had stopped the practice altogether. For example, a return supplying information to the Poor Law Board covering the period 1st January 1867-31st December 1869 revealed that no paupers had been

⁴ Ashforth, 1985, pp. 80-81. An Act of 1846 had first introduced the concept of irremoveability, originally set at five years' residence in a parish. The 1865 Act made all poor relief a union, rather than a parish charge.

⁵ See Rose, 1976, p. 27, for this and other useful details.

⁶ Ashforth, 1985, p.87. Rose (1976) also advanced this explanation.

⁷ PP: *Select Committee on Operation of Laws in United Kingdom relating to Settlement and Irremovability of Paupers, with special reference to Removals to Ireland. Report, Proceedings, Minutes of Evidence, Appendix, Index*, 1878-79: Q. 700. Cane stated that he had sought this information four years previously.

removed from Wigan to Ireland.⁸ Wigan spent relatively little on settlement and removal more generally, and the extant volume of minutes of the removal committee that covers January 1888-December 1895 indicates that the 'routine' removal business of the union principally comprised reaching agreements with other unions over the acceptance of pauper settlements or arrangements for distributing non-resident relief.⁹ Given that removals of Irish paupers had declined markedly since the first half of the nineteenth century, why did Wigan and its partner unions fight so determinedly to maintain powers of compulsory removal in the 1880s?

In the early 1880's attempts were made to ameliorate the perceived iniquities of the laws of settlement and removal, particularly as they affected the Irish poor resident in the rest of the UK. In parliament, this saw the introduction of a series of bills that sought to relax the criteria of eligibility for relief so as to reduce the likelihood of Irish paupers being removed to the country of their birth. This proposed legislation attracted the attention of poor law unions in Scotland and the North West of England in particular, who began a vigorous counter offensive to block any changes that they believed placed both the Irish poor and Irish poor law unions in an unfairly advantageous position to their English, Scottish and Welsh counterparts. The Wigan Union played a prominent and arguably leading role in this opposition, certainly within the North West region. A range of tactics were adopted, some within the board of guardians itself, including debate, framing of resolutions and memorials and the drafting of petitions, the monitoring of the progress of bills in the legislature by the parliamentary committee of the guardians, whilst on a wider scale, the board circulated the results of its deliberations amongst other unions in the hope of soliciting their support as a basis for joint action, be it in the form of meetings with members of both Houses or deputations to London to lobby the Local Government Board. The analysis that follows provides a detailed exploration of the ways in which such political action took shape.

⁸ G/Wi 57: return to the Poor Law Board, 13th June 1870.

⁹ G/Wi 18: Removal Committee minutes 1888-1895. This volume has only 92 pages of entries over a seven year period, often with only one case per page, indicating that this was not one of the more time-consuming activities of the guardians.

The Wigan board appeared to have been caught somewhat unawares in July 1880 by a letter from a Mr Greig, Inspector of the Poor for Edinburgh, informing it of the ‘injurious nature’ of a bill which, it was argued, would effectively lead to the abolition of the law of settlement.¹⁰ The bill itself proposed that any poor person, his wife or child, who having been born in Ireland and had received relief without having acquired a settlement in a parish or union in England, Scotland or Wales, could no longer lawfully be removed to Ireland.¹¹ The records of debates in the official minute books and the local newspapers illustrate the principles and prejudices that motivated the guardians as they formulated their response to this bill and the series of subsequent bills on similar lines that followed in its wake. It is undoubtedly the case that anti-Irish sentiments were a motivating factor in efforts to oppose the various bills, with the propagation of images of a mass influx of poor, ragged and hungry Irish immigrants pouring in from Liverpool and other ports, possessed of a rapacious desire for the relief supplied from the pockets of sturdy, industrious English ratepayers being a notable feature of the debates of the board. The Clerk to the guardians, Henry Ackerley, was a siren voice in this regard, bemoaning that: ‘The result of the passing of the bill will be that any paupers who can find their way here – and there is no doubt the Irish paupers will be only too glad to get over – we shall be saddled with for good’.¹²

Hostility to the Irish was, of course, a deeply rooted feature of English history and has been extensively documented.¹³ Historians have also noted how within the auspices of the poor law, the Irish were treated with particular disdain, with many local officials arguing that they had no right to expect grants of relief, and practices such as illegal removals, intimidation of the Irish poor and withholding relief payments had a long

¹⁰ *Wigan Observer*: 3rd July 1880.

¹¹ PP: *A Bill for the further Amendment of the Laws relating to the Removal of Poor Persons Natives of Ireland from England and Scotland*, 21st May 1880. An exception in the bill applied to seaport towns in England and Wales where removals were to be allowed in a poor person landed at the seaport town in a destitute condition.

¹² *Wigan Observer*: 3rd July 1880. This is a typical example of such sentiments expressed at board meetings by the guardians on this issue. Ackerley was also an Alderman on the borough council and a high profile local Tory.

¹³ See e.g. Kinealy, C. (1999) *A disunited kingdom? : England, Ireland, Scotland and Wales, 1800-1949*, (Cambridge University Press); and by the same author, (2001) *The Great Irish Famine: impact, ideology and rebellion*, (Basingstoke: Palgrave).

pedigree.¹⁴ Like other Northern urban unions with a substantial Irish population, Wigan needs to be viewed within this context. For example, in the ‘Answers to Town Queries’ section of the 1834 Poor Law Report, the Wigan Borough reply unambiguously stated: ‘Applications from the Irish are prevented by threatening to remove them to Ireland.’¹⁵ However, it would be reductionist and inaccurate to portray opposition to the flurry of bills in the 1880s in those terms alone. As one might expect, there were legitimate concerns over the potential financial implications of the proposed legislation, centred upon the fact that Wigan and other major population centres in Lancashire, with large established Irish populations, would suffer disproportionately. This was certainly the view that Ackerley expressed to the board on July 2nd 1880: ‘it appears to me that Lancashire will be affected more than any other county’¹⁶, a perspective that also formed the basis of both a petition to the House of Commons and a circular to all of the poor law unions in Lancashire in response to a new bill published in February 1881 that aimed to prevent removal to Ireland of any person in receipt of relief in England, Scotland or Wales who had been resident anywhere in those nations for five years before becoming chargeable.¹⁷ The guardians’ petition clearly articulated the principles of their opposition which remained constant throughout the whole dispute. Firstly, ‘the cost of the maintenance of Irish paupers already casts a heavy burden on the ratepayers of the union, and it is important that this burden should not be increased’. Secondly, the clause in the bill requiring five years residence before eligibility for relief could be granted was dismissed as impractical and unenforceable: ‘as it would be difficult, if not impossible to prove that such residence had not taken place’. Finally, the partiality of the bill was deemed to be fundamentally unjust: ‘there is no good reason for the passing of an Act of Parliament of a partial character, and exceptionally favourable to Irish paupers, but that the subject should be dealt with whenever the question of the law of settlement of poor

¹⁴ See e.g. Hollen Lees, L. (1998), *The Solidarities of Strangers: The English poor laws and the people, 1700-1948* (Cambridge University Press) pp. 220-29.

¹⁵ PP: *Report from His Majesty’s Commissioners for inquiring into the Administration and Practical Operation of the Poor Laws, Appendix (B. 2.) Answers to Town Queries*, Vol. I, answer number 43, 1834. A list of standard questions was circulated to selected towns.

¹⁶ *Wigan Observer*: 3rd July 1880; G/Wi 8a, 12/820 – Board Meeting: 2nd July 1880.

¹⁷ PP: *A Bill to Regulate the Removal of Poor Persons*, 18th February 1881.

persons is considered by Parliament as a whole'.¹⁸ This last point was expressed by a number of guardians in debates: in 1880, William Strickland contended that 'While it destroys the law of settlement in England for the benefit of Ireland the Irish give us no corresponding advantage'.¹⁹ William Harbottle suggested that 'he did not know that there would be any great objection to the abolition of the law of settlement, provided that the enactment applied to the whole of the three kingdoms, and not to Ireland alone'.²⁰

Thus, motivated by objections to the potential cost, impracticality and perceived unfairness of the proposed legislation, in addition to the possible influence of less noble sentiments, the guardians fought tooth and nail to oppose the several bills at every turn. The next section will trace the forms that this opposition took, and will conclude with an assessment of the efficacy of the board's political activities. A chronological approach has been adopted, since it seems the best method of illustrating how the guardians kept a monitoring eye on the situation and attempted to keep pressure on the legislature. The board's initial discussions on how to respond to the 1880 bill reveal something of how a local authority body comprised individuals with differential levels of awareness of political developments that would directly affect its operations, and how through discussion it proceeded to adopt a specific course of action. As was noted at the start of this section, the board was notified of the bill via Clerk Ackerley's reading of the letter from the Edinburgh authorities. John Nevill, however, seems to have been better informed than most: in response to Edward Smith's motion for a petition against the bill, he stated 'I am afraid it is rather too late; the bill has been read a second time'.²¹ William Bryham senior claimed to have been unaware of the bill, to be told by the clerk that it was not a government bill, but a Home Rule measure 'brought in by Mr Shaw and Joseph

¹⁸ *Wigan Observer*: 4th June 1881. An indication of the scale of relief expenditure on Wigan's Irish poor dates from 1884, when Ackerley claimed that for the half-year ending Lady Day 1883, out of 1,334 people who received out-relief in the borough, 672 were Irish; *Wigan Observer*, 28th April 1884. Contemporary statements such as these are useful, but it is not possible to verify them given the surviving local official poor law records still extant. For example, was Ackerley referring to people actually born in Ireland or the descendants of immigrants earlier in the century?

¹⁹ *Wigan Observer*: 3rd July 1880.

²⁰ *Wigan Observer*: 17th July 1880.

²¹ *Wigan Observer*: 3rd July 1880.

M’Kenna’.²² Despite being caught a little off guard at this stage, the board moved swiftly, resolving to notify the borough and county MP’s whose constituency boundaries fell within the union boundaries, oppose the bill in the Lords if necessary and appointed a monitoring committee comprising the clerk, chairman and two vice-chairmen to keep a close check on further developments.²³

In this instance the guardians’ efforts were accompanied by success, as the clerk noted at the next meeting that the bill had been withdrawn from second reading with no probability of it being passed that Parliamentary session. Within the fortnight since the previous meeting, Ackerley had contacted all of the Lancashire unions, the vast majority of whom had responded by supporting the Wigan petition. The industrious clerk had also been to London with guardian William Harbottle on a lobbying mission against the bill, where they ‘were fortunate in meeting representatives of the Scotch Unions, from whom they learned that the bill had received the approval of the permanent officials of the Local Government Board and of the president, and at that time it was likely that it would pass’. However, John Holgate (Clerk of Rochdale Union and then Secretary of the North West Poor Law Conference Region) had since informed him that LGB support had been withdrawn. Ackerley nonetheless reminded the guardians that ‘It was a most dangerous bill, and one that required to be carefully watched’.²⁴

The clerk’s cautionary note was vindicated as in 1881 another version of the bill was presented to the Commons, the guardians’ principled objection to which was noted earlier in this discussion by form of petition submitted to the House by Sir Richard Cross.²⁵ On behalf of the board, Ackerley also sent a detailed circular letter to the Lancashire unions, requesting their support, spelling out the objections to the proposed legislation, explaining the then state of play and proposing a specific course of counteraction: ‘The bill stands for a second reading on the 1st of June next, and although it is not a

²² Ibid; McKenna was an Irish Nationalist who sat for Youghal and then Monaghan South – Stenton, M. and Lees, S. (1978) *Who’s Who of British members of Parliament, Vol. II*, (Sussex: Harvester), pp. 233-4. William Bryham’s son of the same name would also become a guardian later in the decade.

²³ Ibid; and see G/Wi 8a, 12/820 for the board minutes of 2nd July 1880.

²⁴ *Wigan Observer*, 17th July 1880.

²⁵ Cross was one of the two MP’s for the South West Lancashire district: Stenton, M. (1976) *Who’s Who of British members of Parliament, Vol. I*, (Sussex: Harvester), pp. 96-97.

Government bill, I am informed it will probably receive the support of the Government, unless a strong effort is made to convince them of its (in?) justice'.²⁶ He urged the other boards to get their MP's to actively oppose the bill and proposed asking the LGB President if he would receive a deputation of delegates from the Lancashire unions. Ackerley's request was met with approval from every Lancashire union except Manchester, who informed him that whilst they shared objections to the bill in principle, they 'had passed a resolution some time ago against poor removal, and therefore they did not feel themselves justified in going with the petition'.²⁷ It is difficult to definitively state the immediate subsequent developments, though we know that the guardians Christopher Fisher Clark, William Harbottle and John Nevill went on a deputation to London since the board minutes of August 12th 1881 record the payment of travelling expenses to each of them on business regarding the opposition to the bill.²⁸

The bill was unsuccessful but a further incarnation appeared in Parliament in early 1882. This version went a step further than its 1881 predecessor by proposing that the period of irremovability for Irish paupers be reduced from five to three years.²⁹ The guardians once more resolved to oppose the bill at a board meeting in March 1882, and Ackerley was instructed to 'ascertain what the Scotch unions were doing' in the period before the second reading scheduled for 17th May.³⁰ It was at this stage in what had effectively become an annual dispute that the dead hand of the LGB auditors became an additional complicating factor, clearly visible in the guardians' ritual rhyming off of grievances. At the same meeting in March 1882, whilst discussing a letter from the Rochdale guardians asking what steps Wigan had taken against the bill, Ackerley noted that the auditor had already disallowed guardians' expenses claimed for opposing the bill in the previous parliamentary session.³¹ By the next gathering on 6th April, the costs incurred in opposing the various bills became a feature of discussion whilst the actions of the auditor were the focus of a humorous exchange. Chairman C.F. Clark noted the value of

²⁶ *Wigan Observer*, 4th June 1881.

²⁷ *Ibid.*

²⁸ G/Wi 8a, 13/65. They were surcharged £7/7/0 each.

²⁹ PP: *A Bill to Regulate the Removal of Poor Persons to Ireland*, 27th February 1882.

³⁰ *Wigan Observer*: 25th March 1882.

³¹ G/Wi 8a, 13/176.

collaborative opposition to date: ‘the board...had...in conjunction with other unions, hitherto successfully opposed it’.³² However, discussion followed illustrating uncertainty over whether or not the expenses of opposition (levied upon the common fund of the union) that had been disallowed and surcharged by the auditor would be allowed and remitted on appeal by the LGB: ‘Mr Valiant said they should test the decision of Mr Knott, the last auditor. (Laughter) – Mr Thompson: We have had him at Blackrod this week, and he is certainly mending. (Renewed laughter) – Mr Harrison: Since that man in your neighbourhood cursed him? – Mr Thompson: That may have had something to do with it’.³³

The auditors appear to have been generally disliked, (as will be discussed in more detail in a later chapter) and at times loathed, mainly for their regular surcharging of union officials over items of expenditure which auditors believed were not allowed in law from the poor rates, of which costs incurred in fighting the Irish poor removal bills were just one example.³⁴ By way of illustration, J.R.S. Knott, Assistant Auditor of the South Lancashire Audit District (and the butt of the guardians’ humour referred to above) surcharged C.F. Clark as the then chair of the board to the tune of £37/7/1 for expenses claimed in opposing the 1880 Irish Poor Removal Bill. Ironically, given that a key aspect of the guardians’ opposition to the bills was their partiality in treating Irish paupers as a special case, Knott criticised the board for acting as a sectional interest:

‘The Bill opposed by the Guardians was a Public Bill which would have affected every union in the country and not merely the Wigan union, and Boards of Guardians being the creatures of statute law have no power as a Board to expended (sic) their funds in opposing the actions of the Legislature in public matters’.

³² *Wigan Observer*, 8th April 1882.

³³ *Ibid.*

³⁴ Surcharging was by far the most powerful sanction the LGB possessed in its attempts to curtail the actions of boards of guardians. See, in particular, Christine Bellamy (1988) *Administering central-local relations 1871-1919: The Local Government Board in its fiscal and cultural context*, (Manchester University Press).

Knott elaborated by claiming (perhaps naively) that the guardians' actions were unnecessary since as the bill was of a national character, the LGB were duty bound to consider the interest of every union.³⁵

However, the interference of the auditors was more of an irritant than a real impediment to the guardians' campaign, as by May 1882 the bill in question had again been defeated, this time by a majority of 81 in the Lower House. The day before the vote, Ackerley, C.F. Clark and two other guardians had met with Thomas Knowles, one of the borough MP's, at the Commons 'for the purpose of bringing before as many members as possible the principal objectionable features of the Irish Poor Removal Bill'. At the same time, John Holgate and the Rochdale Union deputation 'waited upon Mr Hibbert, the Secretary to the Local Government Board, and ascertained from him that it was the intention of the Government not to adopt the bill as had been supposed they would at one time'.³⁶

The extent to which this two pronged attack led by the Wigan and Rochdale unions was responsible for the defeat of the bill is difficult to ascertain – it may well have been defeated without their intervention – but it would be unwise to assert that the actions of the unions had no impact. Despite the financial penalties imposed by the auditors (temporary or otherwise), the guardians showed continuing interest and determination in defending their established line on this issue of national prominence and importantly, they certainly *believed* that their efforts had been influential in effecting the right result and expressed their clear satisfaction: 'The Chairman: It is very satisfactory so far – Mr Benson: It is very satisfactory as regards Wigan'.³⁷ Neither were the guardians rash enough to assume that the battle had been won, and demonstrated a subtle appreciation of the complexities of the matter. Referring to the voting down of the bill, William Strickland observed: 'But it was a conditional rejection'. Matthew Benson stated that the bill had been thrown out on the understanding that the Government would bring in a bill, to which C.F. Clark replied that: 'the Government were not compelled in a bill. They

³⁵ G/Wi 9a, 47-49, 18th November 1881.

³⁶ *Wigan Observer*: 20th May 1882. See also *The Times*, 18th May 1882 for summary of the Commons debate.

³⁷ *Ibid.*

might bring in a bill next year, or they might never bring in one'.³⁸ The year 1883, all the same, saw another attempt at reform of the law, which necessitated renewed opposition from the Wigan guardians and their allies.

The first of two bills that appeared in 1883 attempted to relax firstly the three year qualification for residence to one year, and secondly, irremovability by reform of the 1865 Union Chargeability Act and 1866 Poor Law Amendment Act by reducing the period of residence providing irremovability from one year to three months.³⁹ On receiving a copy of the bill, Ackerley once more began to mobilise a new campaign, and the board resolved 'to defray all necessary expense in opposing it', with the Parliamentary Committee of the guardians taking immediate charge of the matter.⁴⁰ Rochdale had once again been in touch to ask if Wigan's opposition would continue, and would have no doubt been reassured by the latter's determination to prepare a new petition and determination 'to oppose it at every stage'.⁴¹ By the next board meeting Ackerley's petition had been drafted and unanimously accepted and was to be forwarded to one of the borough MP's for presentation to the Commons, whilst a deputation of four guardians was appointed as a special committee 'to proceed to London and take whatever action they may consider necessary' in opposition to the bill.⁴² The same committee, this time accompanied by Ackerley, was appointed to attend a meeting of the NWPLC at Manchester Town Hall on 3rd April. Thomas Schofield of the Rochdale board chaired this meeting, at which Ackerley seconded the resolution of H.J. Hagger, Clerk to Liverpool Select Vestry, that conference petition against the bill. The Wigan clerk expounded his views at some length, which provide further interesting evidence of the nature of some aspects of the rationale of the opposition noted earlier:

'He (Ackerley) thought the bill in its present form could not pass, it was an abortion; but it might be amended, and amended in such a way that the Irish people would get what they wanted. The board he represented had petitioned against the measure, and should oppose it strongly. Wigan

³⁸ Ibid.

³⁹ PP: *A Bill to Amend the Law of Settlement and Removal of Poor Persons to Ireland*, 16th February 1883.

⁴⁰ *Wigan Observer*: 10th March 1883.

⁴¹ G/Wi 8a 13/376-377: Board meeting, 9th March 1883.

⁴² G/Wi 8a 13/383-384: Board meeting, 22nd March 1883.

was the first large town out of Liverpool on the Lancashire and Yorkshire Railway; there were already many Irish people there, and if this Removal Bill passed they would get many more Irish paupers than they now had....(he) did not think the Irish had a claim to spend more of English money than they already did. He did not consider that any case could be made out for a modification of the law of settlement, and that if any change was to be made the law should be abolished'.⁴³

In a consideration of events at this conference, the board meeting of 20th April ordered that printed copies of reasons against the bill were to be distributed to county MP's for the divisions into which the union extended asking them to vote against the bill, whilst another copy was to be forwarded to the President of the LGB.⁴⁴

The guardians' campaign against this bill was again accompanied with success, to which it should be added that the guardians' already noted confidence in the importance and efficacy of their stance was shared by both main local papers. The Tory *Examiner* passionately argued that 'it is perhaps not generally known that this result is in a large measure attributable to the action of the Wigan Board of Guardians, who have been indefatigable and persistent in their opposition to the bill.'⁴⁵ Even the Liberal leaning *Observer*, not routinely as knee-jerk in its anti-Irish sentiment, with reference to the information supplied by Ackerley to MPs, commented that: 'It is evident that the cost of the maintenance of the improvident poor from the Emerald Isle throws a heavy burden upon our ratepayers.'⁴⁶ The guardians' 'indefatigability' was soon required again, however, as in June 1883 another effort was summoned against the second bill introduced that year. In his capacity as secretary of the NWPLC, the Rochdale clerk to the guardians John Holgate informed all of the Lancashire unions by circular that the first bill had been withdrawn and immediately followed by a new bill. This bill, although with a new title, was in terms of content virtually identical to its immediate predecessor, except that it was not to extend to Scotland or Ireland and the clause on three months residence as a

⁴³ *Wigan Observer*, 11th April 1883.

⁴⁴ G/Wi 8a, 13/416.

⁴⁵ *Wigan Examiner*, 28th April 1883.

⁴⁶ *Wigan Observer*, 28th April 1883.

guarantee of irremovability had been withdrawn.⁴⁷ Ackerley used this development to keep the union fully aware of the situation by briefly summarising the progress of events over the previous few years. He pointed out that the persistent pressing of this question stemmed from the lack of decisive response by the state to the 1878 Select Committee report that suggested the abolition of the law of settlement that was noted at the beginning of this chapter: ‘no one would venture to take up the question, and it remained in *statu quo*’.⁴⁸ Ackerley proceeded to explain that Irish MP’s wanted the Select Committee’s recommendations put into effect,

‘and if that were done there would be no removals at all, and English, Irish and Scotch paupers could settle themselves wherever they chose. They could go to anywhere where the food was good, and stay there as long as they liked....For four or five years the question had been gradually pressed forward’.⁴⁹

The union’s parliamentary committee, which had met the same morning before the full board meeting, established the familiar course of counteraction via preparation of petitions, circular letters and printed reasons against the bill, alongside the by now customary deputation to London, all to be done before the second reading of the bill on 20th June. The circular to Lancashire poor law unions asked ‘them to induce their borough and county members to oppose the bill’.⁵⁰ Again, the sustained endeavours of the poor law unions paid off, but in 1884 another variant of the preceding bills was brought forward, and represents the final stage in the particular cycle of disputes to be discussed in this section.

In late February 1884 the parliamentary committee of the board met to formulate its response to the new bill, which in terms of content was identical to the second bill of 1883 that had been defeated.⁵¹ The established methods of opposing the bill were reaffirmed, with Sir Richard Cross being asked to present the guardians’ petition to the

⁴⁷ PP: *A Bill to Amend the Law of Settlement and Removal*, 25th April 1883.

⁴⁸ *Wigan Observer*: 16th June 1883.

⁴⁹ *Ibid.*

⁵⁰ G/Wi 8a, 13/449; *Wigan Observer*, 16th June 1883.

⁵¹ PP: *A Bill to Amend the Law of Settlement and Removal*, 7th February 1884. The bill was prepared by five members, led by Sir Hervey Bruce and Albert Pell. Bruce was a Conservative who sat for Coleraine, retiring in 1885: Stenton, M. (1976) *Who’s Who of British members of Parliament*, Vol. I, p. 52.

Commons. The most interesting feature of this point in the dispute was that questions were beginning to be asked about the efficacy of the actions and financial implications of the proceedings taken thus far. None of the bills introduced had come into force, but the continual introduction of new bills was perhaps a cause of some frustration and dissenting voices appeared amongst the guardians. William Strickland seemed to suggest that if the NWPLC had mounted stronger opposition, then ‘the Wigan union would not have had the expense of doing so’.⁵² Henry Ackerley and the chairman countered by stating that other unions had also petitioned against the bills of the previous year and steps had been taken. Nevertheless, Strickland further questioned the wisdom of the board’s efforts in terms of expense:

‘During the 20 years he had been a member of the board he did not remember a single case of removal to Ireland from Wigan, and he said further that the expense incurred in those depositions in the last three or four years would be more than would be incurred in the removal of paupers in the next 20 years to come’.

On similar lines, and as part of a motion asking for a return of the costs of opposing the bill and the number of removals to Ireland in the last twenty years, James Gerrard argued ‘that he did not see why the board should interest itself and spend money on an object which was of no use to them’.⁵³ At the next board meeting Ackerley stated that the cost of opposition to the Irish Poor removal bills for the past four years had been £424/13/2: a considerable sum of money.⁵⁴

In defence, Ackerley maintained that the board’s actions thus far had been a form of preventative measure against the *potential* costs that might be incurred if the legislation on the lines discussed was actually enacted:

‘the reason of the opposition was to prevent having to remove any paupers to Ireland. If the bill passed probably they would have a good many to remove. In cases of famine in Ireland no doubt

⁵² *Wigan Observer*, 8th March 1884.

⁵³ *Ibid.*

⁵⁴ *Wigan Examiner*, 22nd March 1883.

a large number would come over, and Wigan was the largest union next to Liverpool where they had special powers, this union would in all likelihood suffer the most. If an Irishman settled in Wigan for 12 months and then went away and became chargeable elsewhere, he would be removed back to Wigan.⁵⁵

It seems as though the spectre of the Irish Famine thirty years earlier still haunted the psyches of poor law guardians, despite the paltry numbers of paupers actually still being removed back to Ireland by the early 1880's. Michael Rose notes that this was certainly a fear expressed by Liverpool's H.J. Hagger in evidence given to the 1878 Select Committee: 'protective legislation was still required against the possibility of any such invasion in the future'.⁵⁶

The organised opposition to the 1884 bill indicates that the continuous pressure from the various poor law unions had raised the profile of the issues at stake and that gradually the LGB had come round to their point of view. Also, the 1884 campaign seems to suggest that the guardians had, with experience, organised themselves increasingly effectively, with Wigan taking a leading role. The Wigan detachment to London in late April 1884 was part of a NWPLC deputation to meet senior officials of the LGB, accompanied by various borough and county members assisting the combined unions. The unions presented their case according to different sizes and types of town: 'Mr Rooke, of Manchester, opened the discussion on behalf of the large towns, and he (Mr Ackerley) stated the case on behalf of the smaller boroughs'.⁵⁷ Apparently, the arguments of Rooke and Ackerley convinced Mr Russell of the LGB of the 'dangerous' nature of the bill, something that had been accepted by Mr Dodson, the previous LGB President, though Russell could not guarantee that the new President Sir Charles Dilke would necessarily feel bound by his predecessor's opinion.⁵⁸ The deputation also met Sir Nathaniel Eckersley and other MP's, and Ackerley stated that if the bill had been taken on that day

⁵⁵ Ibid.

⁵⁶ Rose, M. (1976) 'Settlement, Removal and the New Poor Law', in Fraser, D. (ed.) (1976) *The New Poor Law in the Nineteenth Century*, (London: MacMillan), p.39.

⁵⁷ *Wigan Observer*, 3rd May 1884. Given Manchester's previous refusal to become involved in the dispute, it is not clear why they were now engaged.

⁵⁸ Ibid.

‘they would have succeeded in raising considerable opposition to it, if they had not been successful in throwing it out altogether’.⁵⁹

The guardians were extremely pleased with what they believed to be the success of this venture; a member of the deputation, Mr Marsh stated that they ‘were well satisfied with the result of their efforts’.⁶⁰ To this, Ackerley added that previous approaches to the LGB had led them to understand that the permanent officials were more in favour of the various bills than against, but this time ‘they had at last succeeded in convincing that Board of the objectionable nature of the Bill’.⁶¹ Shortly afterwards, however, a slightly amended version of the 1884 bill appeared in the House of Lords where it was due for second reading on 26th May. On Ackerley’s request to him, Lord Crawford offered to move the rejection of the bill if the board recommended it. The tactics of petition and printed reasons against the bill were prepared for circulation to members of the Lords and another deputation to London was appointed. Ackerley saw Crawford, ‘Salisbury and various other members of the House of Peers, and the result was that when the bill came on for second reading Lord Belmore postponed it. His lordship was strongly pressed to withdraw it, but he would only consent to its postponement’.⁶² The guardians were particularly grateful to Crawford for his interjection on their behalf, though in an interesting coda to this stage of events, Ackerley’s dealings with the lord of Haigh Hall arguably illustrate the necessity of the guardians’ whole efforts on this issue in trying to raise the profile and understanding of prospective legislation that, whilst not occupying a prominent position on the agenda of high politics, was nonetheless of particular significance to local institutions such as poor law unions: ‘The subject of removal was not one that was very well known, but when he (the clerk) explained it to Lord Crawford he saw at once how prejudicially it would act and put himself to considerable inconvenience to secure its being opposed.’⁶³

⁵⁹ Ibid.

⁶⁰ Ibid

⁶¹ G/Wi 8a, 13/656.

⁶² *Wigan Observer*, 4th June 1884. The variation in this particular bill was that it was also applicable to Scotland.

⁶³ Ibid.

In concluding this section, whilst acknowledging the impossibility of precise attribution of responsibility for success to any individual agency, the guardians' efforts to combat the proposed legislation met with success, and it seems reasonable to argue that the Wigan board's role in the whole affair was an important one. Irish poor removal ceased to be an important issue for the board after 1884 and for the rest of the century. In the strategy of opposition outlined above, the guardians went to considerable public expense (and personal expense, in terms of surcharge) to prevent the *possibility* of them being unable to remove, or, more importantly, use the threat of removal as a deterrent tool to 'discourage' relief applications from newly immigrant Irish paupers in any future wave of famine-induced emigration from that nation. It might be argued the guardians' fears in this respect were misplaced, particularly given the fact that removals to Ireland from Wigan had effectively ground to a halt, but that would be to use the benefit of hindsight. The memories of the Irish famine in mid-century still resonated deeply amongst poor law authorities in Lancashire, and the defence of the principle of removal, despite the widespread objections to it, was maintained with particular venom with reference to the Irish poor. Nevertheless, there was also principle in their opposition to the bills in the belief that any reform to the law should apply to all Home Nations equally, not favouring any constituent nation: or, simply abolish the laws of settlement and removal altogether. In terms of the guardians' political actions, they were clearly skilful operators, with Clerk Ackerley playing a pivotal role. This was a collaborative effort involving a number of unions, but Wigan was very much at the forefront. Noting the named Parliamentary contacts during the course of the dispute, Wigan's position as a bastion of Lancashire Conservatism also seems to have been very influential. Lord Crawford, Sir Richard Cross, Sir Nathaniel Eckersley and Thomas Knowles were all local Tory luminaries and powerful allies to the cause.⁶⁴ The next section will explore a different line of enquiry by focusing on the attempts by the Wigan guardians and their allies to take on a powerful vested business interest – the Leeds and Liverpool Canal Company – which had the objective of securing a much fairer contribution by that company towards the poor rates.

⁶⁴ Cross had served as Home Secretary during Disraeli's 1874-80 premiership, and again in 1885. Eckersley was a Conservative and six times Mayor of Wigan who sat for the borough from 1883-1885: Stenton, 1976, op. cit., p.122. Knowles was another Tory, twice Mayor of Wigan, Chairman of Pearson and Knowles Coal and Iron Co. who sat for Wigan from 1874 until his death in 1883. Ibid, p. 224.

2 (ii): ‘Slippery Customers’?: The Combined Unions *versus* The Leeds and Liverpool Canal Company 1890-1892.

The political skills of boards of guardians are further revealed by this dispute, during which Wigan responded to Burnley’s lead to form a combination of eight unions that had the objective of securing what it believed to be a fair rating from the Leeds-Liverpool Canal Company (LLCC). The Burnley Clerk to the Guardians J.S. Horne initiated the action, with Ackerley and the Wigan guardians as vital allies. The course of the dispute reveals a number of features of significant interest. The LLCC’s decision to promote a private bill in Parliament provided the combined unions with their opportunity to challenge its existing rating, whilst the unions took inspiration from the example of the Goole Union that had successfully taken similar action against the Aire and Calder Company. As in the case of the Irish poor removal bills, the unions exerted political pressure in a variety of forms in the attempt to secure a successful outcome, an effort made more difficult by the dissenting attitude of the Liverpool Union (not one of the eight combined unions) which opposed the proposed re-rating since the peculiarities of the existing system meant that they would lose out financially in the revaluation.

Any desire or attempts by boards of guardians to revise the rating of canal companies were faced with a singular difficulty: the exceptional statutory protection afforded to the companies by parliamentary acts which meant that canal company property was rated simply as land, rather than taking any account of its commercial value in the form of, for example, traffic receipts or warehousing. This placed canal companies in a hugely privileged position, particularly in comparison with railway companies, a fact that members of the Wigan board had long been aware of.⁶⁵ The company, in what Mike Clarke refers to as its ‘Indian summer’, had embarked upon a period of expansion and improvement, and in an attempt to acquire retrospective powers over a recently built reservoir and to raise money for improvement costs it presented a bill to Parliament in

⁶⁵ Henry Ackerley stated that the LLCC was ‘in an exceptional position’ regarding its rating. *Wigan Observer*: 11th December 1889.

1890.⁶⁶ The vital role played by the clerks in alerting their boards to potential political threats or opportunities is clearly evident in this dispute, with the trigger for the Wigan board's actions being a letter of December 1889 from the Burnley Clerk J.S. Horne, in his capacity as Secretary to the North Western Poor Law Conference, alerting the guardians that the LLCC intended to promote a bill in the next session of parliament: 'an excellent opportunity presented itself to rating authorities to take steps to obtain the repeal of the rating sections of the company's Acts'.⁶⁷ Thus, it appears that without this attempt by the company to alter the existing status quo regarding its own legal status, the guardians would have been powerless to rectify what they regarded as a highly inequitable position.

An indication of the privileged position the LLCC was in is provided by some statistics that Horne forwarded to Wigan. The company had also recently built a reservoir at Barrowford, near Burnley, which the Burnley Union had had valued at an estimated gross rental of £907 p.a.: 'but on the advice of counsel the valuation was reduced to £60 (Shame).'⁶⁸ Ackerley, quick as ever, and with the strong support of the then chairman William Chalk, urged the Wigan board that: 'Those exceptional provisions ought to be done away with', and the guardians pledged complete support for any action Burnley wished to take, and would send representatives to any relevant committee meetings or deputations.⁶⁹ At the first board meeting of the New Year, the guardians unanimously agreed to send Ackerley to a committee meeting of representatives of affected unions in Liverpool on 13th January 1890.⁷⁰

After the Liverpool meeting, Ackerley informed the Wigan guardians of his optimism that the committee's aim of getting the LLCC rated 'in the ordinary way' was a likely

⁶⁶ Clarke, M. (1994) *The Leeds and Liverpool Canal: A History and Guide*, 2nd edition, (Preston: Carnegie Publishing) pp. 215-218. The company held its privileged rating position by an Act of 1812. The reservoir in question was at Winterburn.

⁶⁷ *Wigan Observer*, 11th December 1889.

⁶⁸ *Wigan Observer*: 11th December 1889. The cry of 'Shame' was the Wigan board's response to this information. Further comparative statistics provided by Horne are also instructive. The length of the Leeds-Liverpool Canal in Burnley Union was 5 miles, 180 yards, whilst the Lancashire and Yorkshire Railway had an almost identical length of track, at 5m, 522yds. However, the gross estimate rental of the canal company was £1,722, in comparison with £7,478 for the railways.

⁶⁹ *Wigan Observer*, 11th December 1889.

⁷⁰ G/Wi 8a, 15/100: Board meeting, 3rd January 1890.

outcome of the unions' intended proceedings. The interaction between the Wigan clerk and J.S. Horne is illustrative of how the combined unions' course of action was decided: Ackerley asked Horne about the possibility of obtaining a '*locus standi*' against the bill. Horne suggested that they 'would not be able to get a *locus standi* before a private bill committee to oppose the bill', but insisted that this had a positive side to it: it would save money. 'All they could do was to rely upon their exertions in interesting individual members of the House of Commons upon the subject.'⁷¹ The Burnley man explained that they had a direct precedent to follow in the shape of the actions taken by the Goole Union against the Aire and Calder Company: in that case the canal company had moved a bill in the Commons, the union had opposed it, and on the bill's second reading 'a resolution had been moved that in addition to considering the provisions of the private bill the committee should be directed to consider the question of rating'.⁷² That course of action had succeeded and the Goole Union won their point that the company should be assessed as ordinary ratepayers, and thus Horne had urged that the combined unions should follow the same course against the LLCC.

The Wigan board was unanimous in its approval of the counteraction to be taken, galvanised further by William Chalk's presentation of statistics pertaining to Wigan Union on the same lines as the Burnley figures earlier sent by Horne. The canal had 16 miles, 1,518 yards length in Wigan Union with a total rateable value of £978. In stark contrast, there were 50 miles, 1,383 yards of railway (main lines and not branches) rated at £70,000. Chalk explained that if the LLCC was rated on the same basis as the railways its rate would be £23,000; a fact that clearly illustrates the extraordinarily privileged position the company was in. C.F. Clark explained that the assessment committee of the union had long been aware of this anomaly.⁷³ The board resolved action on the following lines: to oppose in the next session of Parliament, in conjunction with other unions, the bill provided by the company; to share the costs of opposition in proportion to which the Wigan Union bore to the total rateable value of the various unions, a cost to be borne by

⁷¹ *Wigan Observer*, 18th January 1890.

⁷² *Ibid.*

⁷³ *Ibid.* These statistics seem to suggest that despite the LLCC's favourable rating position in Burnley its position in Wigan was considerably more privileged.

the common fund of the Wigan Union; to pay into a common fund of contributions from the various unions an instalment of £78/8/8 (being at the rate of 1/32 part of one penny in the pound upon the rateable value of the union) and the clerk to represent Wigan at relevant committee meetings.⁷⁴

This initial burst of activity on the part of the combined unions was accompanied with success, as Ackerley informed the guardians on 31st January 1890, in terms that amused the board: ‘he (Ackerley) had been informed that the Leeds and Liverpool Canal Company had withdrawn their bill for the widening of the waterway, and it was understood that they had withdrawn it owing to the opposition likely to be raised with a view to getting the rating right (Laughter).’⁷⁵ Indeed, William Chalk seemed convinced of a successful final outcome to the dispute: ‘it is a question of terms now’. However, following Horne’s urging, Ackerley stressed the need for continued vigilance, a lack of complacency and the desirability of maintaining momentum. Horne had called another meeting on 3rd February to consider the question of requesting the LGB to receive a deputation to air the grievances of rating authorities with the view to the Government promoting a bill to abolish the anomalies illustrated in this case. Ackerley was fully supportive, urging that

‘now public attention had been called to the rating of the canal, they should, though the bill had been withdrawn, go on with the movement and endeavour to remove the anomaly. The company had raised the sleeping dog and must take the consequences’.⁷⁶

The clerk explained that the LLCC believed the concessions it held to be a just reward for its initial capital investment in building the canal, which had ‘opened out the district’. However, Ackerley regarded these privileges as obsolete since poor rates in 1890 were far higher than in the era of canal building, and poor law authorities also had to meet costs that did not exist when the canal was constructed, such as ‘education, asylums and

⁷⁴ G/Wi 8a, 15/110-111: Board Meeting 17th January 1890.

⁷⁵ *Wigan Observer*, 5th February 1890. The canal company explained the withdrawal of their bill in somewhat different terms, as being due to ‘the illness of their chief clerk’: *ibid*, 17th January 1891.

⁷⁶ *Wigan Observer*, 5th February 1890.

other matters, and Parliament could not have exempted the canal company from those charges.... The company had reaped the advantage of the lower rates they were called upon to pay, and the time had arrived when they should be made to bear their fair share of the burdens of rating'. Guardian John Woods added that 'They cannot stand to be put on modern expenses like other people'.⁷⁷

The withdrawal of the above bill, however, had postponed the union's chances of securing a revaluation. However, early in 1891, another opportunity arose and Horne called a meeting of the unions in Burnley on 12th January.⁷⁸ The meeting, intended to establish the methods to be taken in securing an equitable rating, was attended by representatives of Burnley, Wigan, West Derby, Ormskirk, Blackburn and Keighley Unions. The decided objective was to obtain repeal of the existing rating clauses of the canal company's Acts, with each union contributing a sum to a fighting fund on a sliding scale according to its rateable value.⁷⁹ Ackerley explained to the Wigan guardians that the new chance to secure a fair rating had been provided by the LLCC's intention to 'bring in a bill for certain purposes entirely unconnected with rating. They referred more particularly to mining, and the company were bound by the proprietors to go to Parliament.'⁸⁰ The clerk explained that the tactics to be adopted would be very similar to those intended for the previous year: the only way the unions could get the question of rating dealt with while the bill was before Parliament was to get a direct instruction from the House of Commons to the committee to whom the bill would be referred. This would require a concerted effort to win over as many MP's as possible to secure such an instruction, and Ackerley portrayed the contest quite overtly as a battle between public and private interests, to the clear approval of the guardians:

⁷⁷ Ibid. Ackerley, C.F. Clark, William Harbottle and James Litherland were appointed to join the deputation to the LGB should it be required. G/Wi 8a, 15/121: Board Meeting, 31st January 1890.

⁷⁸ G/Wi 8a, 15/383: Board Meeting, 2nd January 1891.

⁷⁹ *Wigan Observer*, 21st January 1891. The other two unions involved but with no representatives at the meeting were Chorley and North Bierley. Wigan, at the top of the established scale in terms of rateable value, contributed the maximum agreed sum of £100. Accounts in the main minutes confirm that a cheque for £100 was signed: G/Wi 8a, 15/392.

⁸⁰ Ibid.

‘The first step, therefore, would be to obtain as many members of Parliament as they could on their side. It would really be a question of strength between the members of Parliament, who were actuated by a desire to act in the interest of the general public, and those members who might be induced to support the view of the Canal Co. There was no doubt that as a question of right and fairness the public generally would undoubtedly be with the rating authorities. Their object was to put the canal company upon the same basis as every other ratepayer (Hear, hear).’⁸¹

He restated the importance of the Goole Union case as an indicator of likely victory if they succeeded in getting the matter before a Parliamentary committee, and, in a clear assertion of the public interest at stake in this matter (acknowledging that these are my terms rather than his) noted: ‘The fact was the shareholders of the Leeds and Liverpool Canal Company had put into their pockets a certain amount of money which really ought to go to the general expenses of carrying on the business of the country, and in that respect they were, therefore, getting an unfair advantage’.⁸²

The prospect of facing a renewed campaign for reform by the combined unions, it seems reasonable to argue, forced the LLCC to quickly seek a deal, as on 27th February 1891 Ackerley informed the guardians that ‘a very satisfactory arrangement’ had been struck with the company’s directors. After signing a joint petition against the bill, the unions met at Wigan on 23rd February whereat it was decided to seek a meeting with the directors ‘with regard to a settlement with them, and so avoid going before the committee of the House of Commons, and entering into what might have been a very heavy contest’.⁸³ The directors, interestingly, ‘met them very readily’ and after long discussion an agreement was thrashed out. The unions agreed to settle for 50% of the full rateable value for seven years after the company’s bill became law, after which period the company would pay full rates on the ordinary basis in respect of canal, towpaths and reservoirs. This was conditional upon firstly, the terms of this agreement being confirmed by Parliament; the unions not to oppose the company’s application ‘for the repeal of the manure exemptions affecting the canal which, in the opinion of the union

⁸¹ Ibid.

⁸² Ibid.

⁸³ *Wigan Observer*, 28th February 1891. Confusingly, the main minutes record that the unions met with the parliamentary committee of the LLCC at London on the same date: G/Wi 8a, 15/421-422.

representatives should be repealed if the company submit to the repeal of their rating exemptions'; the agreement to be in the same form as the Aire and Calder Navigation Act 1889, and to contain similar provisions for its confirmation by Parliament, if through any cause the confirmation is not obtained by the present bill; the company was not to object to the insertion in the bill of a clause authorising payment by the various unions of the costs, charges and expenses incurred by them with a view to the opposition, but this was not to prejudice the bill or cause expense to the company.⁸⁴ This compromise was regarded as satisfactory by the unions, and they agreed not to oppose the bill.

The unions were fully aware, however, that enforcement of an agreement was as important as the details of any settlement, and consequently met to confirm the necessary strategy. For Wigan Union, Ackerley and James Birkett Almond (Standish) met with the 'Confederate Unions'⁸⁵ at Blackburn on 22nd May 1891 where the particular tactics to adopt once the LLCC bill came before the Commons were established. As with the opposition to the aborted bill of 1890, the unions resolved to follow a course of direct lobbying and persuasion of individual MP's in order to get the confirmation of the agreement considered by a Commons committee, and that instruction be given to the relevant committee to consider the agreement. Horne, Ackerley and Mr Radcliffe (Blackburn Union Clerk) were instructed to prepare a list of printed reasons to this end, 'and some influential member of Parliament would be got to move it, and a copy of the case for the unions would be sent to each member of the House of Commons'.⁸⁶

That such preparedness and careful monitoring was essential is confirmed by the fact that by that early stage the LLCC had already demonstrated signs of backsliding. Henry Darlington (Billinge Chapel End) raised this with Ackerley when he 'said he understood that before the House of Lords Committee the canal company stole a march on the unions – they had been doing something behind their backs'.⁸⁷ This was, in Ackerley's view, 'a plain way of putting it', but he agreed that the company had not been acting in good faith.

⁸⁴ G/Wi 8a, 15/421-422: Board Meeting: 27th February 1891.

⁸⁵ The relevant entry in the main minutes describes them in such terms on this occasion: G/Wi 8a, 15/496.

⁸⁶ *Wigan Observer*, 23rd May 1891.

⁸⁷ *Ibid.*

A *Wigan Observer* editorial reveals that the Standing Orders Committee of the House of Lords had refused the proposed clause in the bill that would have confirmed the agreement.⁸⁸ Ackerley reassured Darlington that this would not affect the unions' position before the House of Commons Committee. William Chalk added that 'our counsel, Mr Balfour Browne, accused them (LLCC) of trying to wriggle out of the arrangement, and I don't think he was far wrong. (Hear, hear). Mr Clayton said they found the canal company were very slippery customers'. Thus aroused, the guardians resolved to give the parliamentary committee of the union full power to defend its interests and contributed a further £100 to the combined unions' fighting fund.⁸⁹

The combined unions' renewed opposition quickly succeeded in securing a further agreement with the canal company, which, according to the *Wigan Observer* editorial noted above, was due to the canal company's desire 'to avoid Parliamentary contests and expenses'.⁹⁰ Moreover, it seems that it was the actions of the Wigan guardians in particular via their parliamentary committee, which were of most significance in achieving this result. The outline of the revised agreement was as follows: the combined unions would allow the bill to pass on condition that in the next Parliamentary session (1892) the canal company sign an agreement to go Parliament with a bill for rating the whole length of the canal on the lines of the agreement of 23rd February 1891 (described above). Secondly, if Liverpool objected 'as they were sure to do, the company give them their full rating for seven years, and that if anything should happen to prevent the company getting the bill through next year, the unions should be empowered to bring in a bill the year following at the expense of the Leeds and Liverpool Canal Company'.⁹¹

Ackerley, William Chalk, Henry Darlington and Matthew Benson formed the Wigan Union parliamentary committee deputation to the Commons that, they themselves were convinced, had been the decisive factor in bringing the company back to the terms of the original compromise arrangement. The actions of the Clerk and his colleagues once more

⁸⁸ *Wigan Observer*, 20th June 1891.

⁸⁹ *Wigan Observer*, 23rd May 1891.

⁹⁰ *Wigan Observer*, 20th June 1891.

⁹¹ *Wigan Observer*, 24th June 1891. If this eventuality arose, the LLCC would not only be subject to the expenses of the bill, but would support it – *Wigan Observer*, 20th June 1891.

illustrate the political skill and determination that boards of guardians were capable of in a defence of both union and the wider public interest. The deputation went to London on two consecutive weeks to lobby members to help the unions move an instruction to the Commons ‘to appoint a special committee to consider the rating portion of the bill’. Chalk stated that ‘he thought the interviews they had with those members tended materially to bring about a settlement’.⁹² In particular, he thanked F.S. Powell M.P. (Wigan) and Mr Tomlinson who ‘gave them very valuable assistance in getting at those members’.⁹³ Powell’s help here is of added significance in that he was a director of the canal company, but put public interest ahead of personal private concern: ‘He (Powell) said he was there to represent his constituents, and his interests in the canal must stand on one side altogether. He had told the chairman and vice chairman of the directors that he felt bound to carry out the wishes of his constituents.... and he did everything he could for the committee’.⁹⁴ Whilst praising Ackerley’s assiduous efforts in the affair, Darlington baldly stated the nature of their dealings with the MP’s they conferred with: ‘The committee’s idea in interviewing those members of Parliament, of whom they saw eleven or twelve, was to get them to oppose the bill entirely, to wreck it in fact if they could not get something tangible from the company in shape of a settlement as to the rating’. These efforts convinced them they had 8-10 members fully onside when the meetings ended, and at Ackerley’s advice, they returned a week later in a mopping-up exercise to convince those members who had not given them a decided reply the first time round, and also, in terms of a warning to the LLCC, ‘that whilst they were doing their best to interest the members on behalf of the bill, they (the committee) were doing their best to influence members against it, and working for the interests of those they represented’.⁹⁵ Ackerley was certain that the parliamentary committee’s labours had been crucial, having ‘every reason to believe, that the action of the Wigan representatives

⁹² *Wigan Observer*, 24th June 1891. Union and the wider public interest were not, of course, inherently distinct, particularly in this case.

⁹³ *Ibid.* The assistance offered by Powell is further evidence of the powerful Tory contacts that the board of guardians were able to call upon. Mr Tomlinson is most likely Sir William Tomlinson, another Conservative, who sat for Preston from 1882-1906, Stenton and Lees, *op. cit.*, p. 352.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.* One of the MP’s who required a second interview was Colonel Henry Blundell, a veteran of the Crimea who sat as Conservative member for Ince from 1885-92, and again from 1895-1906; Stenton and Lees, *op. cit.* p. 36.

in going up and interviewing those members had very largely contributed to the Canal Company being induced to sign the agreement.’⁹⁶

After the canal company had succumbed to this pressure, the affair went quiet until early in 1892 when the promised new version of the company’s bill came before Parliament. The bill was presented, as had been promised, but with a particular clause that had been a condition of the original agreement omitted: this was a clause empowering guardians to pay the costs of opposition in 1891 from the rates, without which the various unions risked surcharge. More crucially, the combined unions faced determined opposition from Liverpool, who would ‘oppose the present bill tooth and nail, as they were quite content with the rating as it stood at present, and would get a great deal less under the new arrangement, owing to the different character of the property through which the canal went.’⁹⁷ Despite their assurances from the previous year, the LLCC, according to Ackerley, were less than enthusiastic in their pushing of the bill, ‘as it contained clauses which had been forced from them by last year’s opposition.’⁹⁸ Consequently, once more the parliamentary committee was asked to take up the issue. At this point, however, the Wigan guardians appear to have become somewhat disenchanted by their partner unions in the cause. At a meeting of the parliamentary committee on 16th March 1892, a petition against the canal company’s bill was read and approved, but was followed by the passing of a resolution stating that the union take no further action in the matter with the other unions, ‘but act in concert with the Corporation of Wigan.’ This statement came after Ackerley had read correspondence he had had with J.S. Horne over proceedings taken thus far and still to be taken by the associated unions, which apparently led the committee to conclude ‘they were not being properly treated by the Committee of the Associated Unions.’⁹⁹

⁹⁶ Ibid. Given Ackerley’s key role at a regional level, it seems unlikely that if J.S. Horne or any other representatives from the other combined unions had made similar efforts at that stage of the dispute that he would have failed to mention it.

⁹⁷ *Wigan Observer*, 13th February 1892.

⁹⁸ Ibid.

⁹⁹ Volume of Minutes of Various Committees and Sub-Committees, 16th March 1892. This volume is not catalogued in the Wigan Archives but was found on the shelves in the strongroom amongst the poor law records. It contains short records of meetings from a variety of committees from 27th April 1886-6th July 1897. The document does not reveal the nature of Ackerley’s correspondence with Horne, nor do the main minutes make any reference to this resolution, so its significance or otherwise is unclear. Similarly unclear

Whether or not the above resolution was the result of a moment of pique over a quickly forgotten perceived slight, or if Wigan dropped out of the combined unions is not clear, but three weeks later the dispute ended in success for Wigan and its erstwhile allies. On 8th April 1892, Ackerley announced to the guardians that the bill had passed third reading and gone to the Lords, and that ‘the unions had gained their point with regard to having inserted in the bill provision for the proper rating of the canal’.¹⁰⁰ The clerk stated that this had been very difficult to achieve, given ‘the severe opposition from the Liverpool Corporation.’¹⁰¹ On this occasion, at last, the canal company acted in full accordance with the earlier agreements established with the combined unions, receiving praise from Ackerley for their honourable actions: ‘it must be remembered that the arrangement was not an advantageous one to the canal company, for it entailed an increased charge, and it was to their credit that they fought Liverpool as if it was for their benefit’.¹⁰² Upon the bill passing and the new rating becoming operational, Liverpool would have the benefit of receiving full rates immediately, whilst the other unions would receive half rates for the first seven years as per the original agreement. Ackerley hoped Liverpool would accept this, and not oppose the bill in the Lords. However, on 6th May 1892, the Guardians petitioned the House of Lords against changes to the bill as passed in the Commons.¹⁰³ What came of this development, and whether or not it was a result of any counteraction taken by Liverpool has not been ascertained, but the issue ceased to be a major item in the main minutes of the board thenceforth, and so it would seem fair to deduce that the deal reached held fast. This might be supported by the fact that by October 1892, the union assessment committee had appointed Messrs Cross and Eagle of Manchester to estimate the value of the Leeds-Liverpool Canal in the union, which would have been somewhat pointless if the chance for a revaluation had not finally been given the go-ahead.¹⁰⁴ Another pointer to success might also be found in the fact that in

is the correspondence referred to by Ackerley in the main minutes that he’d had with a Mr Killick, the LLCC’s solicitor, over remarks Ackerley had made at the board meeting of 12th February 1892. G/Wi 8a, 15/697.

¹⁰⁰ G/Wi 8a, 15/725: Board meeting, 8th April 1892.

¹⁰¹ *Wigan Observer*, 9th April 1892.

¹⁰² *Ibid.*

¹⁰³ G/Wi 8a, 15/755.

¹⁰⁴ G/Wi 8a, 15/854: Board meeting, 7th October 1892. Cross and Eagle were paid £308/5/1 for this service in July 1893 - G/Wi 8a, 16/66.

September 1896 the LGB eventually ordered a reversal and remission of several surcharges and disallowances made by the District Auditor for the half-year ended 29th September 1892 re expenses incurred by the guardians in their opposition to the Leeds and Liverpool Canal Bill.¹⁰⁵

Thus, we have seen in the cases of the LLCC and Irish poor removal, some important ways in which poor law boards of guardians, acting collectively, demonstrated themselves to be sophisticated and determined political actors defending, as they saw it, the public interest. Poor law unions also acted by themselves, of course, and this next section will conclude analysis of the notion of guardians as defenders of the public realm by an assessment of the Wigan Union's disputes with the Lancashire and Yorkshire Railway and the London and North Western Railway companies in the 1880's.

2 (iii): 'The gentleman who attends to this matter is at present away for his holidays': The Wigan Board of Guardians, the Lancashire and Yorkshire Railway (LYR) and the London and North Western Railway Company (LNWR), 1882-1887.

As analysis of the dispute with the canal company clearly illustrated, taking on the might of private capital could be a protracted, confusing and costly exercise for poor law unions. Nevertheless, any successes in such undertakings arguably reinforced and augmented the guardians' sense of confidence in their ability to assert the primacy of the public interest over the private when they perceived those efforts to be necessary. That this was not an easy road to travel, and that it was a road littered with obstructions thrown down by private interests, is well evidenced by the disputes with the LYR and the LNWR companies in the mid-1880s. The basis of these disputes was the same as those with the canal company: the attempt by the union to secure a fair rating of company properties. The differences lie in the specific details particular to the case, which broaden our

¹⁰⁵ G/Wi 8a, 18/79.

understanding of the many difficulties faced by the guardians in their defence of the public interest. To begin this section, discussion will step outside the nominal chronological period covered by the thesis on the grounds that the sources referred to are of such interest that they add weight to the central line of argument of the dissertation in general and provide important contextualisation to the dispute of the 1880's in particular.

In October 1882, in response to a query from guardian William Chalk, Henry Ackerley informed the board that 'it was seven or eight years since there was a re-assessment of the London and North-Western Railway Co.'s property'.¹⁰⁶ It seems likely that Ackerley would have well remembered the previous reassessment, given that a series of letters copied in to the minutes of the Assessment Committee from 1872 reveal his increasing sense of exasperation at the stalling tactics employed by the solicitors of both the LNWR and the LYR in refusing to grant access to company books to the surveyors appointed by the Wigan guardians for the purposes of reassessment of the rates. In 1872, Ackerley was not long in to his clerkship, and so his dealings with the railway companies at that time are indicative of the ways in which the 'battle hardened' defender of the board's interests of the 1880's-1890's had cut his teeth.

The Assessment Committee of the guardians had engaged Messrs Corbett and Raby, a Manchester firm, to reassess railway property and traffic returns as the basis of the new valuation. Corbett and Raby, alongside Ackerley himself, found both railway companies to be deeply unwilling participants in this exercise: the guardians' efforts were baulked by a combination of unanswered letters and, when responses were elicited from company solicitors, by a range of excuses, ranging from the plausible to the 'dog ate my homework' category. The more substantive objections voiced by the railway companies centred on the belief that their assets should only be re-valued as part of a general reassessment of all commercial interests within the union, rather than the railways being

¹⁰⁶ *Wigan Observer*, 21st October 1882.

‘singled out’, as made clear in a letter to Ackerley from James Blenkinsopp on behalf of the LNWR:

‘If you are going to make a re-valuation of the above union, we shall have pleasure in producing our books and giving your accountant all the assistance in our power but we object to your revaluing the Railways if other property in the union is not also re-valued’.¹⁰⁷

This objection was used by both the LNWR and LYR and reiterated in correspondence with Ackerley throughout the rest of the year.¹⁰⁸ In response, on behalf of the union, Corbett and Raby articulated the view that:

‘the Assessment Committee are the proper parties to direct when how and by whom valuations for rating shall be made and that the Co.’s are not justified in their (refusal) to allow access to their books on the ground stated or on any other ground. But they have positively refused and our own accountant has had to return from London without a figure, and has not been allowed to go into the question of traffic at the L & Y offices’.¹⁰⁹

Thus, on the key point of principle at issue in this spat, the union believed it had the right to reassess the rateable value of property within its boundaries as and when it saw fit. Other aspects of the dispute were less edifying and illustrate the companies’ willingness to use a range of delaying tactics to halt the revaluation. The correspondence between Ackerley and company solicitors reveals the clerk’s understandable exasperation with the obstructionism he encountered on the one hand, but perhaps as noteworthy is the language he used to articulate the union’s case, stressing at every turn the propriety, transparency and fair dealing of the poor law authorities in contrast with what he depicted as the evasive duplicity of the railway companies, who in their attempts to avoid paying their ‘fair share’, were clearly in his view acting contrary to the public interest.

¹⁰⁷ G/Wi 18c/299, 8th August 1872: Copy of a letter from the LNWR’s solicitor’s office at Euston Station.

¹⁰⁸ G/Wi 18c: The letters referred to in the Assessment Committee minutes cover July-December 1872.

¹⁰⁹ G/Wi 18c/294, 12th July 1872: Copy of letter from Corbett and Raby to Ackerley, updating him on the case. The underlining is in the original.

In response to the letter from Blenkinsopp quoted above, Ackerley made the following observations:

‘I beg to say that if after the revaluation of your line is completed you find it unfairly assessed in comparison with other hereditaments in the union such a state of facts would doubtless be a good ground for a reduction on appeal of the Company’s assessment. I must however point out that it is most unreasonable to assume that such would be the case before the re-valuation is made and to make such an assumption the ground for refusing to afford to my committee the facilities usually given for arriving at a proper estimate of the value of your line. I trust you will see the propriety of advising the company to accede at once to the committee’s request’.¹¹⁰

The clerk received no reply to this missive or to a follow up letter on 27th August. By 25th September 1872, his patience was clearly wearing thin as he warned the LNWR’s solicitors that unless the assessment committee’s request was acceded to at once, Corbett and Raby would be directed to make their valuation based on whatever information they could obtain: ‘If this should prove unsatisfactory to your Company they cannot blame my committee for it as they have done everything in their power to obtain a fair valuation’.¹¹¹

This more assertive statement of the union’s position brought an immediate reply, though hardly a satisfactory one: ‘The gentleman who attends to this matter is at present away for his holidays he returns to the office on Tuesday next when your letters shall have his immediate attention’.¹¹² The LNWR solicitors followed up this excuse with another one just over a week later: ‘The lines being somewhat complicated in the Wigan Union it will be a tedious and expensive matter getting out even an estimate of the traffic.’ The company solicitors therefore proposed preliminary meetings between their representative and Corbett and Raby in order to discuss access to company books: ‘Mr Edmonds will be

¹¹⁰ G/Wi 18c/300: Copy of letter from Ackerley, 13th August 1872.

¹¹¹ G/Wi 18c/309: Ibid, 25th September 1872. Without access to the books, Corbett and Raby stated that they would ‘make estimates of traffics by watching trains pass on each leading line and have valuations on such estimates’: G/Wi 18c/294.

¹¹² G/Wi 18c, 310: R. Roberts to Ackerley, 26th September 1872. The punctuation is as it is written in the document. The Lancashire and Yorkshire Railway, whilst agreeing with the LNWR on the need for a reassessment to be part of a general revaluation, also expressed its own less elevated reservations, complaining of the ‘Assessment Committee bringing in strangers to value railways and stations’. G/Wi 18c, 318: Copy of letter, 12th December 1872.

in Manchester in about 10 days and would then see Mr Corbett if you agree'.¹¹³ Ackerley was, unsurprisingly, less than pleased with this continuing delay:

'I hardly understand your letter of yesterday's date....This will probably be as you say a tedious and expensive matter but I cannot see that that affects the Company as it does not pay the accountant. It is now several months since the accountant applied for leave to inspect your books and on one pretext or another we have been put off till now. Such conduct on the part of the Company causes the committee to think that it is not being fairly dealt with and that the Company is raising difficulties merely to gain time'.¹¹⁴

The LNWR then simply reiterated its substantive objection of access to company books being conditional upon a general revaluation of all other major commercial interests in the union: one R. Roberts argued that 'I am sure you will agree that it is unfair of the committee to select railways and their stations and leave all the other properties out'.¹¹⁵

Just as one of the guardians referred to the Leeds-Liverpool Canal Company as 'slippery customers' in the previous section of analysis, Ackerley effectively described the LNWR in similar terms in his response to Roberts's reiteration of the company's position noted above. In openly accusatory terms, the Clerk stated: 'I can only infer that your reason for throwing so many difficulties in the way of an inspection is that your returns would conclusively shew the Co. to be very greatly under assessed'.¹¹⁶ Restating the Assessment Committee's intention to allow Messrs Corbett and Raby to make a valuation of company property as best they could without access to the books, he suggested that:

'if it should prove unsatisfactory to the company and an appeal to the Sessions be made, whatever the result may be the Co. will have no ground of complaint as it has wilfully prevented the committee from obtaining the best information on which to base their assessment'.¹¹⁷

¹¹³ G/Wi 18c, 310-311: Copy of letter, 8th October 1872.

¹¹⁴ G/Wi 18c, 311-312: Copy of letter, 9th October 1872.

¹¹⁵ G/Wi 18c, 313: Copy of letter, 16th October 1872.

¹¹⁶ G/Wi 18c, 314: Copy of letter, 17th October 1872.

¹¹⁷ Ibid.

The Assessment Committee minute book does not appear to contain evidence of the precise final outcome of these various exchanges, but in January 1876 Ackerley presented detailed information to the guardians comparing the rateable value and amounts realised under the old and new assessments. The increases achieved by the guardians were considerable. The LNWR's rateable value had increased from £10,702 to £28,063, and the LYR's from £11,369 to £36,732; based on these new rateable values, the combined net increase in rates paid by both companies was £6,001/13/6. The Chairman stated that it would be interesting to the public to know the increase for each district in the union, and so this information was also provided.¹¹⁸ Considering the dispute in a wider sense, it is the nature of the arguments themselves that is also instructive. They illustrate the kind of micro-level opposition that boards of guardians encountered; the language used by Ackerley as he articulated the actions of the union in terms of a sense of propriety and 'fair play' and, not to be underestimated, the political determination and professional competence needed to take on private interests which often had far more financial wherewithal to fight such protracted battles than did poor law unions with far more limited funds at their disposal. In development of this point, this section will conclude with a further examination of these key themes by returning to the 1880's as analysis focuses upon the issues raised by the appeals made by the railway companies against a subsequent revaluation.

As was stated earlier in this discussion, William Chalk had raised the issue of another revaluation of the railways in October 1882, though it was April 1883 before the guardians directed the assessment committee to look into the matter.¹¹⁹ After the revaluation had been completed, once again both the LNWR and the LYR appealed against the new assessment and the union assessment committee was instructed to respond to this in December 1884.¹²⁰ Perhaps unsurprisingly, the appeals process proved to be a very protracted affair. Nevertheless, one of the principal causes of the delay illustrates not just the clash between private and public sector interests already noted, but

¹¹⁸ *Wigan Observer*, 28th January 1876. It is not clear from the report if this was £6,001 per year or per half year: the apportionments were made twice yearly. That is, two rates were levied each year.

¹¹⁹ G/Wi 8a, 13/401. In July 1883, it was resolved to appoint professional valuers to make a new valuation of all railway property in 17 of the townships in the union. G/Wi 8a, 13/468.

¹²⁰ G/Wi 8a, 13/816. Both companies appealed against the rate set in 10 of the townships in the union.

conflicts of private and public interest on the County Bench. At a meeting of the guardians on 11th June 1886, Ackerley informed the board of his attendance with counsel and witnesses at the ‘intermediate sessions’ at Liverpool on 8th June to try the appeals of the LNWR against its assessments in Haigh and Hindley townships: ‘but as nearly all the magistrates on the Bench were shareholders in the company and the few who were not left as soon as the county business was finished and the appeals had to be again adjourned’.¹²¹ Ackerley noted that frequent adjournments of these appeals had been both costly and inconvenient, to which C.F. Clark added: ‘These appeals have now been going on for two or three years and it is very hard upon the authorities in the various townships who have heavy demands made upon them’.¹²² That the appeals could disrupt the smooth running of union business as suggested by Clark is illustrated, for example, by the failure of the Overseers of Winstanley township to pay their proportion of the rate on time in August 1885, due to the LYR not paying their rate.¹²³

In its quest to find a speedy resolution to the case, Ackerley had suggested moving the Haigh and Hindley appeals to be heard by Mr Gully, the Recorder of Wigan at the borough sessions. However, the LNWR’s counsel stated that the company directors insisted that the cases were tried at Liverpool. Therefore, in pursuit of another line of attack against what William Chalk termed this ‘monstrous thing’, the guardians turned for guidance to Wigan MP Sir F.S. Powell.¹²⁴ On 25th June 1886, the clerk informed the board that he had met with Powell and asked him to put the guardians’ concerns to the Home Secretary, however, the MP ‘seemed to think no good was likely to result from that course of action and suggested that local influence should be brought to bear upon the magistrates privately’.¹²⁵ The precise meaning of this rather cryptic remark is not evident in the minutes of the board, though details of the resolution to part of the dispute a month later are possibly suggestive. Despite Powell’s advice, the board nonetheless resolved to write to the Home Secretary and inform him of ‘the difficulty which the

¹²¹ G/Wi 8a, 14/184.

¹²² *Wigan Observer*: 12th June 1886.

¹²³ G/Wi 8a, 14/12.

¹²⁴ *Wigan Observer*: 12th June 1886.

¹²⁵ G/Wi 8a, 14/191.

guardians experience in not being able to get a disinterested Bench at Liverpool to try the appeals.’¹²⁶

On 23rd July, Ackerley reported that the reply received from the Home Department pointed out that the Home Secretary had no authority in the matter and any complaints about the appeals should be directed to the Chancellor of the Duchy of Lancaster.¹²⁷ At the same board meeting however, the clerk noted that the LNWR’s appeal over the rating for Hindley had been dismissed by the court with costs against the company. Ackerley explained that ‘after considerable difficulty’ they had succeeded in getting a bench of non-shareholders. In doing so, ‘no assistance was rendered by the clerk of the peace, but when counsel put the matter plainly before Lord Derby he gave them all the aid he could. The feeling apparently of the court was that the company were underassessed, and they dismissed the appeal.’¹²⁸ The LNWR’s appeal against the assessment of its lines and premises in Wigan itself was dismissed in January 1887 by the Recorder, also with costs against the company, to the evident delight of the guardians when Ackerley informed them about it on 21st January. William Chalk, in the chair, stated: ‘I think we may congratulate ourselves upon the termination of the cases. Of course, the expenses will be heavy, but we shall reap the benefit in the future.’¹²⁹

Interestingly, in Ackerley’s description of the proceedings at Wigan, he makes a point of emphasising the professionalism, thoroughness and fairness of the Recorder’s handling of the case, despite the fact that it pointed to some errors in the reassessment on the part of the union’s valuers: ‘The Recorder was a man of great ability, and stood high in his profession. He heard the evidence at great length, took full notes, and worked out the figures for himself, and he said he was satisfied that the North Union lines might fairly be assessed at £600 a year more than at present. With reference to the stations, he said that

¹²⁶ Ibid.

¹²⁷ G/Wi 8a, 14/210, and WO: 24th July 1886. The reply on behalf of the Home Secretary Mr Childers was sent by one Godfrey Lushington.

¹²⁸ *Wigan Observer*: 24th July 1886.

¹²⁹ *Wigan Observer*: 22nd January 1887.

the union valuers had included some matters which they ought not to have done, but he had set one against the other, and dismissed the appeal.’¹³⁰

In concluding this section, it is important to take note of the scale of financial costs that the guardians were willing to bear (or risk) in such protracted, complex battles with powerful private interests. In this case, the guardians had engaged Messrs Cross and Eagle, another Manchester firm, to undertake the revaluation of the railways. The board minutes of 22nd August 1884 reveal that upon the recommendation of the assessment committee, Cross and Eagle were paid £500 for their services in that regard – a substantial sum of ratepayers’ money.¹³¹ In June 1886, a further £200 was forwarded to Cross and Eagle, alongside £300 to Ackerley on account of counsel’s fees and costs.¹³² In December 1885, Ackerley had stated that in the LYR’s case, the cost to the union of defending its case against the company’s appeal was £450, but the increase in assessments spread across all the townships in the union would bring in an additional £2,500 per annum.¹³³ These figures gleaned from the minute books and newspapers, whilst possibly not illustrating the full picture, nonetheless serve to indicate the costs that could be incurred in order to secure long term improvements to union finances that William Chalk had referred to. In September 1887, Ackerley presented to the board a statement of particulars of costs incurred and increased revenue subsequently derived as a result of the appeals cases with both railway companies: the statement, as in the earlier revaluation was to be handed to reporters for publication, indicative of the guardians’ desire to justify their stance in the face of criticisms of wasting public money and to demonstrate to the public the success of their efforts.¹³⁴

From the three case studies analysed in this chapter, it is evident that boards of guardians could be formidably determined and skilful political agents with a keen sense of duty and public service, determined to defend the public interest as they saw and understood it. It does not seem unreasonable to suggest that if it is to be more fully understood, historical

¹³⁰ Ibid.

¹³¹ G/Wi 8a, 13/731.

¹³² G/Wi 8a, 14/196.

¹³³ *Wigan Observer*, 16th December 1885.

¹³⁴ G/Wi 8a, 14/476.

research and analysis of the development of public service and administration in England needs to take more account of the role played by boards of guardians and their officials. The attitudes of boards of guardians were certainly pivotal in explaining outdoor relief policy, particularly in the era of the 'Crusade' against outdoor relief in the last quarter of the nineteenth century, which is the focus of inquiry in the next two chapters.

Chapter 3: The Outdoor Relief Controversy (1)

3 (i): Introduction

‘The Poor Law is disgracefully administered, there being almost as many outdoor paupers in this union as there are in Manchester.The streets are infested with beggars, who take up this occupation because the Guardians only dole out inadequate relief.’

(David Lindsay, 27th Earl of Crawford and 10th Earl of Balcarres: journal entry referring to Wigan, 17th November 1898).¹

‘I would like that Commission to contain a representative of a place like Wigan, in which outdoor relief has been given carefully, but readily, and as some people think without bad results’.

(Professor Alfred Marshall, in evidence to the Royal Commission to consider Alterations in the System of Poor Law Relief in case of Destitution occasioned by incapacity for Work resulting from Old Age, 5th June 1893).²

These two quotations, the former coming from an aristocrat whose family (and its predecessors at Haigh Hall, the Bradshaighs) had long maintained a seigneurial and parliamentary interest in Wigan, and the latter coming from a great economist, neatly encapsulate the principal controversies that dominated debates on outdoor relief policy in Wigan and indeed the nation at large in the last two decades of the nineteenth century. How much outdoor relief should be given, to whom it should be given and upon what conditions were fundamental questions grappled with by a range of organisations, institutions and individuals such as boards of guardians, the Local Government Board

¹ Vincent, J. (ed.) (1984) *The Crawford Papers: The Journals of David Lindsay twenty-seventh Earl of Crawford and tenth Earl of Balcarres 1871-1940 during the years 1892 to 1940* (Manchester University Press), p. 52.

² PP: *Royal Commission to consider Alterations in System of Poor Law Relief in case of Destitution occasioned by incapacity for Work resulting from Old-Age*; Minutes of evidence, Q. 10432-10433. Marshall here was referring to the possible composition of a commission that he hoped would be set up to inquire into the general conditions of poor relief, in reply to questioning by C.S. Loch of the Charity Organisation Society.

and its inspectorate, poor law conferences and the Charity Organisation Society. In their own way, all of these agencies had an impact upon poor law debates, whether in terms of ideology and rhetoric or in the practical administration of policy at local level. As is argued throughout this thesis, it is policy outcomes at local level that are of greatest importance, since before the creation of the Unemployment Assistance Board in 1934 the relief of destitution was unequivocally a local matter. Whatever the given position of the LGB on any specific question at any given moment, regardless of the latest exhortations of the COS at national level, the nature of poor relief varied considerably from union to union dependent on the balance of a lengthy range of variables within the poor law unions themselves. These variables will be illustrated throughout the course of the thesis, but include local political forces; the role played by key individuals on boards of guardians, including their paid officers; the nature of the local economy, relationships between boards of guardians, LGB officials and the COS.

Because of the genuinely local nature of relief administration, different aspects of practice were the focus of greater controversy and debate in some unions than others. The question of outdoor relief, particularly the fact that as a proportion of the whole amount of relief given, it vastly outstripped indoor relief in the Wigan union was always a prominent and often a dominant local issue throughout the period 1880-1900. It is this issue that is highlighted in the aforesaid two quotations from Lindsay and Marshall which illustrates how widely views on the subject of outdoor relief could differ. David Lindsay's complaint can be read as a classic reflection of orthodox COS and LGB opinion: the belief that indoor relief should be favoured as far possible; that many boards of guardians, by providing 'inadequate' doles to too many paupers rather than concentrating the use of available funds by offering higher levels of relief to smaller numbers of 'deserving' or 'redeemable' cases, merely perpetuated pauperism, undermined the morale and self-respect of the poor and effectively encouraged begging.³ In contrast, Marshall's is a more pragmatic view, implicitly recognising the fact that

³ Earlier in his journal, Lindsay recorded observing approvingly and assisting with the work of the COS in London: see Vincent, *op. cit.*

many boards of guardians were either simply unwilling or, because of local political pressures, felt it to be unwise to apply to the letter the strictures of the LGB and the evangelists of the COS.⁴ Throughout our period, outdoor relief policy in the Wigan Union was far from being ideologically ‘pure’: the COS seems to have had little impact in Wigan and it is scarcely mentioned in the minute books of the board of guardians, and the LGB inspectors were a constant critic of the guardians on this issue. Nevertheless, we should be wary of drawing too hard and fast distinctions between these two positions. The reality of the situation in Wigan was far more interesting, contradictory and complex.

Thus, despite the indisputable fact that in its actions the Wigan board heavily favoured outdoor relief, the key question to be explored is why? A complicating factor that will be analysed is the fact that the Wigan guardians were among those Lancashire boards who quickly adopted the ‘Manchester Rules’ of relief after their introduction in that union in 1875. These standing orders took a very hard and prohibitory line against outdoor relief and Manchester, unlike Wigan, was widely regarded in ‘orthodox’ circles as an exemplar of good practice. How can the adoption of these rules by the Wigan board be squared with the continued dominance of outdoor relief in the union? Was the bias toward outdoor relief a point of principle, a policy of local defiance of the LGB in the aftermath of the initiation of the ‘Crusade’ against outdoor relief from 1870 onwards? More pragmatically, was it a result of the guardians’ unwillingness to finance and build a new workhouse with sufficient capacity to enforce a policy favouring indoor relief, as would be suggested by an LGB inspector as the 1890’s progressed? Was it related to the fact that as a centre of the coal mining industry, many recipients of relief were the wives, widows and children of injured or deceased miners, or other paupers whom the guardians felt to be ‘deserving’ such as the elderly, who it was felt should not be denied outdoor relief or forced into the workhouse? As we will see, it is difficult to come to unequivocal conclusions to the central question posed: many factors can convincingly be argued as *relevant* in explaining the policies adopted by the guardians. However, identifying any or

⁴ Marshall was a critic of the harshness of the poor law and the workhouse test; Brundage, 2002, op. cit., p. 131.

several of those factors as *deterministic* in explaining the bias toward outdoor relief is a much more difficult task.

In attempting to address these issues, the following approach will be taken. Firstly, the existing historiography of the 'Crusade' will be examined. This raises the question of what does the study of outdoor relief policy in Wigan union add to our knowledge and understanding of the period. To provide an answer, and to do justice to the importance of these questions, requires two chapters. In this chapter, a statistical overview will be presented illustrating the clear differentials between indoor and outdoor relief levels during the period of this study. The chapter will then examine the introduction of the 'Manchester Rules' in Wigan, and attempt to ascertain the extent to which they were actually being enforced. There will also be a consideration of the role of the COS in Wigan, in addition to the guardians' responses to periods of 'exceptional distress'. Secondly, the next chapter will consider the possible explanations for the long-term discrepancy between indoor and outdoor relief levels that was the focus of so much ire from orthodox contemporary commentators. Further depth to the study will be provided by investigation of aspects of local practice and also of the shared practice that was an important feature of the work of poor law unions as they carved out their role in the public domain.

3 (ii): The 'Crusade' against outdoor relief

The 'Crusade' against outdoor relief was the product of particular political and economic circumstances that constituted an ideological backlash against the perceived departure from the, to its advocates, sacred principles of the 1834 Poor Law Amendment Act in the decades following the Act's introduction. Michael Rose has referred to the 'crisis' of the 1860's when for example, in London, economic downturn and severe winters in 1860-1 and again at the end of the decade were associated with huge increases in pauperism and applications for relief. In Lancashire, the economic and social devastation associated

with the Lancashire Cotton Famine caused by the American Civil War in mid-decade also led to massive increases in pauperism and distress.⁵ The strains generated by crises such as these exposed the weaknesses of both poor law and charitable machinery, ill equipped as they were in 'normal' economic circumstances to cope with the social needs of an increasingly urbanised and industrial society with an expanding population. The response to fears of a ballooning pauper population in England took a very particular form in the movement described by historians as the 'Crusade'. In poor law circles, following the implications of the famous 'Goschen Minute' of 1869 and the subsequent Longley Strategy, which will be examined shortly, the 'Crusade' embodied an attempt to significantly reduce outdoor pauper numbers. In the field of philanthropy, the most significant national development was the formation of the Society for Organising Charitable Relief and Suppressing Mendicity (later known as the Charity Organisation Society) in 1868 in London. G.J. Goschen was president of the Poor Law Board and his memorandum encouraged the co-operation of boards of guardians with charities in the distribution of relief. In the vision of the COS and the Poor Law Board (and its successor after 1871, the Local Government Board) poor relief should be only available for the truly destitute, whilst the COS was to coordinate charitable and voluntary efforts to give assistance to the 'deserving' or 'redeemable' poor.⁶ The real social impact of these broad visions of reform has been the source of controversy amongst historians.

The historiography of the 'Crusade' has been dominated for thirty years by the work of Karel Williams, as the most recent major study of the period acknowledges.⁷ In *From Pauperism to Poverty*, Williams argued that the 'Crusade' was not merely a revival of the aims of the 1834 Report, which focused principally on able-bodied male paupers: rather, it was an attack on pauperism on a much broader front, with the non-able bodied, old and young, women and children alike being targeted. At national level, Williams estimated an overall reduction in outdoor pauperism of 40% between 1871 and 1893: aged and infirm adults, and widows with dependent children, the two largest classes of pauper,

⁵ Rose, M. 'The Crisis of Poor Relief in England, 1860-1890', in Mommsen, W.J. (1981) *The Emergence of the Welfare state in Britain and Germany*, (London: Croom Helm), pp. 50-70.

⁶ Brundage, 2002 op. cit, pp. 108-9.

⁷ Hurren, 2007, op.cit, pp. 45-56.

experienced reductions of 39% and 33% respectively in the numbers of relief recipients.⁸ The effort to restrict outdoor relief was most prominent in 41 unions, 7 rural and 34 urban, that accounted for c. 16% of the national population. These unions accounted for 25% of the overall reduction in outdoor relief numbers from 1871-76 and 28% of the reduction during the period 1871-93.⁹ These unions were consistent advocates of restriction for the twenty years that historians conventionally ascribe to the 'Crusade'. In an intellectual sense, the most influential strategy justifying the 'Crusade' was LGB Inspector Henry Longley's report of 1874, *Outdoor Relief in the Metropolis* which, in summary, envisaged an 'educative' function for the poor law. Following a widespread programme of construction of general mixed workhouses in the mid-nineteenth century, 'new technical instruments for a policy of repression'¹⁰ were available to boards of guardians, whose duty should thus increasingly be devoted to offering only indoor relief. Longley and his supporters did not recommend legislation against the giving of outdoor relief, but recommended a gradual improvement in relief practice at local level, as, via the voluntary adoption of codes of rules, the local populace in a union would in time come to understand the terms on which relief would be offered, and thus 'educated' would cease to make pointless applications for out-relief that they knew would not be granted.¹¹ Williams suggests that in practice Longley's vision was never realised, as a crude, simplistic 'dispauperisation by any and every means' became the norm, with the LGB inspectorate identifying success and failure purely by the numbers receiving relief.¹²

The controversial aspect of Williams' work lay in his assertion that certain leading historians had misrepresented poor law practice by downplaying the impact of the 'Crusade' through a misreading of the original intentions of the 1834 legislation and specified subsequent out-relief directives. He argued that since the intention of the pre-

⁸ Williams, K. (1981) *From pauperism to poverty* (London: Routledge and Kegan Paul). pp. 103-104.

⁹ *Ibid*; pp.104-107. Williams identified 'restrictor' unions as those with less than 30% of their pauper population on outdoor relief, a figure he acknowledged as arbitrary, but within a national context of 74% of all paupers being relieved outside the workhouse on 1st January 1893 this has to be acknowledged as a not unreasonable definition. His definition was based upon a survey by Charles Booth in 1894. The 'restrictor' unions in Lancashire at that time were Preston, Liverpool, Manchester and Salford.

¹⁰ *Ibid*; p.87.

¹¹ *Ibid*; pp.96-102.

¹² *Ibid*; p102.

1870 poor law was focused on denying out-relief only to able-bodied men, then poor law historiography has been barking up the wrong tree in pointing out the significance of the widespread survival of out-relief for other categories of pauper, since the central authority had never sought to debar such applicants.¹³ It was the policy of denial of out-relief to all categories of pauper after 1870 that marked the significance of the ‘Crusade’, and thus its impact needed to be more fully acknowledged. Secondly, and of more direct relevance for this thesis, is the impact Williams’ book has had on subsequent research. Writing in 1981, Michael Rose, one of the leading historians criticised by Williams in his book of the same year, remarked that ‘The steep fall in outdoor relief in the 1870’s, which the reformers hailed as a demonstration of the success of their system, has yet to be investigated at grass-roots level’.¹⁴ Little appears to have been done to rectify the balance for many years after, since in 2007 Elizabeth Hurren argued that “Williams’ emphasis on national pauperism statistics has been a disincentive to local studies of the *crusading* experience.”¹⁵ In both this and the following chapter an exploration of outdoor relief levels, policy and practice in Wigan Union is intended to make a contribution to remedying these lacunae. Indeed, the point needs to be firmly emphasised that whatever broad conclusions can be drawn from national statistics, without a detailed analysis of local practice, the impact or otherwise of national initiatives such as the ‘Crusade’ can at very best only be partially understood and appreciated.

3 (iii): Statistical overview: indoor and outdoor relief levels in Wigan Union

The administration of the post-1834 poor law at both national and local levels generated a mass of statistical information. The Poor Law Commission, along with its successors the Poor Law Board and the Local Government Board were bound into a reciprocal relationship with poor law unions that comprised the flowing back and forth, from the

¹³ See, *ibid*; pp. 81-96, for a much more detailed explanation of Williams’ arguments, and Hurren (2007) for a recent response.

¹⁴ Rose, in Mommsen (1981), *op. cit.* p.63.

¹⁵ Hurren, (2007, p.55) emphasis in original.

centre to the localities, of aggregated statistics on a myriad of issues. These statistics from the perspective of the centre were used, along with visits to the unions by the regional inspectors, as the principal means by which the performance of individual unions was judged. Poor law statistics are often extremely detailed, complex and sometimes opaque and the ways in which they have been used has generated controversy amongst historians, as the aforementioned disagreement between Williams and other academics demonstrates. Mary MacKinnon provides an important summary of many of the complexities inherent in the national statistics, for example, with reference to the difficulties of precisely defining and differentiating between the 'able-bodied' and 'not-able-bodied.' Acknowledging that any such efforts involve arbitrary judgements, she nonetheless argues that despite their difficulties, poor law statistics remain a valuable guide to changes in poverty levels over time.¹⁶ Whilst it is vital to acknowledge the fact that the use of statistics has been the source of such debate, along with the need to ensure that as historians we use them as correctly and accurately as possible, it is equally important not to become so bogged down in that quagmire that the main purpose of our specific historical enquiry becomes relegated to a sideshow. Poor law statistics are a key source, if insufficient in themselves, for historians in our pursuit of answers to those questions, and they are not in all instances fiendishly complex or in dispute. This is fortunate for the central purpose of this chapter and the one immediately following, which are focused on the administration of outdoor relief in Wigan, for the reason that the union was regarded as an extreme case in that its high levels of outdoor relief in comparison to indoor relief were not in dispute: the LGB, its inspectorate, the poor law conferences and the guardians themselves were all in complete agreement that outdoor relief expenditure was very high. The dominance of out-relief was a constant feature of the period, as the following statistics demonstrate:

¹⁶ MacKinnon, M. (1988) 'The Use and Misuse of Poor Law Statistics, 1857 to 1912', *Historical Methods* (21:1), pp. 6-7. This thesis, by contrast, makes no attempt to draw correlations between pauperism and poverty, and concentrates purely on pauper numbers and expenditure.

Table 5: Percentage of Outdoor Paupers to Total Number (less lunatics and vagrants):
Wigan Union 1875-1905¹⁷

1875	1885	1895	1905
84%	88%	91%	84%

In Wigan's case during the late nineteenth century, this statistical evidence was frequently used by the LGB to beat the brows of the guardians for their persistent failure (as they saw it) to curb 'excessive' levels of outdoor relief.

In more detail, the disparity between levels of indoor relief and outdoor relief is illustrated simply and clearly below, firstly in terms of expenditure and secondly in terms of the numbers of persons relieved. These statistics have been extracted from local sources: the Abstract of Expenditure, which covers our period up to and including March 1896, and from the main minutes of the board of guardians from then until 1899. The figures are those for the whole union and just include expenditure on indoor relief (on maintaining paupers in the workhouse) and outdoor paupers, but do not include expenditure on those maintained in asylums. The figures are the half-yearly totals for the half year ending on Lady Day (25th March - LD) and at Michaelmas (29th September - M) in each year, and have been rounded up or down to the nearest £.

¹⁷ BPP: *Royal Commission on the Poor Laws and Relief of Distress, Vol. XII. Reports, Memoranda, and Tables prepared by certain of the Commissioners*, 1910. Cd. 4983, p.384.

Table 6: Indoor and outdoor relief expenditure in Wigan union, 1880-1899

Half-year ending	In-maintenance expenditure	Outdoor relief expenditure	Ratio of expenditure Outdoor: Indoor
1880: LD	£1758	£5016	2.85
1880: M	£1773	£5566	3.14
1881: LD	£1782	£5481	3.08
1881: M	£1714	£5252	3.06
1882: LD	£1777	£5172	2.91
1882: M	£1639	£5454	3.33
1883: LD	£1809	£5060	2.80
1883: M	£1631	£5643	3.46
1884: LD	£1619	£5161	3.19
1884: M	£1633	£5628	3.47
1885: LD	£1542	£5162	3.35
1885: M	£1455	£5792	3.98
1886: LD	£1457	£5580	3.83
1886: M	£1365	£6152	4.51
1887: LD	£1438	£6262	4.35
1887: M	£1379	£6457	4.68
1888: LD	£1495	£6545	4.38
1888: M	£1361	£6785	4.99
1889: LD	£1401	£6418	4.58
1889: M	£1335	£6873	5.15
1890: LD	£1345	£6188	4.60
1890: M	£1291	£6392	4.95
1891: LD	£1272	£5801	4.56
1891: M	£1251	£6246	4.99
1892: LD	£1330	£6025	4.53
1892: M	£1062	£6014	5.66
1893: LD	£1145	£6128	5.35
1893: M	£1366	£6790	4.97
1894: LD	£1387	£6596	4.76
1894: M	£1455	£6946	4.77
1895: LD	£1785	£6773	3.79
1895: M	£1980	£7571	3.82
1896: LD	£2815	£7156	2.54
1896: M	£2476	£7321	2.96
1897: LD	£2805	£6947	2.48
1897: M			
1898: LD			
1898: M	£2793	£7458	2.67
1899: LD	£3358	£7474	2.23
1899: M	£2887	£7673	2.66

(Sources: G/Wi 13, for 1880-Lady Day (March 25th) 1896. G/Wi 8a, for 1896-99.)¹⁸

¹⁸ See e.g. G/Wi/8a 19/6-11; 20/19-25; 23/38-45; 24/32-40 and 25/44-53 for full breakdowns of the union's complete expenditure, or 'half-yearly apportionments' as they were described.

The following table illustrates the number of indoor and outdoor paupers relieved for the whole union on the same half-yearly basis as for the expenditure statistics highlighted above.

Table 7: Number of paupers relieved in Wigan union 1880-96

Half-year ending	Number of paupers relieved in the workhouse	Number of paupers relieved out of the workhouse	Ratio of outdoor: indoor paupers
1880: LD	845	4220	4.99
1880: M	871	4378	5.02
1881: LD	888	4766	5.36
1881: M	893	4365	4.88
1882: LD	839	4286	5.1
1882: M	815	4455	5.47
1883: LD	805	4193	5.21
1883: M	746	4629	6.21
1884: LD	768	4096	5.3
1884: M	772	4567	5.92
1885: LD	770	4375	5.68
1885: M	779	5019	6.44
1886: LD	770	5135	6.67
1886: M	803	5241	6.53
1887: LD	719	5306	7.38
1887: M	799	5270	6.6
1888: LD	814	5730	7.04
1888: M	776	5489	7.07
1889: LD	740	5548	7.5
1889: M	763	5683	7.45
1890: LD	756	5482	7.25
1890: M	723	5041	6.97
1891: LD	659	4958	7.52
1891: M	738	5153	6.98
1892: LD	720	4409	6.12
1892: M	664	4653	7.01
1893: LD	665	4818	7.25
1893: M	700	5672	8.1
1894: LD	581	5942	10.23
1894: M	616	5319	8.63
1895: LD	623	5934	9.52
1895: M	893	6008	6.73
1896: LD	904	5854	6.48

(Source: G/Wi 13, Abstract of expenditure, for 1880-Lady Day (March 25th) 1896)

These statistics demonstrate that firstly, there was a generally downward trend in expenditure on indoor relief from 1880 until 1893, when expenditure began to recover towards the levels evident at the beginning of the period, before a startling leap in expenditure over the short period of Michaelmas 1895 to Lady Day 1896. Secondly, in terms of outdoor relief, expenditure was at a significantly higher base level than for indoor relief at the start of the period, and continued to increase during the 1890s. The growth in outdoor relief expenditure, whilst steady on the whole, included some instances of significant increases and one or two decreases within that overall trend. Obviously, some attempt at explanation of these phenomena is necessary. Between Lady Day and Michaelmas 1893, for example, there was a marked increase in outdoor expenditure and a return to growth in the trend of indoor expenditure following over a decade of general decline. The great coal strike of 1893 seems the likeliest individual explanatory factor for these figures. Given that outdoor expenditure was considerably higher throughout the period, the one fact to emerge from the statistics that needs to be addressed perhaps more than any other is the above mentioned leap in indoor relief expenditure from 1895-96 that established expenditure on the indoor poor on a whole new level: the Lady Day 1896 figure of £2815 was almost triple the amount of the equivalent figure of £1145, only six years earlier in 1893. Could this disparity be taken as evidence of a crackdown on out-relief and a vigorous new initiative to more strictly enforce the workhouse test? However, although the gap between expenditure levels on outdoor and indoor relief narrowed considerably from 1895-96 onwards, when the relative numbers of paupers relieved are considered the picture is quite different, as the ratio of outdoor: indoor paupers reverted to the 'normal' level (i.e. ratios of between c.5-7: 1) recorded since 1880. Analysis of these changes is provided within the context of the debates on the causes of the high levels of out-relief in the next chapter.

In terms of the numbers of paupers relieved, some explanation is required in terms of the ratio of indoor: outdoor statistics listed above. The LGB inspectors, in their criticism of relief practice in Wigan, routinely opined that the outdoor paupers outnumbered their indoor counterparts in a ratio of roughly 10:1. In contrast, a glance at the table above suggests ratios of commonly between five and seven to one: how can this discrepancy be

explained? The answer would seem to be that the half-yearly figures listed above from the Abstract of Expenditure, denote the numbers of individual people to whom out-relief was actually paid during the course of that half-year. However, these figures do not appear to include any dependents of those recipients, particularly children, for whom out-relief payments to individuals were intended to provide assistance. In contrast, other locally held statistics¹⁹ provide weekly returns that provide a more detailed and fuller picture. To illustrate, one example from this source amply demonstrates the case. For the week ending 31st August 1893²⁰, 3,336 paupers are recorded as being in receipt of outdoor relief: 1,911 of them were adults and 1,425 are recorded as children under 16 years. For indoor relief during that week, 267 people received relief in the workhouse. If this is used as the basis of calculating the ratio of outdoor: indoor paupers, a figure of 12.5: 1 is arrived at. If we add to the indoor total the 243 people belonging to the union currently resident in the county asylums, plus the 64 ‘imbeciles or idiots in the workhouse’, then the outdoor: indoor ratio is 5.8: 1. Whatever the precise formula that was used in these calculations, it is clear that the statistics on paupers relieved provided in the table above present the lowest possible indicative ratios of outdoor to indoor paupers, figures which nonetheless demonstrate the heavy bias toward out-relief in the union throughout the period under analysis. As Charles Booth in 1910 remarked, ‘Wigan seems to hold an even course’.²¹

3 (iv): The ‘Manchester Rules’ in Wigan Union

The local statistics on weekly returns are also very useful in enabling us to make some analysis of how fully or otherwise the guardians adhered to the Manchester rules²² and it is at this juncture that it would be useful to establish what exactly the Manchester Rules

¹⁹ G/Wi 23: the Statistical returns: Inspector’s weekly return of persons, 4 vols, January 1890-July 1891; August 1893-December 1899. NB. Although these dates are listed in the catalogue of the Wigan Archives Service, the volumes themselves do not appear to cover this full range of dates.

²⁰ Ibid, the first page of statistics in one volume. This date places these figures in the half-year ending Michaelmas 1893.

²¹ BPP: *Royal Commission on the Poor Laws and Relief of Distress, Vol. XII. Reports, Memoranda, and Tables prepared by certain of the Commissioners*, 1910. Cd. 4983, p.385.

²² The statistics in G/Wi 23 differentiate between non-able-bodied and able-bodied paupers, which are of assistance in allowing us to test the compliance of the guardians with those self-imposed regulations.

were, and what was their impact upon the administration of outdoor relief in the Wigan union? The Manchester Rules were a widely known model of outdoor relief practice very much in keeping with the spirit of the ‘Crusade’, and need to be viewed within the context of the variety of anti-outdoor relief strategies established after 1870 that were explored earlier in this chapter. Roberts Humphreys suggests that the rules became a model for guardians keen to restrict outdoor relief in urban areas, and that they were imitated beyond Lancashire.²³ These regulations were established in Manchester Union in April 1875 and according to LGB inspector R.B. Cane were so successful in reducing expenditure and pauper numbers that they drew wider attention and were quickly adopted by nine North West unions including Wigan.²⁴ They are illustrated in full by figure 3 as follows:

²³ For example in Brighton, Camarthen and Ruthin: Humphreys, op. cit, p. 35.

²⁴ Cane, in PP: *Poor Law (out relief) Copy of a memorandum by Local Government Board relating to the administration of out relief*, February 1878, paper number 352. The other unions were Bolton, Chorlton, the Fylde, Garstang, Lancaster, Lunesdale, Ulverstone and Warrington.

Figure 3: The Manchester Rules on outdoor relief²⁵

7. It will be convenient here to quote the rules that were originally devised and adopted by the Manchester Board of Guardians :—

1. Out-door relief shall not be granted or allowed by the relief committees (except in cases of sickness) to applicants of any of the following classes :

(a.) Single able bodied men ;

(b.) Single able-bodied women ;

(c.) Able-bodied widows without children, or having only one child to support ;

(d.) Married women (with or without families) whose husbands, having been convicted of crime, are undergoing a term of imprisonment ;

(e.) Married women (with or without families) deserted by their husbands ;

(f.) Married women (with or without families) left destitute through their husbands having joined the militia, and being called up for training ;

(g.) Persons residing with relatives, where the united income of the family is sufficient for the support of all its members, whether such relatives are liable by law to support the applicant or not.

2. Out-door relief shall not be granted in any case for a longer period than 13 weeks at a time.

3. Out-door relief shall not be granted to any able-bodied person for a longer period than six weeks at a time.

4. Out-door relief shall not be granted, on account of the sickness of the applicant, or any of his family, for a longer period than two weeks at a time, unless such sickness shall be certified in writing by the district medical officer as being likely to be of long duration, or to be of a permanent character.

5. When relief is allowed to a parent through the admission of a child or children into the Swinton schools or the workhouse, such relief shall not be granted for a longer period than six months at a time ; and if at the expiration of such period a continuance of the relief is required, the relieving officer shall visit and inquire into the circumstances of the parent, and bring the case up for reconsideration by the relief committee, in the same manner as if it were a case of out-door relief.

As Karel Williams has pointed out, the rules ‘did not specify a set of conditions which had to be met before out-relief would be granted to widows or the aged’²⁶: rather, upon examination of the rules as published, they constituted a series of disqualificatory criteria, firstly barring²⁷ specified categories of the population such as single able-bodied men and women, married women (with or without families) deserted by their husbands, and secondly, establishing strict criteria of allocation and distribution of relief, such as the refusal to grant outdoor relief in any case for a period longer than 13 weeks at a time.

²⁵ PP: Ibid. These regulations were toughened on 7th July, 1876, refusing relief to all those whose destitution had been ‘caused by their own improvidence or intemperance’: MH/32/10.

²⁶ Williams, p. 100.

²⁷ Except in cases of sickness.

At a guardians' meeting on 12th November 1875, a committee was established headed by the then Chair of the Board, Pemberton guardian W.J.L. Watkin. This committee was established to consider the method of outdoor relief administration in Wigan Union and 'also the system recently adopted by the Manchester Guardians'.²⁸ The committee met three times on 1st, 9th and 10th December and its report was read to the guardians at the board meeting on 24th December 1875. The board minutes note that the report was adopted unanimously by the guardians, but provide none of its details, and neither does the *Wigan Observer*.²⁹ Fortunately, the *Wigan Examiner* reprinted the report in full and it is highly illustrative of the thinking of the guardians and the specific context within which the Manchester Rules, with one amendment, were adopted by the Wigan board. The committee considered the Manchester Rules, 'similar regulations' adopted by Luton Union, and a table of pauperism and expenditure for the year 1874-5 published by Inspector Cane. Pauperism in Lancashire was lower than the national average but Cane's figures of 1.9% of the Lancashire population and 2.4% for Wigan nonetheless convinced the committee that action was necessary, as did the indoor: outdoor pauper ratios of 28.5: 71.5 for Lancashire, and 15.3: 84.7 for Wigan.³⁰ The relieving officers were asked to provide the committee with the numbers of cases relieved in the union, distinguishing between those relieved contrary to the Manchester Rules and the total number actually relieved for the half-year ending 29th September 1875. From this information the committee concluded that 267 people were relieved contrary to the Manchester Rules at a cost of £245/0/3. However, this figure excluded cases relieved under sub-section (g) of those regulations, i.e. 'persons residing with relations able but not bound by law to support them'.³¹ The committee suspected that the number of people falling into this category would have raised this figure considerably, but the relieving officers were not able to supply any particulars. The Manchester Rules were proposed for adoption, but with a crucial amendment to sub-section (g): 'in certain special cases, a recommendation

²⁸ G/Wi 8a, 11/889: Board meeting, 12th November 1875. The other members were Messrs Strickland, Clark, Shortrede, Smith, Bryham senior, Walls and Harbottle.

²⁹ G/Wi 8a, 11/911. The *Wigan Observer* notes that 'The Clerk read a long report': 1st January 1876.

³⁰ *Wigan Examiner*, 24th December 1875.

³¹ *Ibid.*

that 2s. 6d. per head per week of the family, including the applicant for relief, be adopted as the allowance for outdoor relief.’³²

This amendment is arguably suggestive of a tendency towards leniency in relation to families in poverty – not generosity in financial terms, but a reluctance to strictly enforce the workhouse test that was in keeping with the general ‘character’ of union policy on outdoor relief that will be fully explored in the next chapter. At this juncture, the attitudes expressed in the debate on the adoption of the Manchester Rules in this amended form suggest a majority feeling on the board that was not of a ‘Crusading’ nature. This particular board meeting is also interesting for the presence of LGB Inspector Cane, who articulated ‘Crusading’ opinion with great ideological conviction. Wigan guardian William Strickland expressed views of a similar ilk, suggesting that the new regulations should be augmented by offering only the workhouse to widows who had benefitted financially from their husbands’ membership of burial or friendly societies. Strickland explained his position in the following terms:

‘Now it frequently happened that a man, the head of the household, became lost through some calamity, the wife or the relative received the benefit for which they had subscribed and that sum frequently amounted to something considerable, from £5 to £20. From his experience it was quite common for a woman directly she became a widow, to think she was entitled to relief. In such cases it had been usual for the guardians to require a statement of the expenditure of the large sums of money thus received, and it was found they had been consumed either in funeral expenses, clothing, or payment of debts which it was very doubtful they were liable for...If the rule was adopted and carried out that in such cases the widow should receive an order for the house upon applying for relief, it would be the means of making them more careful in the expenditure of the money they received, therefore he would propose that out-door relief be refused in such cases.’³³

A number of guardians expressed opposition to this view. Christopher Fisher Clark, a mining engineer representing Ashton, along with Messrs Valiant, Green and Marsh argued that Strickland’s proposal would prove counter-productive, with Clark suggesting

³² Ibid.

³³ *Wigan Examiner*, 24th December 1875.

that the resolution ‘would have a tendency to prevent men joining the societies’ and Marsh saying ‘it would lead to dishonesty’.³⁴ More expansively, Mr Green argued that: ‘He had been a shopkeeper for some years, and frequently not only supplied goods to people on credit when the husband was ill, but actually lent money to enable the poor people to keep up their payments to the Burial Societies.’³⁵ For his part Inspector Cane preached the virtues of the Manchester Rules, clearly believing that they served the ‘educative’ function envisaged in the Longley Strategy referred to earlier. The large reduction in outdoor relief in Manchester had not been accompanied by an increase in indoor relief, and:

‘all that had been affected without any hardship to the class of poor who were formerly in receipt of relief, because it became known amongst the poor in the district that certain rules had been laid down, and if their cases did not come within those rules, it was useless for them to apply. Consequently many did not apply, and had been able to find what they required elsewhere. Surely that was very satisfactory, not only for the large amount saved which was important, but for the fact that it raised the relative position of the pauper.’³⁶

This confident assertion, not actually bolstered by specific evidence, that denial of outdoor relief not only did not harm the poor but actually improved their social position and morale, was typical of much LGB opinion. A code of rules was needed, Cane continued, ‘as there were many kind-hearted people whose hearts were more expressive of sympathy than their brains. The kind hearted man by having a code of rules before him could defend himself.’³⁷ He supported Strickland’s resolution in similarly strident terms: ‘It was, as had been said, a well-known fact that people left themselves destitute in order to have a handsome funeral and thus squander the money’.³⁸ However, it was not

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid. The reduction in outdoor paupers in Manchester was startling. Mr Cane’s file illustrates that in 1870, the day counts of 1st January recorded 3,307 indoor paupers and 10,326 outdoor paupers (including lunatics in asylums), and by 1877, the indoor count was virtually identical at 3,325 but there were only 1,286 outdoor paupers: MH 32/10.

³⁷ Ibid: By this, he meant that it would be easier for an individual to decline relief applications as a code of rules meant such a decision was not based on personal favouritism or prejudice.

³⁸ Ibid. Cane’s views in this respect were very much in the spirit of the ideology of 1834. The experiences and attitudes of working class people towards death and funerals have received attention from historians in recent years; see e.g. Hurren, E. And King, S. (2005) “‘Begging for a burial’: form, function and conflict in

in Inspector Cane's power to compel the guardians to adopt the rules, and thus he recommended them to the board to decide on their suitability. Following this, Strickland withdrew his motion and the guardians' committee report adopted the Manchester Rules, operational from January 1876. However, the rules were in amended form, with the aforementioned changes to sub-section (g) offering scope for leniency whilst it must also be remembered that whatever system of relief administration was in operation, guardians could always legally award relief in cases of 'sudden or urgent necessity'. The statistics of relief expenditure and pauper numbers presented earlier demonstrate that outdoor relief in the 1880's and 1890's continued to increase rather than decrease. Were the rules thus ignored in practice by the board and its relieving officers?

On his first meeting with the Wigan guardians in 1892, Inspector Herbert Jenner-Fust junior, in summing up his general observations and commenting on the high level of out-relief noted that: 'Their organisation was excellent, and there seemed to be no fault to find with the arrangements. They had paid attention to the matter and had adopted the Manchester Rules, *which, however, they had not for some reason strictly adhered to.*'³⁹ Further complication of the picture is evident from communication between the Wigan and Paddington boards of guardians in January 1891. S.D. Fuller, chair of the Paddington guardians wrote to Wigan inquiring about the method of dealing with applicants for out-relief in the union. The Wigan guardians unanimously resolved to ask Ackerley to reply that 'the Guardians do not work upon any special rules in dealing with applications, but deal with every case upon its own merits.'⁴⁰ What can be read from this? That the formally adopted Manchester rules were not actually in operation? Or, perhaps less likely, did they mean that within the framework of the Manchester rules, each case was considered on its own merits? There does seem to be a sense of 'marry in

nineteenth century pauper burial", *Social History* (30:3) pp. 321-341; Strange, J-M (2002) "'She cried a very little': death, grief and mourning in working-class culture, c. 1880-1914", *Social History* (27:2) pp. 144-161;

³⁹ *Wigan Observer*, 3rd August 1892. Emphasis added. Jenner-Fust succeeded J.J. Henley as regional inspector in 1892. Henley took over the district following Mr Cane's death in 1884.

⁴⁰ G/Wi 8a, 15/399. Fuller asked for details on dealing with certain classes of cases, but the minutes do not record what they were. The Minority Report of the 1905-09 Poor Law Commission (p. 37) was scathing of this type of practice – rather than viewing such approaches flexible or pragmatic, the Webbs argued that: "'Each case on its merits' is the formula used to conceal much caprice, prejudice and favouritism."

haste, repent at leisure' about Wigan's relationship with the Manchester Rules: a rush to the 'Crusading' altar followed by a dawning realisation of incompatibility between full implementation of the regulations on the one hand and the reality of the nature of social need in the union on the other. Wigan was not alone in this respect, as J.J. Henley commented in his LGB annual report of 1885-6 that Lancashire pauperism would be significantly reduced if 'the well known Manchester Regulations for administering relief were adopted throughout the county, and *strictly adhered to*'⁴¹, implying that the several unions that had formally adopted the rules had not proceeded towards full implementation.

Given the adoption of these regulations by the Wigan board, and bearing in mind the continuously high levels of outdoor relief throughout the period, we must ask in what ways, either in whole or in part, did the guardians actually implement the Manchester Rules in practice? It is not possible for us to provide a complete answer to this question, but some sources that have survived do allow us to make some informed observations nonetheless. Relief order books and relief lists from the early 1890's provide us with information on the length of period for which relief was granted, the amount or type of relief given, and the stated reason for relief being awarded.

The relief list for the Scholes district of Wigan borough (Relieving Officer Joseph Simpson) for the half year ending Michaelmas 1894 is one of the few substantial extant documents that provide stated reasons for the allocation of outdoor relief. The relief list states the reason for relief being awarded, whilst in contrast the relief order books that will shortly be referred to state the duration of relief awards but not (frustratingly) the reason for relief. The table below is compiled from the 1894 Scholes relief list and includes the cause of requiring relief and the number of persons within each category.

⁴¹ PP: *LGB Annual Report*, 1885-6, p. 32. Emphasis in original.

Table 8: Stated reasons for allowance of outdoor relief in Scholes, Michaelmas 1894

'Old Age'	226
'Sickness'	91
'Widow etc'	58
'Husband away'	14
'Child's Funeral'	14
'Confinement'	10
'Wife's confinement'	8
'Cripple'	6
'Deranged mind'	6
'Funeral expenses'	4
'Orphans'	4
'Wife's sickness'	3
'Broken leg'	3
'Phthisis'	3
'Wife's deranged mind'	2
'Insanity'	2
'Injury to foot'	2
'Husband in infirmary'	2
'Parents in prison/gaol'	2
'Blindness'	1
'Fits etc'	1
'Injury to leg'	1
'Child's sickness'	1
'Child's hernia'	1
'Husband in Union'	1
'Husband in prison'	1
'Destitute'	1

(Source: G/Wi 13b: Outdoor relief lists)

Of the names of recipients on the relief list, 298 were women, 167 were men and 6 were children.⁴² Bearing in mind that this list is a snapshot of one relief district within the union over one six month period⁴³ and thus it cannot be assumed that the other districts would follow a similar pattern, the information yielded is important nonetheless. The overwhelming majority of outdoor relief recipients in Scholes were the old, the sick and the injured. Did the stated reasons for the award of relief in any ways conflict with the

⁴² G/Wi 13b. As with G/Wi 13a, Abstract of Expenditure, these lists appear to denote the person to whom relief was paid but do not indicate how many or whether they had any dependents for whom the relief was also intended.

⁴³ Though along with the Wigan town district, the most heavily and densely populated district in the union.

demands of the Manchester rules? In some respects, it appears that the rules were not being fully complied with, but because of the terminology used it is difficult to offer much real certainty on this. The one stated case of ‘husband in prison’ was certainly in breach of section 1 (d) of the Manchester rules, however, this would hardly account for the dominance of out-relief in the union already noted. Other cases are more ambiguous, however. For example, section 1 (c) of the rules prevented able-bodied widows without children, or having only one child to support from being granted relief. The outdoor relief list for Scholes contains 58 people awarded relief as ‘widow etc’, but it is impossible to tell from that description if those widows were able-bodied or if or how many children they had to support. Some of them may thus have been allowed relief under the Manchester rules, others not but from the stated cause of relief alone it is not possible to say one way or the other. However, from the weekly statistical returns that have survived from the 1890s it is evident that considerable numbers of adults classified by the guardians as able-bodied were in receipt of outdoor relief. The majority of these recipients were women. As an illustrative example, the table below provides the statistical returns for the whole union on a weekly basis for the Michaelmas quarter of 1895: all figures have been extrapolated from the weekly statistical returns.

Table 9: Total number of non-able bodied (NAB) and able-bodied paupers (AB) in receipt of outdoor relief in Wigan union, Michaelmas quarter 1895 (Source: G/Wi 23)⁴⁴

Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14
NAB	1505	1535	1512	1514	1515	1507	1519	1516	1518	1514	1529	1531	1539	1531
AB	557	553	579	591	586	581	591	588	589	587	589	583	583	578

The above figures demonstrate that during this sample period, non-able bodied paupers outnumbered the able bodied roughly in the order of three to one. This would seem to offer some broad confirmation for the picture presented in the table based on the outdoor relief list of 1894, in which it was noted that the vast majority of cases were granted out-relief on the basis of ‘old age’ and ‘sickness’: the ‘deserving poor’?

⁴⁴ The weekly statistical returns from G/Wi 23 list all the outdoor relief statistics for each relief district. The totals in this table are for the whole union – if we think it useful in any way we can differentiate between the different districts to emphasise particular points.

Table 10: Number of non-able bodied adult paupers by gender in receipt of outdoor relief in Wigan union, Michaelmas quarter 1895

Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Men	428	427	427	428	428	427	434	433	434	431	436	437	441	436
Women	1077	1108	1085	1086	1087	1080	1085	1083	1084	1083	1093	1095	1098	1095

The nominal total of non-able bodied paupers masks a clear gender divide, since as the above table suggests, slightly more than twice as many women as men within this category were granted outdoor relief. The figures provide possible support for some existing scholarship that has argued that it was much more difficult for older men to obtain outdoor relief than it was for women. Nigel Goose, for example, has argued that relieving officers were more willing to grant relief to older women than men, whilst women could qualify for relief through family or marital status, notably as widows.⁴⁵ Men also tended to outnumber women in workhouses, and this was also the case in Wigan. The 1881 Census, for example, illustrated that there were 77 widowers in the workhouse, compared to 47 widows.⁴⁶ The statistics in table 10 above do not tell us the age of non-able bodied recipients: nonetheless, it would seem reasonable to infer that many of them may have been older people.⁴⁷

Table 11: Number and classification of able bodied adult male paupers in receipt of outdoor relief in Wigan union, Michaelmas quarter 1895

Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14
IH	7	3	5	5	6	3	4	5	5	7	6	6	6	5
TD	95	93	100	106	107	109	112	108	106	102	101	100	96	92
Total	102	96	105	111	113	112	116	113	111	109	107	106	102	97

IH: 'In Health
 TD: 'Temporarily Disabled'⁴⁸

⁴⁵ Goose, N. (2005) 'Poverty, old age and gender in nineteenth century Hertfordshire', *Continuity and Change* (20:3), pp. 351-384. See also, Thane, P. (1978) 'Women and the Poor Law in Victorian and Edwardian England', *History Workshop Journal*, No. 6 (Autumn, 1978), pp. 30-51. Finding out-relief more difficult to obtain, and with fewer additional sources of income from work such as charing and looking after children, commonly performed by women, men were more likely to accept an offer of the house.

⁴⁶ 1881 Census, from www.workhouses.org/ In addition, of all people aged 60 and above, 85 were men and 41 were women; for the age range 16-59, 108 were men and 103 were women.

⁴⁷ Mary MacKinnon, for example, has suggested that the not able-bodied 'were mostly elderly':

MacKinnon, M. (1988) op. cit., p. 9.

⁴⁸ G/Wi 23.

In terms of assessing the extent to and ways in which the Manchester rules were not being strictly followed, the statistics on able-bodied outdoor relief recipients are particularly relevant. The distinction in the figures between those ‘in health’ and those deemed ‘temporarily disabled’ helps us further with this analysis, in that it reveals another form of gender divide in terms of the ways in which male and female relief applicants were treated. Sections 1 and 2 of the original Manchester regulations clearly stipulated that apart from sickness, no single able bodied men or women should be granted outdoor relief. In the table above, very few male paupers in health received relief (though none should have done so according to the rules), whilst the vast majority of able bodied males were in the temporarily disabled category, and thus if they had been notified as sick by the medical officer and/or guardians, and if single, were granted relief in accordance with the regulations. As already stated, we do not know how many of the men were married or single, so it is difficult to be more precise than this. Nonetheless, with regard to the importance of the dominant local industries (e.g. coal mining and engineering) as possible explanation of high levels of out-relief, the figures provide a sense of the numbers of working men who at any one time were ill or injured through their occupation and partly or wholly dependent upon public relief.

Table 12: Number and classification of able bodied adult female paupers in receipt of outdoor relief in Wigan union, Michaelmas quarter 1895⁴⁹

Week	1	2	3	4	5	6	7	8	9	10	11	12	13	14
IH	397	401	410	412	407	404	408	403	406	408	409	406	408	412
TD	58	56	64	68	66	65	67	72	72	70	73	71	73	69
Tot	455	457	474	480	473	469	475	475	478	478	482	477	481	481

The statistics in the table for able-bodied female paupers paint a very different picture. The vast majority of women within this category were those classified as being ‘in health’. Again, without knowing how many of them were married or single, or how many of them were widows, it is difficult to be precise about how strictly the rules were being applied, but whatever the exact proportions of married and single women, the practice in the union clearly was to grant outdoor relief to sizeable numbers of able bodied women. The Manchester rules debarred married women with husbands in jail, or

⁴⁹ Ibid.

who had deserted them or joined the militia, but not other married women. In the next chapter there is discussion of the case of guardian John Turner, who employed a woman on his farm who was also in receipt of outdoor relief, thus raising the possibility that supplying out-relief to able-bodied women, whether as wage subsidisation or purely as relief of destitution, was common practice within the union. Such a scenario would also accord with the hypothesis of a board of guardians very much aware of the physical toll exacted by the dominant trades upon the local working population, and providing compensation via the mechanism of outdoor relief to those it deemed deserving.

Section 1 (e) of the Manchester rules debarred married women (with or without families) deserted by their husbands from receiving relief: the 1894 Scholes relief list above records 14 cases of relief awarded to women with 'husband away', but it is not clear if any of these are desertion cases or simply women whose husbands were, for example, temporarily absent in search of work.⁵⁰ We must also allow for the possibility that the terminology used on the relief lists was deliberately ambiguous, with the relieving officer and guardians for the relief section, who may not have fully supported the Manchester rules, or not felt them appropriate to their district, presenting information in such a way as to deny any possible accusations that the regulations were not being thoroughly enforced: of course it may be that they simply paid no heed to the rules regardless of any such considerations.

Aside from the Manchester rules' restrictions on classes of relief applicants, it is possible to be more certain about their application in Wigan in terms of time restrictions on award of relief. Section 2 of the rules stated that outdoor relief should not be granted in any case for a period of longer than 13 weeks at a time. However, this rule was definitely not fully observed in the Wigan union. The relief order books that survive for Wigan Borough cover from the quarter ending 25th June 1891 to the quarter ending Christmas

⁵⁰ The Divided Parishes and Poor Law Amendment Act 1876 allowed proceedings to be taken against any person who ran away and left his wife or child chargeable to the union, at any time within two years of the offence taking place, upon information provided by a relieving officer: Dumsday, W.H. (1923) *The Relieving Officer's Handbook*, third edition, p. 209.

1896.⁵¹ These documents make clear that relief was awarded to large numbers of applicants for periods much longer than those stipulated by the Manchester rules. For example, for the quarter ending at Christmas 1891, 238 people were listed as being awarded relief for a period of 26 weeks.⁵² Similar numbers of people were granted relief for such periods throughout the years covered by the relief order books.⁵³

Therefore, it has been demonstrated that the Manchester rules, whilst formally in operation, were not fully applied in practice. However, it is not at all certain whether their full application would have led to the vast reduction in out-relief numbers sought after by the inspectorate. Nevertheless, just because the Wigan board seem to have flouted their self imposed regulations in part, it does not mean that the stipulations of the Manchester rules were ignored in their entirety. An important example of this is policy and practice in cases of desertion (section 1 (e) of the Manchester rules). Most unions could not simply be categorised as strict ‘indoor’ or ‘outdoor’ unions, the reality was much more varied and complex. For example, as has been argued in this chapter and will be explored further in the next, in many aspects of policy with regard to outdoor relief and poor law administration more generally, the Wigan union could be said to have been more ‘lax’ than ‘repressive’⁵⁴, with a demonstrable intention to remove the taint of stigma and pauperism from as many people and aspects of practice as possible. However, in dealing with desertion cases, the guardians were less obviously concerned with the wider socio-economic causes of this offence than they were in their explanations for high levels of out-relief in general (as the next chapter will demonstrate), but were more single-mindedly fixated on ensuring that deserters were made to fulfil their obligations to dependents.

⁵¹ G/Wi 27, Relief Order Books.

⁵² Ibid. In addition to this, 2 people were awarded relief for 25 weeks, 3x24 weeks, 3x23 weeks, 3x22 weeks, 2x21 weeks, 1x20 weeks, 1x19 weeks, 1x18 weeks, 1x16 weeks, 1x15 weeks and 2x14 weeks.

⁵³ For example, for the quarter ending Midsummer 1896, the long-term cases received awards for 27 weeks. Ibid.

⁵⁴ Or, arguably, ‘progressive’: I am using these terms with necessary caution within the context of a system designed to relieve destitution, rather than reduce poverty, and in Wigan’s case with a board staffed by Conservatives and Liberals, rather than socialists during this period.

In May 1881, Bury union was in the process of conducting an inquiry into the treatment of desertion cases and Wigan was one of the unions that were consulted. Ackerley was 'directed to reply that when the husband can be found proceedings are taken.'⁵⁵ In late August 1881, Wigan received a copy of the Bury union's report from its clerk Mr Woodcock, which in summary had concluded the following: that the problem of desertion and neglect to maintain was a growing one across the unions consulted, and that in 'almost all instances' in those unions it appeared to be the strict rule 'not to relieve the wives and families by grants of outdoor relief, and it is in the uniform carrying out of this rule that they consider the best remedy will be found.'⁵⁶ The Bury report believed such a blanket policy of deterrence was necessitated by the virtual impossibility of distinguishing between genuine cases of desertion and those of collusion between husband and wife in attempts to defraud the guardians. The Bury committee further recommended that a policy of pressing for imprisonment of deserters should be pursued, except for instances in which 'offenders pay down the money or find a respectable surety, and that these cases need not be taken before the magistrates.'⁵⁷ Thirdly, the report recommended that at least once a year the names of all those who had deserted or neglected to maintain their wives or family 'be advertised by placard, and a reward of £1 offered in each case for the apprehension of the offenders.'⁵⁸ The response of the Wigan guardians to this report provides further illustration of how the sharing of information in the policy community of poor law unions helped shape debate and policy formation: the chairman noted that such cases commonly appeared before the relief sections on a fortnightly basis, and asked whether the report should be circulated to the relieving officers. John Nevill stated that a copy for each of the relief sections would be very useful, though Ackerley mentioned that the detail of the report only applied to Bury, and the question was should Wigan accept its recommendations: Nevill argued that 'they

⁵⁵ G/Wi 8a, 13/12.

⁵⁶ Wigan Observer, 27th August 1881. Board meeting 26th August 1881: G/Wi 8a, 13/68.

⁵⁷ Ibid. The Bury guardians had also consulted the borough and county magistrates on this question and had received assurances from them that they were willing to impose imprisonment in all cases where the relieving officers had been instructed by the guardians to press for it.

⁵⁸ Ibid.

would be very applicable'.⁵⁹ It was decided to print copies of the report for each guardian and relieving officer.⁶⁰

How much use did the Wigan officers make of this report, or did it in large part offer further support to the general approach they were already following? Detail of cases recorded in the board minutes suggest that a tough line was pursued throughout the period 1880-1900. In July 1881, for example, the clerk reported that he had taken out a warrant against one George Fortune for neglect of family and that magistrates had committed Fortune to prison for 14 days hard labour.⁶¹ Another type of case, relating to indoor rather than outdoor maintenance but nonetheless instructive in terms of illustrating the tenor of local policy dates from 1882: Wigan guardian Matthew Benson raised the case of three children named Finch who had been in the workhouse for three years, and whose father was in Wigan, but according to the Relieving Officer John Hilton could not be proceeded against 'as the time has lapsed and he has already been imprisoned for deserting them'.⁶² At the next meeting Ackerley advised that action was possible in the case and it was resolved to obtain a maintenance order against the children's father.⁶³ A fortnight later, James Finch appeared before the Wigan section and promised to take his three children out of the workhouse the following week and to pay three shillings per week until the cost of their maintenance whilst in the workhouse was repaid.⁶⁴

Two different types of case from 1885 suggest that desertion, as the Manchester rules laid down, was a trigger for disqualification from receipt of outdoor relief in Wigan. In June 1885, Ashton Guardian C.F. Clark brought the board's attention to a claim for non-resident relief on behalf of one Mary Nickson alias Hannaghan. Henry Ackerley informed Clark that the grant of such relief would be contrary to a recommendation of the

⁵⁹ Ibid.

⁶⁰ G/Wi 8a, 13/68.

⁶¹ G/Wi 8a, 13/48. He also reported that he had failed in attempt to obtain a warrant against Ann Walls for desertion, as the offence was committed outside the union and it was doubtful whether magistrates would convict upon the charge of neglecting to maintain .

⁶² G/Wi 8a, 13/297: proceedings in desertion cases had to be taken within two years of the commission of the offence.

⁶³ G/Wi 8a, 13/303, 3rd November 1882.

⁶⁴ Ibid, 13/312, 17th November 1882.

removal committee already adopted by the board, but significantly following a motion put by Wigan guardians John Nevill and Robert Layland it was resolved that ‘as the case is one of desertion the attention of the section be called to the desirability (sic) of discontinuing the Out Relief at present allowed and offering the house.’⁶⁵ In another case from August 1885, the Hindley relief section reported a case of a woman and five children from Ince who had been in receipt of 16 shillings per week in outdoor relief: an order had been obtained on her husband for repayment of the amount, but the section reported that he had gone to America. The board thus decided to discontinue the relief and made the offer of the house to the family.⁶⁶ As long as a woman was married, she faced such harsh treatment, but if she was legally separated then disqualification from receipt of relief no longer applied. For example, in May 1899, General Relieving Officer Elijah Prescott notified the guardians of the case of one John Hughes, upon whom the sacked Wigan Town relieving officer G.W. Smith had obtained a warrant for desertion of his wife in December 1898. Prescott had been told by the magistrate’s clerk that Mrs Hughes ‘was a separated woman’ and that the case had therefore been withdrawn. She had obtained a separation order in October 1897 and commenced receiving relief in March 1898.⁶⁷

As Anne Crowther⁶⁸ has observed, many poor law unions used to advertise for information as to the whereabouts (usually of fathers) of persons who had been accused of deserting wives and children and the Wigan Union was no exception in this regard. In

⁶⁵ Ibid, 13/936, 26th June 1885. No further details are stated, but it would be reasonable to infer that Nickson had been in receipt of non-resident outdoor relief, had been deserted and applied for a continuance of that relief, but the change of circumstances via desertion meant that the out-relief would no longer be offered. Nevertheless, the resolution stated the desirability rather than requirement to discontinue the relief, so some discretion at section level may have been allowed. As a reminder non-resident relief was a form of payment advance from one union, where a pauper had a legal settlement, to another union where the pauper currently resided on behalf of the applicant.

⁶⁶ G/Wi 8a, 13/964, 7th August 1885.

⁶⁷ G/Wi 8a, 24/20, 12th May 1899. The new General Relieving Officer, in addition to collection duties and the responsibility for removal of all lunatics to county asylums, was responsible for enquiring into the whereabouts of deserters. Ackerley passed this information on to Preston union in response to their inquiry as to Wigan’s adopted course re the apprehension of wife deserters. G/Wi 8a, 23/7, 30th September 1898. G.W. Smith’s case is discussed in detail in a later chapter.

⁶⁸ Crowther, M.A., (1982) ‘Family Responsibility and State Responsibility in Britain before the Welfare State’, *The Historical Journal* (25:1), p. 138.

December 1889, at the suggestion of William Chalk and Matthew Benson the board unanimously resolved to advertise in the *Poor Law Unions Gazette* lists of those against who warrants had been issued in the Wigan Union, with a £1 reward for information offered in each case.⁶⁹ There are recorded instances of this policy bearing fruit, for example in February 1891, P.C. David Jerry of Burnley applied to the Wigan guardians for the reward of £1 for the apprehension of one William Henry Dawber.⁷⁰ By the end of the century, in addition to advertising for information on deserters, the board had also established a proactive policy of photographing potential deserters who had obtained leave from the workhouse. A unanimous resolution of December 1898 stated that: ‘inmates leaving the house on leave and leaving children, be photographed before being allowed to leave the house, with a view to assisting the Police to find those persons if they do not report themselves as arranged.’⁷¹ Interestingly, the 1881 Bury Union inquiry and report already discussed identified that ‘the relieving officers do not give the police even a general description of the offender to be arrested, and the committee thought relieving officers when taking out warrants should obtain some general descriptive particulars from the wife or family.’⁷² If the policy established in Wigan in 1898 was to any extent representative, then practice had tightened up from loose descriptions of *actual* offenders in the early 1880’s to photographing *potential* offenders by the late 1890’s. Apart from advertising for information on absconders in the ‘trade’ press unions shared information and cooperated with each other in the apprehension of deserters in the normal course of business. For example, in 1896 Ashby-de-la-Zouch union asked Wigan for help regarding the case of Joshua Jones, formerly of 31 Ingram Street Wigan, who had deserted his wife Mary and was suspected to be in Wigan. The Wigan Town relief section was tasked with inquiring into the matter.⁷³

Desertion cases were thus an important feature of the work of poor law unions and practice in this area could be explored further, but it is sufficient here to establish that in

⁶⁹ G/Wi 8a, 15/84, 20th December 1889.

⁷⁰ G/Wi 8a, 15/408, 13th February 1891. The guardians unanimously agreed to the reward, allowing for the consent of the Burnley Chief Constable.

⁷¹ G/Wi 8a, 23/50, 9th December 1898. Strictly speaking, this example concerns indoor relief, but it does illustrate the tough general line on desertion.

⁷² *Wigan Observer*, 27th August 1881.

⁷³ G/Wi 8a, 18/60, 24th July 1896.

terms of outdoor relief administration in particular and policy in general, the Wigan guardians on this issue were probably more ideologically driven than they were on the issue of out relief per se, where pragmatism had, it would seem, led to the paying of lip service to key aspects of the Manchester rules.

3 (v): The Guardians and 'Exceptional Distress'

A lack of ideological zeal is also apparent in the attitudes expressed by the Wigan guardians in periods of 'exceptional distress'. This term gained increasing prominence in late nineteenth century public discourse as a description of periods of unusually high levels of temporary unemployment. Keith Gregson, in his study of the poor law and exceptional distress in the North-East, suggests that it:

'covered the general effects of slump conditions on heavily industrialized areas and was recognized as being reserved solely for extreme circumstances. Usually 'many factors' would be at work during a period of exceptional distress when long-term problems, including technological change and foreign competition, might coincide with the appearance of old enemies such as inclement weather and seasonal difficulties. During such times, the rallying cry of relief for the temporarily unemployed was widely heard.'⁷⁴

Allowing for the peculiarities of local variation, within the time span covered by this thesis such specific periods achieved national prominence in the late 1870's, mid 1880's and early 1890's. Exceptional distress was an issue discussed by the Wigan board in these periods, and will be examined here with regard to the specific aims of this and the following chapter, that is, as an attempt to identify the broad character of out-relief administration in Wigan over a twenty year period. The exploration of responses to exceptional distress that also included the borough council and other local authorities, in addition to the role of charities, trade unions and self-help organisations would hopefully be a fruitful area for further study, but limitations of space preclude such analysis here, where we must confine ourselves to the role of the guardians.

⁷⁴ Gregson, K. (1985) 'Poor Law and organised charity: the relief of exceptional distress in north-east England, 1870-1910', in Rose (ed.) (1985), op. cit., p. 96.

Keith Gregson's summary of the conditions associated with periods of exceptional distress quoted above, suggests a combination of factors that was not tightly prescriptive, but was a state of affairs that contemporaries would recognise and readily agree was out of the ordinary. Interestingly, however, for definitional purposes the response of the Wigan guardians to a letter from the LGB shortly before the issue of the March 1886 'Chamberlain Circular', is illustrative of how fluid such definitions of exceptional distress could be. In February of that year, the guardians were considering a response to an earlier LGB circular inquiring for information on increases in relief applications, whether guardians would have any difficulties in meeting any possible difficulties in dealing with distress and what occupations might be affected. Inspector Henry Stevens met with Wigan (Town) relieving officer John Hilton and the Assistant Overseer John Bolton, who according to the Clerk told him that:

'They agreed that there were no circumstances of exceptional distress as far as they knew in the district. Of course they told him that trade was depressed, that several cotton mills had been burned down, that ironworks had been closed, but that there was no distress of an exceptional character.'⁷⁵

This rather begs the question of just how bad did things have to get before conditions of exceptional distress were acknowledged as existing in the union, but it does serve to illustrate the amorphousness of the term. The 1886 Chamberlain Circular represented a shift in government thinking that increasingly came to recognise temporary unemployment as an unavoidable hazard of an industrial economy which intended to make provisions for unemployed workers that would keep them out of pauperism. However, before we examine the Wigan board's response to it, we need to explain the guardians' use of specifically poor law responses to exceptional distress in the form of labour tests.

Boards of guardians had been legally authorised to use labour tests to provide temporary relief since the 1842 Outdoor Labour Test, its successor the 1844 Outdoor Relief

⁷⁵ *Wigan Observer*, 24th February 1886. Joseph Chamberlain was the then President of the LGB. In his annual report for 1886-7, Inspector J.J. Henley noted that in Wigan, 'work was scarce, through the recent burning of two mills'. PP: *LGB Sixteenth Annual Report*, p. 75.

Prohibitory Order and also the 1852 Outdoor Relief Regulation Order. Wigan was one of the unions to whom the 1852 order applied, a directive which was principally targeted against outdoor relief for able-bodied men.⁷⁶ As a consequence, it became widespread practice for relief for able-bodied men to be granted only via subjection to a labour test of monotonous, purposely unappealing character, typically stone-breaking or oakum-picking. These ‘stone-yards’ or ‘labour yards’ were most commonly in use in times of economic hardship. As the Webbs have described, the particular work task and relief offered in return varied considerably by union.⁷⁷ The occasions on which it has been possible to find evidence of their operation in Wigan in our period provide further indication of what the LGB regarded as the guardians’ ‘lax’ attitude to outdoor relief more generally, in contrast to the doctrinal character of the inspectors’ pronouncements. On 1st February 1881, for example, the board felt it necessary to put in force the outdoor labour test, however, the way in which it was administered drew strong criticism from Inspector Cane. The guardians explained that the task of work involved the breaking of 10 cwt of stone per day and that:

‘the amount of relief given was regulated by the necessity of the case, and the man was required to work so many days at 1s/3d per day, as would make up the amount of relief given, and he was allowed to go each day as soon has (sic) he had performed his task.’⁷⁸

Cane objected to this, arguing that the guardians should keep men at work for the whole week, irrespective of the amount of relief given, ‘to prevent the possibility of the relief being supplemented by other earnings.’⁷⁹ The inspector felt that this would allow men in receipt of such relief to compete successfully in the labour market with others who had not received it. The guardians explained that they were able to sell the broken stone at 1s/6d for every 1s/3d granted in relief, but Cane retorted that ‘it was not so much a question of the money value of the article as the principle on which the money was

⁷⁶ See Hurren, 2007, op. cit. pp. 19-20 for a summary of the main features of these orders.

⁷⁷ Webbs, *English Poor Law History*, op. cit., p365-367.

⁷⁸ G/Wi 8a, 12/9238: Board meeting, 11th February 1881.

⁷⁹ Ibid. Cane was also concerned that single men might be receiving as much relief as married men with families.

given.⁸⁰ The guardians stated that Cane's suggestions would be considered, but shortly thereafter they received a letter from the LGB asking what steps had been taken to carry them out. In reply, the guardians were able to fob off the LGB by informing that the stone yard was about to be closed: 'the Guardians do not consider it desirable to make any change in the rules for the management of the stone yard at present, as the necessity for making use of it for outdoor cases has ceased.'⁸¹ John Lowe, the Workhouse Master, noted that nine able-bodied men had been in receipt of relief in that particular week, with guardian Mr Marsh stating that most of them were ironworkers and the necessity for continuing relief would soon disappear, therefore 'it was not worth while to go to the trouble of making rules and regulations.'⁸² The LGB were thus informed that Cane's suggestions would be considered 'when the occasion for putting the outdoor labour test in force arises again.'⁸³ A similar clash occurred in August 1893, when in response to an LGB request for information on the outdoor relief given to 'certain able-bodied male paupers' the guardians made clear that they were still operating the same task of stone breaking on exactly the same terms as in 1881.⁸⁴ Again, the LGB expressed disapproval and denied their assent 'to the proposal of the Guardians in its present form.' The guardians simply left the LGB response to 'lie on the table'.⁸⁵ Inspector Jenner Fust raised this matter with the guardians when he attended a board meeting on 1st June 1894. Rather than arguing, as Cane had done, that the guardians' operation of the labour test allowed men the possibility of additional wage supplementation elsewhere, Jenner-Fust claimed that the test unfairly penalised married men with children. He suggested that single men without children had fewer needs which could be met more easily by the terms of the labour test, whilst married men with children were correspondingly faced with a much heavier task to meet their needs.⁸⁶

⁸⁰ *Wigan Observer*, 12th February 1881.

⁸¹ G/Wi 8a, 12/950-1: Board meeting, 11th March 1881.

⁸² *Wigan Observer*, 26th February 1881.

⁸³ G/Wi 8a, 12/951.

⁸⁴ G/Wi 8a, 16/84: Board meeting, 11th August 1893.

⁸⁵ G/Wi 8a, 16/124: Board meeting, 6th October 1893. The LGB's letter was dated 26th September.

⁸⁶ *Wigan Observer*, 2nd June 1894; Jenner-Fust said that he felt it necessary to explain the matter in those terms so that the LGB letter in question, which had been ordered to lie on the table, 'might be fully understood.' G/Wi 8a, 16/294: Board meeting, 1st June 1894.

When we consider evidence on the operation of labour tests in conjunction with the statistical evidence already discussed, it is clear that within the confines of its own jurisdiction, the guardians' generally pragmatic, non-doctrinaire approach (despite the formal adoption of the Manchester Rules) resulted in high out-relief levels throughout the period, which in harder times saw out-relief levels rise and the opening of the stone-yard for able-bodied males as necessity dictated. To illustrate this further, evidence from 1893 during the period of a national coal strike, probably the most serious period of distress to affect the Wigan area during our period, was coincident with significantly higher than 'normal' numbers of able-bodied, in health men on outdoor relief. The evidence already presented in tables 6 and 7 illustrates a significant jump in both expenditure and pauper numbers in 1893. However, the fact that able-bodied men received out-relief to a significantly greater extent in this period is arguably even greater illustration of the guardians' willingness to adjust policy to reflect the particular exigencies of the local economy, as this sector of the population was by far the least likely to be granted outdoor relief.

The most relevant available detailed weekly statistics for the coal strike period begin for the week ending 31st August 1893 (week nine of the Michaelmas Quarter) and are presented in the table below, and are further supported by a table including the statistics for the immediately following Christmas Quarter. Work at all collieries in Wigan and district stopped on 28th July and did not resume until 20th November 1893⁸⁷, so the figures in the table below directly correspond with the strike period: week nine of the Michaelmas Quarter was after the first month of the strike, whilst week seven of the Christmas Quarter coincides with the end of the strike, and the number of paupers in this category began to decline from that point.

⁸⁷ Wigan Yearbook and Almanac, 1894. For detailed coverage of the politics of the North West coal industry during the period, see Challinor, R. (1972) *The Lancashire and Cheshire Miners* (Newcastle-upon-Tyne: Graham).

Table 13: Total number of able bodied and in-health male paupers in receipt of outdoor relief in Wigan union, Michaelmas quarter (partial) and Christmas Quarter 1893 (Source: G/Wi 23)

Quarter Year	Week	Number Relieved
Michaelmas	9	34
	10	33
	11	47
	12	41
	13	43
	14	26
Christmas	1	29
	2	47
	3	54
	4	55
	5	59
	6	48
	7	38
	8	25
	9	18
	10	12
	11	12
	12	14

These might not seem to be large numbers, but if it is remembered that in table 11, for Michaelmas 1895, the numbers in that period were significantly lower, whilst a consultation of this source for 1896-8 reveals numbers consistently in low single figures for the whole union. Thus, the figures for the coal strike period, within a broader national picture of economic difficulty, have considerable resonance.

However, once we move beyond the confines of the labour tests, which were completely within the guardians' sphere of authority, the picture becomes less clear. The issuing of the Chamberlain Circular by the LGB in March 1886 enabled the possibility of establishing public works for able-bodied males not normally accustomed to applying for poor relief, and was intended to involve work less demeaning than stone-breaking which, whilst it was be remunerated at below the market rate to maintain work incentives, was free from the taint of pauperism. This marked a turning point in government thinking on the problems posed by periods of exceptional distress, and whilst the Chamberlain Circular and subsequent directives placed the principal onus of responsibility on town councils, there was still a role for the guardians in liaising with the municipal authority

and suggesting suitable candidates for the unskilled labour envisaged.⁸⁸ The Wigan guardians, however, seem to have been reluctant to engage with this process. Their response to the LGB just before the issuing of the Chamberlain Circular, as we saw in the quotation at the beginning of this section, was to deny that any exceptional distress was evident in the union. Inspector Stevens asked whether there were any cases of distress amongst working people who were too proud to apply for relief, and was told by Relieving Officer Hilton and Assistant Overseer Bolton that they knew that the wages of the working classes were not as high as they had been, ‘but still, they did not regard the state of things as exceptional. They thought the working classes were better off than they were 25 years ago, and much better off than they were before that.’⁸⁹ The Chairman, William Harbottle, said there had been no applications for employment in any of the relief sections, whilst other guardians mentioned that relief applications were at a normal level and so the decision was taken to inform the LGB that no exceptional distress existed.⁹⁰ A month later, in response to the Chamberlain Circular itself, Matthew Benson stated that only one case had come before the Wigan section, but ‘they had no special form of employment to give’.⁹¹

Moving on to the 1890’s, the guardians’ responses to LGB questions about levels of exceptional distress remained lukewarm. In November 1892, for example, the LGB issued another circular that suggested possible steps to be taken for the relief of artisans temporarily deprived of employment. Clerk Ackerley suggested proactive measures:

‘if there was any likelihood of there being exceptional distress or want of employment in the winter, it would be better to make arrangements beforehand rather than make them in a hurry when the cases came, but as far as he was aware there were no signs of exceptional distress.’⁹²

⁸⁸ See Hollen-Lees, *op. cit.*, p. 289.

⁸⁹ *Wigan Observer*, 24th February, 1886.

⁹⁰ *Ibid.*

⁹¹ *Ibid.*, 24th March 1886.

⁹² *Wigan Observer*, 19th November 1892. The board meeting at which the LGB circular of 9th November was discussed was on 18th November – G/Wi, 8a, 15/888.

However, the mood of the meeting was very much one of wait and see, with William Bryham senior, for example, arguing that ‘It was a very large order given by the Local Government Board and if circumstances did happen, he thought then would be the time to take them.’⁹³ Thus, Ackerley was asked to inform the LGB that there was no exceptional distress in the union. Even during 1893, the year of the coal strike, the guardians were reluctant to acknowledge a situation of exceptional distress. An LGB circular of 23rd November 1893 (just after the collieries had resumed operations in Wigan) asked if there was distress of an exceptional character amongst the working classes in the union who had not applied for relief, or if there had recently been an increase in relief applications. However, Ackerley was told to reply that the guardians ‘are not aware of any distress as suggested, in the union, and also that the increased number of paupers caused by the coal strike is being gradually reduced.’⁹⁴ At the height of the strike, however, the guardians took a back seat on the issue of relief works. In early October, the Town Clerk (in his capacity of ‘Honorary Secretary to the Committee for the Relief of Distress in Wigan during the Coal Crisis’) wrote to the guardians enclosing a recommendation that ‘the authorities of the town be asked to provide relief works’.⁹⁵ The guardians seemed keen to leave it to the municipal authority: ‘understanding that the corporation have appointed a committee to consider this matter, adjourned the consideration of the resolution until the committee have presented their report to the corporation.’⁹⁶ For its part, the borough council in 1895 claimed that there was no exceptional distress in the district, except that ‘due to the recent severe weather and general depression in local industries.’ Soup kitchens were set up, and no unemployed register was kept.⁹⁷ In the winter of 1905-6, the municipality opened a labour bureau, later amalgamated with the Distress Register, but ‘the guardians were not applied to.’⁹⁸

⁹³ *Wigan Observer*, 19th November 1892. James Fletcher Morris ‘thought they were fully alive to any cases of emergency that might happen. The circular might apply to some districts’.

⁹⁴ G/Wi 8a, 16/183: Board meeting, 29th December 1893.

⁹⁵ G/Wi 8a, 16/123: Board meeting, 6th October 1893.

⁹⁶ *Ibid.*

⁹⁷ PP: *Second Report from the Select Committee on Distress from Want of Employment*, p. 313; May 1895.

⁹⁸ PP: 1905-09 Royal Commission; *Report on the effects of Employment or Assistance given to the Unemployed since 1886 as a means of relieving Distress outside the Poor Law in London, and generally throughout England and Wales*; Report on Scotland; Vol. XIX. p. 496 (378); Cd. 4795.

These instances illustrate the confusion and uncertainty over respective roles and responsibilities in providing public works. Historians have emphasised the permissive, rather than compulsory character of these LGB directives, and a lack of government funds to finance local projects as fundamental weaknesses.⁹⁹ Coupled with this, which held the primary responsibility: boards of guardians or municipal authorities? Keith Gregson's analysis of a range of North East unions during this period highlights the ambiguities and tensions between guardians and councillors on this issue, and Wigan's case would appear to provide further illustration of a reluctant and cautious board unwilling to commit to such ventures.¹⁰⁰ It is not clear the extent to which, or if, the downplaying of levels of exceptional distress by the guardians was an accurate or disingenuous assessment of particular situations, or a reluctance to fund any projects. Nevertheless, the board's consistent stand on out-relief as a whole throughout the period is further evidenced by specific resolutions passed in the 1890s. In October 1898, the board received copies of resolutions passed by the Birmingham and St Leonard, Shoreditch boards regarding the 'disfranchisement of persons in consequence of being in receipt of relief from the Guardians by way of employment provided under extraordinary circumstances'. Liberal guardians Dr Benson and J. Ballard proposed a resolution, passed unanimously that:

'no person should be disfranchised in consequence of being in receipt of relief by way of employment provided by Poor Law Guardians, in order to meet extraordinary and temporary circumstances, such as depression in trade...Board respectfully urges upon Parliament the necessity of an alteration in the existing laws being made to meet what is now in its opinion an injustice and a hardship.'¹⁰¹

Copies of this were sent to each MP representing the union. In addition to times of exceptional circumstances, in May 1899 the guardians broadened this view to encompass *all* out-relief recipients. Responding to a circular from West Ham Union soliciting support for a change in the law, the Wigan guardians agreed that 'no recipient of out-

⁹⁹ See Hollen-Lees, *op. cit*; Alan Kidd comments that 'Chamberlain's exhortation to guardians to cooperate fell on deaf ears': Kidd, A. (1999) *State, Society and the Poor in Nineteenth Century England* (Basingstoke: Macmillan) p. 59.

¹⁰⁰ Gregson, 1985, *op. cit.*, pp. 109-111.

¹⁰¹ G/Wi 8a, 23/13: Board meeting 14th October 1898.

relief should be disfranchised.¹⁰² Wigan's position as an outdoor relief union was not challenged in any discernable way by the local incarnation of the COS, which it would be useful to consider before concluding this chapter. There is clear scope for a detailed study of philanthropy in Wigan during this period, though as this is not the primary focus of this dissertation, analysis here will be necessarily brief.

3 (vi): The Wigan Charity Organisation Society

The Wigan COS commenced its operations in January 1882, over a decade after the formation of the society at national level. Evidence of its operations seems to be fragmentary, mainly surviving in newspaper coverage of its annual meetings and reports.¹⁰³ The experience of the Wigan COS, judging from its own published reports, exemplified many of the characteristics and difficulties of provincial societies illustrated by Robert Humphreys' major work on the subject.¹⁰⁴ Humphreys notes that in a small number of unions organisations bearing the name COS (or similar) operated on a considerable scale in both financial terms and in their links with boards of guardians which operated restrictive outdoor relief policies.¹⁰⁵ However, in the vast majority of cases, there were few or no links between guardians and the local COS. This was certainly the case at Wigan, where a reading of the minute books and committee records of the guardians during the course of research for the thesis as a whole yielded scarcely a mention of the COS, either locally or nationally.¹⁰⁶ There is little correspondence between membership of the COS listed in newspaper coverage of its annual reports and that of the board of guardians: William Ascroft Byrom, who served briefly as a guardian

¹⁰² Ibid, 24/21: Board meeting 12th May 1899. The resolution was forwarded to the LGB.

¹⁰³ If any of the Wigan society's papers have survived, I have not succeeded in locating them.

¹⁰⁴ Humphreys, R. (1995) *Sin, Organised Charity and the Poor Law in Victorian England* (Basingstoke: Macmillan).

¹⁰⁵ Ibid.

¹⁰⁶ In March 1897, Blackburn COS wrote to the board asking for information regarding one William Holmes, to which guardian Mr Hill responded that he'd given all the information on this man to the Society; G/Wi 8a, 19/77: Board meeting, 5th March 1897. This is one of the very few mentions of the COS in the guardians' minute books.

for the borough, is the only guardian positively identified as belonging to the Wigan COS during the period studied.¹⁰⁷

There appears to have been an understanding on the part of the Wigan COS that it performed a distinctively different role to the guardians, and that both institutions clearly understood the dividing line between them. The Mayor of Wigan, presiding over the 1886 annual meeting, emphasised in classical COS language the two primary objectives of the organisation: ‘the putting down of professional beggarism...The second object was to assist the deserving and honest poor for the time being who were unable to help themselves.’¹⁰⁸ At the 1888 meeting, Mayor T. Stuart explained the respective roles of guardians and COS more fully:

‘He supposed the motto of that society was to help those who helped themselves rather than to take into consideration the very poor. They were provided for by the guardians, and where they drew the line that society began...the amount given by the parish authorities only kept people from starving but that society took many things into account.’¹⁰⁹

The clear implication of this statement reflects the COS tenet that relief should be restricted only to the truly ‘helpable’ or ‘redeemable’, but that where granted it should be adequate, in contrast to the miserly doles distributed by boards of guardians. Despite such claims of comparative beneficence, Humphreys has argued that ‘COS relief generally compared badly with the Poor Law doles which the society delighted in criticizing for its meanness.’¹¹⁰ A surviving indication of the scale of operations of Wigan COS in the 1880s is provided in the table below, which was printed in the 1889 annual report.

¹⁰⁷ Byrom served as a guardian for the borough from 1892-3. See main minute books and Wigan Almanacs.

¹⁰⁸ *Wigan Observer*, 20th March 1886. The Mayor in question was Alderman Park.

¹⁰⁹ *Wigan Observer*, 14th April 1888.

¹¹⁰ Humphreys, *op. cit.*, p.108.

Table 14: Number and type of cases recorded by Wigan COS 1882-1889.¹¹¹

	1882-3	1883-4	1884-5	1885-6	1886-7	1887-8	1888-9
Dismissed as not requiring relief	39	45	30	16	18	7	3
Undeserving	54	33	18	6	5	9	9
Cases for parish relief/ineligible	132	68	98	82	63	76	43
Reported to private persons	33	11	10	5	50	68	55
Assisted with relief	145	273	321	377	422	421	533
Total Cases	403	430	477	486	558	581	643

The increasing number of cases assisted is suggestive of an expanding organisation, though it must be noted that annual relief expenditure of the Wigan COS was dwarfed by that of the outlay by the guardians already discussed. For example, in 1885-6, annual COS relief expenditure (‘exclusive of loans’) was £86/10/4, which included costs of recommendations to Wigan Infirmary; of ladies’ charity tickets for clothing; of maintaining a girl in an industrial school; railway fares for conducting applicants to their friends.¹¹² Expenditure in subsequent years was £100/2/10 in 1886-7; £107/14/6 in 1887-8 and £122/5/10 in 1888-9.¹¹³ These yearly sums, stretched over the numbers of assisted cases claimed by the society, cannot have been much more ‘generous’, if at all than the guardians’ doles. It is difficult to be more precise than this given the lack of more detailed specific information and the need to compare like with like: apart from the types of expenditure explained above, it is not clear what forms the COS relief constituted in any detail or in individual cases, or how many or on what terms loans were offered.

Space and limitations of the available evidence prevents a more detailed exploration of this subject here, but it can be stated that the Wigan COS experienced many of the general difficulties outlined by Humphreys. Dependent entirely upon subscriptions and extraordinary donations, the Wigan society throughout the 1880s frequently bemoaned its financial weakness, its lack of broad local appeal and its dependency upon a very small

¹¹¹ Table printed in *Wigan Observer*, 6th April 1889.

¹¹² *Wigan Observer*, 20th March 1886. These items of relief expenditure are standard features of the 1880s annual reports published in the local press.

¹¹³ *Wigan Observer*, 9th April 1887; 14th April 1888 and 6th April 1889.

number of benefactors¹¹⁴ The total income of the society from 1882-89 is illustrated as follows:

Table 15: Total subscriptions to Wigan COS, 31st January 1882-31st January 1889¹¹⁵

1882-3	£86/12/6
1883-4	£117/14/0
1884-5	£122/9/0
1885-6	£149/19/2
1886-7	£142/18/8
1887-8	£142/17/0
1888-9	£121/15/6

In each of the annual reports from 1886-9, the society stated it was in dire financial straits and its continued operations were in doubt unless subscriptions increased. The Wigan COS, which was supported vociferously by both the Liberal *Wigan Observer* and Tory *Wigan Examiner*, nevertheless as far as can be deduced had a very narrow social basis. The members listed at the annual meetings comprised local (non-poor law) dignitaries such as the Mayor, councillors and borough official, clerics and ladies. The society at times expressed concern as to its lack of wider appeal, which it believed considerably restricted its capacity. In 1888, Chairman Charles Appleton claimed that: ‘They were short of funds, and if the tradesmen of the town would only help them a little they would have no difficulty whatever.’¹¹⁶ Indications of the unpopularity of the society and its methods with the poor were articulated, but taken as proof positive of the success of the organisation. Again in 1888, for example, Mr J.W. Fair stated that: ‘He did not think the little tickets of the society were over popular. They were not received with the greatest pleasure, and often enough were found a few yards from the door. It showed that if the cases were not deserving the people knew they would not get relief.’¹¹⁷ As is often the case with ideologues the society’s certainty as to the value of its work, despite its financial precariousness, as Humphreys suggests for the COS in general, appeared

¹¹⁴ See, for example, the 1886, 1887, 1888 and 1889 annual reports printed in full in the *Wigan Observer*. Lord Balcarres and Francis Sharp-Powell were among those to whom the society expressed gratitude for enabling its survival.

¹¹⁵ Table printed in *Wigan Observer*, 6th April 1889. Figures rounded up to nearest penny.

¹¹⁶ *Wigan Observer*, 14th April 1888.

¹¹⁷ *Ibid.*

unshakeable. The Wigan variant was sure that it was esteemed locally, and that the guardians shared in this view. The Rev Fr. McCarron claimed that:

‘It was pleasing to see that the society was composed for the most part of the present Mayor, the people and of very distinguished members of the aristocracy of Wigan...The society, he believed, had the respect and admiration of the poor law guardians, it received welcome from the authorities of the Wigan Infirmary seeing that it dealt with cases of distress similar to those which come under the jurisdiction of those two splendid institutions.’¹¹⁸

However, as was stated at the beginning of this section, from the guardians’ perspective there is little tangible evidence of formal communication between the two institutions. It would be wrong to state that the COS was of no importance in Wigan, but in terms of the scale of its operations it was small beer in comparison to the guardians, and if it was in any way the intention of the local COS to encourage the marked curtailment of out-relief as approved by the society’s leaders or by the LGB, then as the evidence provided in this chapter has demonstrated, it was completely ineffective. Wigan was very much an outdoor relief union and in this light the next chapter will explore in detail aspects of local practice, internal inquiry and debate on the administration of out-relief in order to try and more fully explain why this was such a defining characteristic of the union.

¹¹⁸ *Wigan Observer*, 14th April 1888.

Chapter 4: The Outdoor Relief Controversy (2): The ‘excessive’ nature of outdoor relief in Wigan Union

4 (i) Introduction

The discrepancy between indoor and outdoor relief levels illustrated in the previous chapter was thus a permanent feature of the period, and it must be noted that this was regardless of any periods of ‘exceptional distress’. In both times of hardship or prosperity the number of outdoor paupers in Wigan was always much greater than that of their indoor counterparts. What is less clear is why, and thus analysis of this crucial question provides the focus of this chapter. A detailed reading and study of the primary sources provide knowledge of the subject and a ‘feel’ for the issues, but trying to give structured clarity of form to analysis of the theory, politics and practice of a subject as vast and complex as outdoor relief in a poor law union over a twenty year period is a challenging task and inevitably necessitates arbitrary selectivity on the part of the historian. Nevertheless, the effort is very worthwhile, as the local sources in the form of the guardians’ records and the newspapers are both vital and fruitful in deepening our knowledge of how the poor law actually operated. The value of local perspectives has recently been reiterated by John Offer, who in a reinterpretation of the work of the 1905-1909 Poor Law Commission emphasises how ‘the Commission’s own evidence on how *participants* closely involved in the local running and practices of the Edwardian Poor Law themselves *perceived and interpreted* its operation.’¹ The perspectives of local figures are fundamental to the analysis in this chapter. From a close following of developments in the outdoor relief controversy in Wigan between 1880 and 1900 a range of explanatory factors are evident. The guardians and the LGB clearly differed on the weight they attached to some factors rather than others, but there was also a degree of ambiguity on both sides concerning the reasons for the distinct divergence between levels of indoor and outdoor relief.

¹ Offer, J, 2009, ‘The Poor Law Commission of 1905-09: a view from a century on’, *Social Policy Review* 21 (Bristol: Policy Press), p. 109. Emphasis in original.

Wigan's unorthodox position on outdoor relief is well illustrated by a reported clash between Henry Ackerley, the Clerk to the Wigan board and Albert Pell MP, chair of the Central Poor Law Conference in December 1883. Pell was also Chair of the Brixworth board of guardians and enjoyed national renown as a 'high priest' of the 'Crusade' against outdoor relief.² At this particular meeting of the Central Conference Pell had boasted of the abolition of medical relief in his own union and stated his strong opposition to outdoor relief in general. Ackerley's views could not have been more different:

'Either the bulk of the guardians in attendance were wrong in their views of the administration of the poor laws or the Wigan guardians were wrong...He ventured to make a few remarks, but they were not in accordance with the ideas of the people present. More particularly was that the case with reference to what he said as to the administration of out-door relief. The chairman (Pell) went so far as to say that, as far as he was concerned, he should not be sorry to see orders for out-door relief done away with....He (the clerk) ventured to submit another view, which was that where a man was suffering from illness which did not arise from any fault of his own, and had to live in a crowded place where the state had not provided proper sanitary appliances, and his illness arose from the want of those appliances, then the man was entitled to look to the State for medical attendance if he was not able to find it for himself. That was distinctly against the view of the meeting, which was in favour of restricting relief in every possible way. As to outdoor relief the feeling seemed to be that it was absolutely wrong for anyone to have to come to apply on the rates, and that every stringency should be used by keeping down that relief.'³

Ackerley was a Conservative, yet his remarks here on the need for some form of interventionist state to deal with social problems beyond the control of the individual in many respects mirror the beliefs of what would become known as the New Liberalism and early social democracy.⁴ It would be wrong to assume that his views represented the unanimous position of the whole Wigan board, but they nonetheless make clear that from early on in our period, Wigan was regarded as not being in step with those in the vanguard of the 'Crusade'. It is perhaps not surprising then, that the 'excessive' amount of outdoor relief distributed in Wigan became a focal point of criticism from the LGB for

² See Hurren, 2007, op. cit.

³ *Wigan Observer*, 15th December 1883.

⁴ See Freedman, M. (1978) *The New Liberalism: an ideology of social reform* (Oxford: Clarendon); Harris, J. (1993) *Private Lives, Public Spirit: Britain 1870-1914* (Chippenham: Penguin).

the remainder of the century. Whilst the LGB had no powers of compulsion on the relief policies adopted by poor law unions, its influence was sufficient to the extent that the guardians nonetheless felt the need to explain and justify their policy and practice to the centre, as examples to be noted later will make clear. However, rumination on the out-relief question was not exclusively in response to criticism from Whitehall. As an example of shared practice and self-initiated action amongst unions, on 30th November 1883 Ackerley notified the guardians of a comparative statement of outdoor relief in ten Lancashire unions that had been circulated by Mr Simpson Cooper, the Clerk to the Bolton board. These figures placed Bolton and Wigan respectively as the unions in which the ratios of out-relief: population were greatest, with 1 in 78 in Bolton receiving out-relief and 1 in 47 in Wigan. At the other end of the scale, the ratio was 1 in 296 in Preston.⁵ A fortnight later, the guardians requested a copy of indoor relief levels in the same unions for comparative purposes: since Wigan spent relatively little on indoor relief, Liberal guardian Matthew Benson argued that this information would provide satisfaction as to their overall levels of expenditure.⁶

On another occasion, in early January 1886, for example, Ackerley notified the guardians of a significant increase in outdoor relief expenditure for the half year ending Michaelmas 1885.⁷ The influence on Wigan of the LGB and poor law conferences is apparent as follows from Ackerley's statement:

'If the reports and discussions which took place at the poor law conferences showed anything, the figures he had read showed that they were going back. The opinion was held on all hands that outdoor relief ought to be decreased, but in their case it had increased, and probably some explanation of the matter would be required by the authorities in London'.⁸

⁵ Ibid, 1st December 1883. The other unions were Ashton-under-Lyne, Oldham, Chorlton, Blackburn, Salford, Rochdale and Bury. G/Wi 8a, 13/554.

⁶ *Wigan Observer*, 15th December 1883. That is, Benson felt that low indoor relief expenditure was effectively a logical corollary of high outdoor relief. However, this was not a view supported by the LGB inspectorate, as this chapter will illustrate.

⁷ G/Wi 8a, 14/81.

⁸ *Wigan Observer*, 9th January 1886. The half yearly increase in outdoor relief referred to was £583.

The influence of the local economy as a key factor in the rise in outdoor relief was pointed to by veteran Tory guardian William Strickland, who referred to the reduction of operations by some and the closure of other manufacturers, and ‘until those works resumed operations things would continue to go gradually worse’.⁹ Further discussion on this took place in early March 1886, when John Makinson stated that it ‘was decided that we were not too liberal. – The Chairman: Especially considering the stoppage of the mills and other works in the town’, whilst the exceptional severity of the winter was noted as a factor.¹⁰ Consideration of the causes of the relatively high levels of out-relief at board meetings tended to occur either when the clerk presented the half-yearly figures or when the meetings were attended by LGB inspectors, the ‘problem’ of out-relief being a particular favourite of the inspectorate.

In order to illustrate how the nature of the debates on the causes of the out-relief controversy progressed (or stayed the same) analysis will focus on those meetings and exchanges that are most revealing: whilst the issue is often mentioned, minute books and newspaper reports provide detail of discussion inconsistently. The issue came up for debate on 13th May 1887, when a range of views were expressed indicating the complexity of the subject. The clerk pointed to Wigan’s position being contrary to the tide of decreasing out-relief elsewhere, to which the chairman William Chalk responded: ‘I know the Local Government Board flatter themselves that out-door relief is decreasing; but that will not apply to us’.¹¹ Chalk disagreed with William Valiant’s suggestion that poor trade had been a factor: Valiant claimed that in his Ashton district things had been ‘worse than ever’ whilst Chalk argued that across the whole union things had improved.¹² Valiant also suggested that many old people on the rates were formerly maintained by their children who were no longer able to do so; William Pickard stated his objection to pauperising any family where it could be avoided, whilst John Thompson raised the thorny old question of the Irish poor in Wigan itself, claiming that at least half of relief

⁹ Ibid.

¹⁰ Ibid, 10th March 1886. Makinson was a quarry proprietor representing Upholland; The Chairman was William Harbottle, a mining engineer representing Orrell.

¹¹ *Wigan Observer*, 14th May 1887. Chalk was a Conservative, who at that point represented Aspall, though he would later become a Wigan guardian.

¹² Ibid: Valiant represented Ashton-in-Makerfield.

applicants were Irish, receiving relief after residing in Wigan for a year or two ‘while the English, who have been paying rates for years and who are perhaps no better off, get nothing’.¹³ At the following meeting on 27th May, LGB inspector J.J. Henley was present and he expressed concern that the rate of pauperism in the union had increased from 1 in 51 of the population in 1877 to 1 in 35 in 1887, an increase which was almost exclusively attributable to a rise in the numbers on out-relief: ‘It appeared to him that they had not used the workhouse test as they might have done’.¹⁴ As a remedy, Henley proceeded to suggest that if the guardians ‘would adopt the rules which were in force at Manchester and follow them out good would come of it’.¹⁵ From the views expressed at these two meetings then, a representative impression of the range of contemporary thought on the subject becomes apparent: interestingly, Henley seems to have been unaware that the Wigan Union had adopted the Manchester Rules twelve years previously, indicative of the fact that the often testy relationship between the guardians and the LGB was based on imperfect knowledge on either side.

4 (ii) ‘In the Wigan union they claimed to have rather exceptional circumstances’:
‘Economic’ explanations

The effect or otherwise of the Manchester Rules in Wigan has been explored in the previous chapter. At this point however, it is important to continue to identify the reasons offered for the persistently high levels of outdoor relief. The fact that Wigan was a major colliery district was a central explanatory factor in the opinion of a number of guardians throughout the period. On 26th April 1889, for example, the clerk drew attention to statistics on pauperism in Lancashire circulated by J.J. Henley, which compared 1879 and 1889.¹⁶ Ackerley noted Wigan’s ‘remarkable’ position within Lancashire regarding outdoor relief and made comparison with Preston Union, being of similar size to Wigan, though he was careful to add that ‘he did not say that that state of

¹³ Ibid: See section on Irish poor removal bills. Thompson represented Blackrod.

¹⁴ *Wigan Observer*, 28th May 1887.

¹⁵ Ibid.

¹⁶ G/Wi 8a, 14/907.

things could not be justified'¹⁷. On 1st January 1889, Preston had 740 outdoor paupers in comparison to Wigan's 3,688.¹⁸ In contrast, Preston had 718 indoor paupers to Wigan's 410. In comparing relief policies in different unions it is important for historians to as far as possible ensure they are comparing like with like, a factor which the Wigan guardians were also fully aware of. William Valiant suggested to Ackerley that Preston and Wigan could not be accurately compared: 'They had in the Wigan district one which would cost them far more expense.- Mr Bryham senr. : We have more of a floating population here'.¹⁹ Thomas Southworth added that they could not compare Preston and Wigan 'as they had no collieries in the first named district'.²⁰ Ackerley, pressing the case, stated that Ashton-under-Lyne Union had a larger population than Wigan but had less than half Wigan's expenditure on outdoor relief, to which Southworth responded that they had few collieries there, later in the debate adding that: 'there was scarcely another union in the county like Wigan. It had a number of collieries in it, and he did not know another union that could be compared with it.' William Chalk noted that in the statistics under discussion, only Wigan, Prescott and Liverpool had seen an increase in the rate of pauperism.²¹ Southworth's comments were echoed by James Almond in a debate on practice in November 1889²², who said that greater out-relief should be expected in a colliery district, whilst following another lecture to the guardians by J.J. Henley in July 1890 the Chairman, William Valiant stated the same position in fuller terms:

'In the Wigan union they claimed to have rather exceptional circumstances as to the out-door relief than prevailed in some unions. It was essentially a mining population in this union, and at times there were large districts where a great amount of relief had to be given to widows and children. Clubs, as a rule, were a great source of evil. Men paid to them for years and when they were ill and expected benefit from it, they found the club was bankrupt, and they flew to the union. They did not, as a rule, take whole families into the workhouse. Some guardians objected to that.'²³

¹⁷ *Wigan Observer*, 1st May 1889.

¹⁸ *Wigan Observer*, 1st May 1889. Wigan Union's population in 1881 was 139,918; Preston's was 129,160. Ibid.

¹⁹ *Wigan Observer*, 1st May 1889.

²⁰ Ibid: Southworth was a colliery proprietor representing Hindley.

²¹ Ibid. Prescott, in St Helens was also a mining area.

²² *Wigan Observer*, 23rd November 1889: Almond was a brewer representing Standish.

²³ Ibid, 9th July 1890.

The exceptional risks faced by mining communities were something that, as John Benson has pointed out: ‘Even the most obtuse of guardians would recognize’.²⁴ These risks were not limited to the major and highly publicised disasters, of which the Wigan area certainly had its share, but included what Benson refers to as ‘colliery disaster in instalments’: the injuries, illness and bereavements that were such a common feature of life. They were less publicised and less likely to engage the wider public sympathy that the major disasters engendered, but the incapacity, loss of earnings and associated ability of miners to maintain themselves and their families during such periods, or of the widows and children so often left behind, placed clear pressures on the statutory relief authorities in mining areas that necessitated careful response: ‘Confronted by coalminers’ increasing, albeit frequently unavailing, attempts to protect themselves and their families against the industry’s appalling, albeit steadily improving, record of death and disability, they responded more flexibly and imaginatively than has ever previously been recognized.’²⁵ The Wigan guardians’ statements cited above on the link between colliery areas and outdoor relief clearly demonstrates that they were anything but ‘obtuse’ in recognising the particular social costs that coal mining routinely generated, and given the presence of colliery managers and mining engineers on the board such as the father and son William Bryham senior and junior, this is hardly surprising.²⁶ Benson notes that in 1872 the Wigan guardians had stated that any money received by miners’ widows and orphans from accident insurance funds should not be allowed to interfere with their statutory administration of relief.²⁷ This would seem to be a clear example of the board discriminating in favour of those it perceived as ‘respectable’ or ‘deserving’ families who had made some provision for their own welfare, and against whom the guardians would not take a punitive line.

²⁴ Benson, 2007, op. cit. p162. See also, by the same author, ‘Colliery Disaster Funds, 1860-1897’, *International Review of Social History* (19:1) April 1974, pp. 73-85, which highlights the important but nonetheless inadequate response of philanthropy to colliery disasters.

²⁵ *Ibid*, p164.

²⁶ See chapter one of this thesis for illustration of colliery representation on the board of guardians..

²⁷ Benson, 2007, op cit, p.166. Benson quotes the *Wigan Observer* of 24th August 1872 (this is the only reference to Wigan in the article). It will be remembered from the previous chapter that when the Manchester Rules were adopted by Wigan Union in late 1875, the board again resisted an attempt to deny out-relief to widows of members of sick and burial clubs.

Arguments emphasising the importance of the role played by dominant local occupations in shaping outdoor relief policies can be found in the minutes of evidence taken before Royal Commissions and the various Commons and Lords Select Committee inquiries into the administration of poor relief. A particularly relevant example within the context currently under discussion is evidence from the 1905 Royal Commission: the LGB regional inspector for Lancashire at the time, Herbert Jenner Fust junior, gave evidence in April 1906.²⁸ Jenner Fust was questioned, for example, on the connection between the nature of employment conditions and levels of outdoor relief by the socialists Beatrice Webb and George Lansbury. Mrs Webb, focusing on various unions with high levels of pauperism received acknowledgement from Jenner Fust that the chemical works in Prescott Union were productive of ill health, but asked whether he thought that ‘high pauperism may result from unhealthy employments?’, he replied ‘partly so’.²⁹ Turning to nearby Wigan, the inspector stated that the principal occupation at Wigan was coal mining, but: ‘I think the administration of out-relief there has not been sufficiently strict, and they have had no workhouse which they could use as a test’.³⁰ Pressing the inspector further on this issue, Lansbury made comparison between urban industrialised unions such as Wigan and Barrow-in-Furness and more rural unions, in terms of the numbers of people over 60 years of age: then 46/1000 in Wigan, 112/1000 in East Ward in Westmorland. Lansbury also noted the large gap between the number of outdoor and indoor paupers in Wigan and suggested that there were clear connections between the relatively low number of people over sixty in industrialised unions, the relatively high numbers of women and children therein in receipt of out-relief, and the nature of the local economy:

‘I wanted to follow up Mrs Webb’s point, and to ask you whether that is not due to the fact that the local occupations kill off the breadwinners, and then of course the women and children come on the rates?’

²⁸ PP: Royal Commission on the Poor Laws and Relief of Distress, 1906, *Appendix Volume I. Minutes of Evidence (1st to 34th days) being mainly the evidence given by the officers of the Local Government board for England and Wales*: Cd. 4625. Strictly speaking, this lies outside our period, but the evidence from the enquiry relates to practice over the preceding few decades.

²⁹ *Ibid.* Q. 11401-11402.

³⁰ *Ibid.* Q. 11403.

Jenner Fust merely replied that: ‘I suppose the expectation of life is considerably higher in country districts than it is in a place like Wigan, for instance.’³¹ Interestingly, Jenner-Fust’s predecessor J.J. Henley, despite his lectures to the guardians on the evils of out-relief, established in his work a clear link between the local economy and high out-relief levels even though it was patently not his intention to fully acknowledge a causal relationship. In his annual reports to the LGB, Henley divided Lancashire up into regional groups of unions for analytical purposes. In South Lancashire, he classified them as the Liverpool group, Manchester group, and another group of fifteen unions including Wigan. Within the latter, he referred to a group of six unions in which were concentrated the ‘chief coal, iron and chemical works of Lancashire.’³² In this group, comprising Wigan, Leigh, Prescott, Warrington, Barton-on-Irwell and Bolton, ‘it considerably exceeds the average rate of paupers to the population in Lancashire.’³³ Other examples could be cited, but it is sufficiently clear to state that a powerful strand of contemporary opinion, from the guardians themselves to nationally important figures, held that colliery districts were more prone to higher levels of relief than many other areas. However, what other factors were regarded as significant and how were such views arrived at?

4 (iii) ‘This is the effect of a lavish administration of out-relief, and not the cause of it’:
Internal inquiries into relief administration

In response to an address to the guardians by Jenner Fust in 1893, guardian Henry Darlington stated that ‘the attendance of the inspector that morning had no practical use whatever, as he was only telling them what they already knew’.³⁴ As Darlington suggested, the guardians had long been as fully aware as the inspectorate of the scale of

³¹ Ibid. Q. 11439-11440. The outdoor: indoor pauper numbers in Wigan stated by Lansbury were 3,906 and 728 respectively, clearly illustrating that the bias toward outdoor relief continued into the first decade of the twentieth century.

³² PP: LGB *Eighteenth Annual Report*, 1888-89, p.126.

³³ Ibid.

³⁴ *Wigan Observer*, 24th May 1893. Board meeting was 19th May – see G/Wi 8a, 16/28.

outdoor relief being distributed, and had been equally keen to ascertain why, either in boardroom discussion or through the establishment of internal inquiries into the question. Via these channels, other explanations and suggested remedies came to light, such as: there were too few relieving officers and their districts were too large for them to effectively investigate relief applications; relief sections comprised of the guardians and relieving officers representing those districts could not be sufficiently impartial to ensure 'efficient' administration; the collection of paltry amounts of maintenance money from relatives of paupers ensured that relief expenditure was higher than need be. These issues are extensively documented and will be analysed in what follows. We should not ignore, however, hints and suggestions in the sources that may very well have been of considerable significance, but which are evidentially difficult if not impossible to definitively substantiate: for example, the possibility that relieving officers could either from one perspective be put under considerable pressure to allow claims for out-relief by the local populace, or be 'got at'; contrariwise, from the perspective of the LGB they could be accused of being overly and misguidedly sympathetic to the plight of relief applicants. As guardian Mr Thompson suggested: 'It seems to me we are either too callous and hard hearted, or we are too merciful and kind'.³⁵ It would indeed be very surprising if these factors had no significance – however, proving it is much more difficult.

Following the earlier noted boardroom discussion in April 1889 of J.J. Henley's return on levels of pauperism in Lancashire, the guardians set up a committee chaired by William Harbottle to look into relief administration in the union which met seven times between 21st June 1889 and 14th February 1890, reporting to the full board on 28th March 1890.³⁶ Aside from the actual content, this evidence also illustrates the mechanics of how the board went about its public duties. At the first meeting the clerk drew attention to 'the provisions of the 'Manchester Rules' for relief which were adopted by the guardians of

³⁵ Ibid, 14th May 1887.

³⁶ The meeting dates were 21st June 1889; 3rd October 1889; 29th November 1889; 6th December 1889; 20th December 1889; 24th January 1890 and 14th February 1890: Volume of Minutes of Various Committees and Sub-Committees.

this union on the 7th January 1876 and are still in force'. The relieving officers were to be asked to provide returns of all cases where relief was being given contrary to the Manchester Rules and of the number of paupers and amount of relief given quarterly in each township for the previous five years.³⁷ Following this, the clerk was asked to compile a return on the same basis as that compiled by J.J. Henley illustrating the proportion of paupers to the population and the cost per head of pauper and population in each individual township.³⁸ At the third meeting the clerk circulated copies of his return to the committee members³⁹ and a week later it was resolved to send copies to each relieving officer asking them to attend a meeting to give information regarding the increase in out-relief shown by the return, and any information 'as to the decrease of the number of sick and burial clubs in their district within the last few years'.⁴⁰ At that meeting, only three members attended so it was adjourned⁴¹, finally meeting on 24th January 1890, when the relieving officers were asked to report in writing 'any special causes' in their districts that might explain the increase in out-relief in the previous few years and to provide 'any reliable information they can obtain' regarding the decrease in the number of sick and burial clubs, and if there had been a decrease, the reason for it.⁴² On 14th February 1890, the clerk was asked to draw up a report of the committee's investigation in preparation for submission to the board.⁴³

In reporting back to the board, the committee made a range of observations. Of the three unions singled out by J.J. Henley as the only ones in Lancashire where out-relief had increased from 1879-89 (Liverpool, Prescot and Wigan), the situation was by far the most extreme in Wigan: out-relief in Prescot and Liverpool had increased only marginally, whereas in Wigan it had virtually doubled, from £7,492 p.a. to £13,001. 'The committee have sought in every direction for a satisfactory explanation of this great increase, but

³⁷ Ibid: 21st June 1889. The request to ask how many people were being relieved contrary to the Manchester Rules repeated the exercise undertaken in 1875 just before those regulations were adopted.

³⁸ Ibid: 3rd October 1889.

³⁹ Ibid: 29th November 1889.

⁴⁰ Ibid: 6th December 1889.

⁴¹ Ibid: 20th December 1889.

⁴² Ibid: 24th January 1890.

⁴³ Ibid: 14th February 1890.

much regret that they have been unable to arrive at one.’⁴⁴ Trade depression in the preceding years, ‘specially felt in Wigan’, was considered but discounted as a decisive factor, as in other unions with similar trade conditions to Wigan there had been a considerable decrease in out-relief: Ashton-under-Lyne, Barrow-in-Furness and Chorley were pointed to as examples of this, though precisely what the committee meant by ‘conditions of trade’, or in what ways these unions were ‘of similar character’ to Wigan was not made clear.⁴⁵ They pointed to economic recovery in the previous twelve months, with rising wages and employment levels, but stated that out-relief for the whole union had only fallen by £12-15 per week on average. The committee decided that a fall in the number of sick clubs and friendly societies, and ‘the large number of aged and infirm people upon the books’ could not be accepted as causes, and offered a very ‘orthodox’ explanation in this regard:

‘This is the effect of a lavish administration of out-relief, and not the cause of it. In consequence of out-relief being so freely given the poorer classes have been led to think that there was no occasion for them to provide against the contingencies of accident or illness, or that there was any liability upon sons and daughters to help to maintain their aged and infirm parents. The committee do not believe that the free administration of out-relief has benefited those who have received it. They have no reason to think that the condition of the poorer classes in this union is better than that of those living in unions where out-relief is restricted.’⁴⁶

The committee concluded by recommending the board make concerted efforts to reduce out-relief expenditure, and suggested that the adoption of the rules in force in Salford Union, which were ‘not quite so stringent as the Manchester rules’ and on the grounds that the position of the population in Salford regarding employment and wages was very similar to Wigan Union.⁴⁷ Copies of the report were to be sent to each guardian and the relieving officers.⁴⁸ The only clear conclusion, it seems, from this internal inquiry was that in the committee’s opinion, without allocating blame to any named individuals, there was a general tendency in culture and practice within the union towards liberality rather

⁴⁴ *Wigan Observer*, 2nd April 1890.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.* It is not clear from the Wigan records whether this was carried out.

⁴⁸ G/Wi 8a, 15/161.

than stringency in the administration of out-relief, echoing J.J. Henley's lament to the guardians that the 'tendency here was to give out door relief, a tendency which he much regretted.'⁴⁹

An oft cited factor, particularly from the LGB, for the persistence of high levels of out-relief was the claim that the relieving officers' districts were too large, with the result that investigations into relief applications were unlikely to be sufficiently 'searching' in character. In August 1894, for example, Jenner Fust told the guardians that: 'The auditor was of opinion that the districts of the relieving officers were too large, and that they could not find sufficient time to devote to the investigation of their cases'.⁵⁰ The guardians eventually increased the number of relieving officers in the union from five to six in late 1895, although the issue had been considered on a number of occasions before then. In 1893, an internal inquiry into the issue took place for which records fortunately survive. This inquiry illustrated, for Jenner-Fust, the failure of the 1890 inquiry's recommendations to be properly followed through, and his comments display another example of poor law inspectors' quasi-religious conviction that excess out-relief was predominantly caused by administrative error at local level:

'That (1890) committee reported in favour of more stringent measures, but he thought those could not have been carried out, or else there would have been a considerable reduction. He thought they might say that £6,000 a year in out-door relief of the poor in a union such as this would be quite sufficient, and need not make the workhouse any fuller. He was confident...that there must be many receiving relief who could maintain themselves without any assistance from the Union'.⁵¹

To be fair to Jenner-Fust, he did acknowledge to some extent the possible effects of socio-economic context: 'however bad times might be in this district – and he had been

⁴⁹ *Wigan Observer*, 27th June 1888.

⁵⁰ *Wigan Observer*, 11th August 1894.

⁵¹ *Ibid*, 24th May 1893. Outdoor relief expenditure in the union at that time was c. £12,000 p.a., thus, Jenner-Fust held that improved administration could reduce expenditure by half. His grounds for suggesting why £6,000 per annum should be sufficient for Wigan are not clear.

told that they were very bad'⁵². But the elixir-like powers of 'sound' administration would more than compensate for any temporary swelling of the relief lists during straitened economic times. In response, Matthew Benson of the Wigan town division protested that his section:

'had taken the greatest possible care in connection with outdoor relief. They might bear in mind that there were a great many people out of work, and a large number of aged poor. These people would not go into the house, and there was not accommodation for them if they wished to do so.'

William Valiant upbraided the inspector for ignoring the fact that the guardians spent comparatively little on indoor relief.⁵³ This was water off a duck's back to Jenner-Fust: the nominal levels in money terms spent on both indoor and outdoor relief per se was immaterial, it was all a question of proportion. Whether a union had high or low overall expenditure, the key doctrinal tenet was that more paupers should be in receipt of indoor relief than of outdoor relief.

The 1893 inquiry reveals interesting details in relation to diligence and professionalism of the board, on the nature of relief practice in each district and the nature of the conclusions reached by the committee. The committee of eight guardians chaired by James Fletcher Morris first met on 28th June 1893: guardians from all five relief districts were represented.⁵⁴ The clerk presented a sketch map of the union showing all of the relieving officers' districts, and a return of the number of paupers and amount of outdoor relief given in each township of the union. The guardians commissioned a Mr G Heaton, a Wigan surveyor, to 'prepare a map of the union, showing the relieving officers' districts, the several pay stations, and all the main roads'.⁵⁵ This map was presented to the

⁵² Ibid. These comments were made in the period immediately before the great coal strike referred to in the previous chapter.

⁵³ Ibid. Many LGB inspectors argued that views like those expressed by Valiant were based on a false premise, in that making more effective use of the workhouse test discouraged outdoor relief applicants. Mr Cane, for example, argued that: 'If you give 3s. 6d. for one case in the workhouse, you save six or seven cases of 2s. 6d. In indoor relief; you will choke off, as it were, six applicants directly, and save your five half-crowns'. I.e. an offer of the house deterred an even greater number of outdoor relief applications. PP: 1878-79 Select Committee, *op. cit.*, Q. 829.

⁵⁴ Volume of Minutes of Various Committees and Sub-Committees: 28th June 1893.

⁵⁵ Ibid: 26th June 1893. Unfortunately these maps do not appear to have survived.

committee on 4th August 1893, when the members instructed the clerk to ascertain the number of cases in each relieving officer's district for the half year ending Michaelmas 1892, whilst the relieving officers were requested to attend the next meeting. Four of the five relieving officers⁵⁶ appeared individually in turn before the committee on 18th August, when they were all asked the same three questions:

1. The number of days per week devoted to visiting paupers and applicants for relief.
2. The number of days per week devoted to paying the poor.
3. How often the permanent cases are visited.

Their answers are recorded in full as follows:

Joseph Hilton (Wigan town district)

1. 'No day in particular, visiting throughout the week
2. One
3. The old cases once per quarter and the sick cases two or three times per week'

Joseph Simpson (Wigan Scholes district)

1. 'Thursday in particular, but visiting every day
2. One
3. At least once every six months, and any change reported to the section.'

Richard Wright (Orrell district)

1. 'One day particularly, that is Thursday
2. One and a half
3. Once in six months.'

James Simm (Hindley district)

1. 'Two or three
2. Two half days
3. Every six months.'⁵⁷

⁵⁶ John Simpson, RO for the Standish district, had asked to be excused due to illness. Ibid, 18th August 1893.

⁵⁷ Ibid. The Wigan Town and Scholes districts are self-explanatory, with each district comprising one half of the borough. The Orrell district at that time comprised the townships of Ashton, Pemberton, Billinge C.E., Billinge H.E., Orrell, Winstanley and Upholland. The Hindley district comprised Abram, Hindley,

After consideration of the above, the committee recommended that the board of guardians should instruct the relieving officers to ‘visit permanent cases, at the least, once in each quarter, and that the officers should be provided with a book to enter particulars of each visit to all paupers’. It was decided to open new pay stations at Platt Bridge (Abram), Goose Green (Pemberton) and near the Four Footed Cross (Ashton). Finally, the committee argued that ‘it is not necessary to constitute another relief district in the union but that the present staff of relieving officers, with the proposed arrangements, are quite competent to discharge the orders of the Local Government Board to the satisfaction of the Guardians’.⁵⁸

What conclusions can be drawn from this? As was stated at the outset, the high levels of out-relief continued throughout our period and, indeed, into the early twentieth century. Therefore, if high levels of out-relief expenditure were a function of ‘lax’ administration, as the LGB and COS maintained, then any attempts at tightening up procedure and the overall attitude toward the distribution of relief as suggested by the 1890 committee of the guardians noted above were either not carried out or had been unsuccessful. Jenner-Fust’s assistant inspector William Moorsom, who seems to have shared his superior’s ideological convictions, hinted that the 1893 committee’s recommendations may have had some effect. He attended the board on 22nd September 1893 and sat in on a few cases and stated ‘how glad he was to find that the out-relief was continuing with very slight alterations’⁵⁹ and that ‘he was pleased to notice that out relief had not materially increased through the depression in trade’.⁶⁰ However, by August 1894, Jenner Fust was moved to comment that the 1893 guardians’ committee had ‘made an admirable report, but he was afraid that the report fell unheeded, and that the recommendations made were not strictly carried out. The pauperism, in-door and out, stood in the proportion of one

Ince and Aspull. The Standish district comprised Haigh, Blackrod, Worthington, Shevington and Standish (Wigan Almanac and Advertising Yearbook, 1894).

⁵⁸ Volume of Minutes of Various Committees and Sub-Committees: 18th August 1893.

⁵⁹ *Wigan Observer*, 23rd September 1893.

⁶⁰ G/Wi 8a, 16/114.

in-door to ten out-door, and that was twice as great a proportion as in any other union in the country'.⁶¹

4 (iv): 'They were certain that the amount set down to their section was not unreasonable or exaggerated': Other administrative factors

The recommendations of the 1893 committee listed above suggest a moderate attempt by the guardians to increase the 'vigour' of administration: Joseph Hilton's practice of visiting the permanent cases once a quarter, rather than every six months as with the other RO's seems to have been used as the benchmark. As far as can be ascertained, the practice of revising the permanent cases on a quarterly basis in Hilton's district seems to have been formally established in May 1884. The Wigan township guardians met on 9th May to establish the best means of 'improving the arrangements for the administration of out relief in the borough of Wigan', deciding that the revision of the permanent cases was to take place on the penultimate Wednesday of each quarter; that three guardians constituted a quorum at those sessions and two guardians on 'ordinary days', and that the relieving officer was not to submit his application and report book to less than the appointed quorums.⁶² After the division of the borough into two relief sections in 1885⁶³, Joseph Simpson, the new relieving officer for the Scholes district, deducing from his evidence given above, decided to deviate from that practice, visiting and/or revising the permanent cases once every six months, which was the common practice in the 'country' districts of the other relieving officers. This differing practice and expenditure levels in the different relief sections had long been noted by the guardians themselves; however, for the historian it is a difficult task to establish precisely why. Recorded debates on the subject illustrate the complexity of the issue and, like the broader theme of the high levels of out-relief of which they were a part, the guardians revealed their own uncertainties on this matter. The fact that the practice of the union in terms of investigation and revision of relief cases was organised on a sectional basis surely increased the likelihood of

⁶¹ *Wigan Observer*, 11th August 1894.

⁶² G/Wi 8a, 13/671-2. The full board ratified this decision on 16th May 1884.

⁶³ The Scholes relief division was formally created on 26th June 1885 when the portion of the borough on the South-East side of the River Douglas was separated from the rest of the town for relief purposes to become No. 5 district. G/Wi 8a, 13/933: Board meeting, 26th June 1885.

inconsistency in approach between those sections, even allowing for the formal adoption of regulations such as the Manchester Rules which had been intended to promote greater uniformity. An example from July 1880 is instructive in this regard. Wigan guardian John Nevill raised the issue at the 16th July board meeting, calling ‘attention to the disproportion of outdoor relief given in the country districts as compared with the Wigan District. He suggested that the present sections should be mixed’.⁶⁴ Nevill pointed to the previous week’s expenditure figures which stated that in the Wigan district 840 paupers had been relieved at a cost of £47/7/0; in the Orrell district relief for 940 paupers cost £85/3/2; in Hindley district 745 paupers cost £59/16/0 and in Standish district 287 paupers cost £20/18/0. At face value, these figures suggested that average expenditure per pauper was distinctly lower in the borough than in the out districts. The question is, why, and were the figures in any way misleading? Mr Marsh suggested that these figures masked important gaps in information before the guardians that did not allow for accurate comparisons or judgement to be made - they needed information showing the number of children in each case receiving relief: ‘For instance in some cases there might be families of five or six receiving relief, and which was only put down as one case, while in other cases the applicant might only have herself to maintain. He knew for a fact that there were widows with six or seven children receiving relief, and the necessity for more being given in that case as compared with a case in which a woman had only herself to maintain would not be apparent unless they had information before them disclosing of the facts’.⁶⁵ Nevill’s suggestion of changing or mixing the relief sections⁶⁶ was one that was discussed off and on throughout the period and debates on it illustrate the tensions between the Wigan guardians and some of their ‘country’ counterparts. Take this exchange, for example: ‘The Chairman: I believe the members of the whole of the sections strive to perform their duties most faithfully – Mr Nevill: According to their

⁶⁴ G/Wi 8a, 12/831.

⁶⁵ *Wigan Observer*, 17th July 1880.

⁶⁶ That is, that the guardians representing one section take the cases of another section in an attempt to reduce the possibility of local pressure or favouritism in deciding cases. Mixing the sections was a hybrid of the two opposites, with some guardians rotating to join the guardians from another section. Allocation of out-relief by relief sections, rather than the whole board was disliked by many critics across the political spectrum, from the LGB inspectorate, the COS and amongst elements of the Left. For example, it came in for particular criticism by Sidney and Beatrice Webb in the 1909 *Minority Report*: pp. 59-64, in reference to the board of guardians as a ‘many-headed tribunal’.

light. (Laughter.) – Mr Shortrede: Don't say that again. (Renewed laughter).⁶⁷ Given the 'Northern' sense of humour it is often difficult from reading, rather than hearing the debates to determine the extent to which serious grudges were nursed by the different groups of guardians: when were they being fully sincere or having a dig at their colleagues, or both at the same time? As an alternative to the suggestion of swapping the relief sections, the chairman suggested that the members of the different sections go through the books with the relieving officers, which prompted this response:

'Mr Shortrede: We might be overshadowed altogether by the Wigan guardians. We might be snuffed out, and to that I object. (Laughter.) – Mr Valiant: I am sure the various sections ought to feel very thankful to the Wigan guardians for this kind favour. If they can bring their superior wisdom to bear it may do good, and we ought to be obliged to Mr Nevill for bringing the matter forward. – Mr Nevill: I am sure you are quite welcome. – Mr Strickland: It is not a question so much of superior wisdom as the fact of the country guardians paying away the Wigan ratepayers' money'.⁶⁸

Interestingly, Mr Shortrede is recorded as producing statistics that demonstrated that the out-relief cases in the out-townships were both different in type and in expense than in Wigan itself – 'In Wigan the cases cost much more per head than those from outside'.⁶⁹ However, why this should be the case was not made clear. The resolution to the question on this particular occasion is uncertain: the *Wigan Observer* records that the meeting finished without any definite understanding being reached, whilst the board minutes record that 'instead of mixing the Guardians at the sections a committee of the Wigan Guardians should go through the cases in the country districts with the officers was agreed to'.⁷⁰ The question of whether or not to routinely swap or mix sections as a matter of policy had not, it seems, been firmly decided upon during our period. In December 1895, for example, in response to another set of statistics showing a significant increase in outdoor relief, the clerk put forward the idea of swapping relief sections as a means of gaining greater knowledge of how and why relief was being distributed across the union: 'the Wigan section could take the Pemberton section and vice versa, perhaps for a week

⁶⁷ *Wigan Observer*, 17th July 1880.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ G/Wi 8a, 12/831.

or a fortnight, and this would give both sections a wider knowledge'.⁷¹ Matthew Benson, for Wigan, stated that the idea had been adopted 'some years ago' by the Wigan sections, with the clerk responding that it should be a general change.⁷² However, even if this policy had been implemented to a limited extent within some parts of the union, it is not clear exactly when it started or finished – nonetheless, its impact on the central 'problem' of high levels of outdoor relief appears to have been negligible at best.

In addition to relief sections, the LGB inspectorate at times pointed to the size of the relief districts as a key determinant of the guardians' heresy. In this respect, Jenner Fust further pressed his attack in January 1895. Focusing on RO Richard Wright's Orrell district (stated as being 20,038 acres, with a population of 24,000), the inspector claimed that with 661 cases on his books, it was impossible for Wright to properly manage this caseload over such a large geographical area and that Wright found it impossible to visit all the cases personally. As a consequence, the relieving officer: 'allowed neighbours of the persons seeking relief, especially when the latter were old and infirm, to convey the relief to them'.⁷³ This practice, which from one perspective might be viewed as humane pragmatism, irked the LGB into asking the guardians for comment on its propriety: the guardians replied that they were quite satisfied for Wright to continue the practice. Jenner Fust noted that: 'They (the guardians) would perhaps excuse him if he said that answer did not exactly convey the information which the Local Government Board desired. (Laughter)'.⁷⁴ According to Jenner Fust, the LGB's view was that 200 cases on the books was ample for any individual relieving officer to manage, whereas in the Wigan Union, in addition to the figures given for Wright's district above, John Hilton (Wigan Town) then currently had 715 cases, Joseph Simpson (Wigan Scholes) had 645; John Simm (Hindley) had 987 and John Simpson (Standish) had 252. In response, Henry Darlington stood by the conclusions of the 1893 committee on which he had served, claiming that the altering of the relief stations recommended by that committee (see

⁷¹ *Wigan Observer*, 27th December 1895.

⁷² *Ibid.*

⁷³ *Wigan Observer*, January 26th 1895. The board minutes, as on many occasions, note the inspector's presence at the board but few details of the conversations recorded in such depth by the newspapers: G/Wi 8a, 16/469.

⁷⁴ *Wigan Observer*, January 26th 1895.

above) had been effective: ‘he had every reason to believe that since then the administration of outdoor relief had been carried out much more satisfactorily than before’.⁷⁵ Matthew Benson for the Wigan section reiterated his belief that outdoor relief had always been administered very carefully ‘and they were certain that the amount set down to their section was not unreasonable or exaggerated’.⁷⁶

Moving on from the size of the relief districts, another aspect of local practice in which the Wigan board was deemed to be remiss was in the paucity of contributions collected from relatives of paupers to contribute to the cost of their maintenance. This was another important aspect of the Longley Strategy and the ‘Crusade’ that the LGB inspectors were keen to emphasise in their dealings with the guardians. The Wigan board, it is true to say, did not succeed in collecting large sums of money in this regard when those sums are considered in context of the amount of expenditure on indoor and outdoor relief as a whole illustrated earlier, as the figures presented below in table 16 illustrate.

Table 16: Amount recovered from paupers’ relatives 1880-1896: selected examples

Half-year ending	Lady Day 1880	Lady Day 1884	Lady day 1888	Lady Day 1892	Lady Day 1896
Amount recovered (union)	£231	£255	£200	£192	£260

(Source: G/Wi 13 – Abstract of Expenditure, 1880-1896, figures rounded to the nearest £)⁷⁷

From Michaelmas 1883, the amount recovered was listed as one total, but before then the figures specify the proportion of the total accounted for by recovery of moneys for indoor relief, outdoor relief, and on behalf of those maintained in asylums. For example, the total for Lady Day 1880 in the above table was comprised of £48 recovered from relatives of paupers in the workhouse; £43 on behalf of those in receipt of outdoor relief and £140 in

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ G/Wi 13. The lowest amount recovered during the period was £162/5/7 (Lady Day 1889); the highest amount was £286/19/7 (Michaelmas 1880). A prominent recent incarnation of this ideology is the Child Support Agency.

regard of those maintained in the asylums.⁷⁸ The obvious question to address is firstly why were such relatively small sums collected, but also, we must ask even if the board had been more successful in this regard, was it realistic to believe that matters of administration such as collecting more money from pauper relatives, or, as will be shortly examined, reforms to the ways in which relief payments were taken to paupers, would have actually made a significant difference to the overall scale of relief in the union? In March 1896, Jenner Fust referred the guardians to a report he had that compared Wigan with Warrington Union on the matter of recovery of maintenance money from paupers' relatives.⁷⁹ The figures presented by the inspector for the year ending Michaelmas 1895 (the most recent ones available to him) do indicate a marked difference between the two unions. From a total half-yearly expenditure (indoor and outdoor relief combined) of £23,648, Wigan union collected £445 from relatives, of which only £88 was in respect of outdoor relief (total expenditure £14,000). In Warrington, by contrast, with half the overall total indoor and outdoor relief expenditure, the guardians had collected double the amount recovered in Wigan (£988), of which £422 had been recovered in respect of outdoor relief in comparison to the £88 secured in Wigan.⁸⁰ Jenner Fust argued that a solution might be for the Wigan guardians to emulate the practice in Warrington (and in some other unions) of appointing a general relieving officer whose sole functions would be to act as collector for the whole union and also to deal with the removal of lunatics to the county asylums.⁸¹ In Wigan, each relieving officer also carried the title of collector to the guardians, and was responsible for the removal of lunatics: the transferral of these duties to a new general relieving officer would free the hard pressed district relieving officers to concentrate purely on their principal function of dealing with individual relief cases. Jenner Fust believed that a new general relieving officer would 'save his salary two or three times over in the course of the first year'.⁸²

⁷⁸ Ibid.

⁷⁹ *Wigan Observer*, 25th March 1896. The title of this report is not specified.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid. The post of General Relieving Officer was eventually created in 1898, when Elijah Prescott was appointed to the role on a salary of £100 p.a. G/Wi 8a, 22/82: Board meeting 2nd September 1898.

In addition to this intervention by Jenner Fust, shortly afterwards the board received a letter and attachments from the District Auditor George Haslehurst illustrating the amounts recovered from relatives of paupers in unions in the South West Lancashire Audit District. Seemingly chastened by prompts from auditor and inspector, a motion proposed by Wigan guardians John Harrison Prescott and Annie Phillips that Haslehurst's returns be printed and copied to each guardian and relieving officer was unanimously passed, and the RO's were asked 'to furnish the Board with their reasons as to why the collections in the Wigan Union are so low.'⁸³ It seems as though any action in this regard was slow however, as it was a year later, in May 1897, before the board minutes reveal any further developments. At the 14th May meeting, the clerk alluded to letters from the LGB and copies of the district auditor's reports re the small amount collected from relatives of paupers in receipt of outdoor relief in the Wigan union, and asking for the guardians' observations and response. The reply that was unanimously agreed to be forwarded to the LGB is illuminating in explaining local policy:

'That it has always been the custom in the relief sections of this Union not to grant out-door relief to applicants who have relatives able to contribute towards their maintenance, as they consider that it is simpler for the relatives to pay the money direct to the applicants for relief, and thus save the collectors' commission.'⁸⁴

What precisely can be gleaned from this statement? If established local practice was indeed as suggested above (and no evidence has been found either way) then, when considered in conjunction with the statistical evidence of low collection rates and the commission-based inducements for the relieving officers to augment their salaries with top-ups from sums recovered from relatives, the most convincing conclusion to be drawn is the sheer scale of genuine local need. If the guardians only granted outdoor relief to those who received no financial support from their families, then given the tiny amounts recovered from relatives in comparison to the large scale of expenditure on outdoor relief then it follows that the overwhelming majority of outdoor paupers had either no relatives

⁸³ G/Wi 8a, 18/23, 1st May 1896.

⁸⁴ Ibid, 20/23, 14th May 1887. The reply was proposed by James Fletcher Morris (Upholland) and seconded by Sylvia Halliday Wilson (Ashton).

to support them or that their families simply did not have the means to help even if they wanted to do so, and that the guardians and relieving officers were well aware of this reality. In his comparison with Warrington Union, Jenner Fust had posited that: 'It might be that the Wigan guardians did not take the same view of the desirability of recovering from relatives wherever possible the cost of the maintenance of paupers, and were not inclined to make persons pay who could do so.'⁸⁵ However, this was surely not the case, as the board had stated that outdoor relief was not granted to those with relatives able to provide support: it was just that so few of them could afford to do so. This view is further bolstered by the fact that the relieving officers, in the part of their job that entailed collection of money from relatives, were employed purely on a commission basis, receiving 10% of all money collected from relatives.⁸⁶ If the relatives of large numbers of outdoor paupers had been able to provide financial support, then there was significant incentive within this commission-based system for relieving officers to maximise personal gain on top of their existing salaries⁸⁷, but these commissions in reality provided a minor top-up at best. For example, in a comparison he made between Wigan and Warrington for the half-year ending Michaelmas 1895, Jenner Fust noted that in the Wigan town district of relieving officer G.W. Smith, expenditure was £1,218, with only £43 collected from relatives, and that 'was collected from seven persons towards the maintenance of lunatics in the asylum in this district. Not one penny was collected towards out-door relief.'⁸⁸ The distinction here between maintenance costs recovered from people with relatives in the asylums and those with relatives on out-relief is stark: the county asylums were expensive and relatively few people could afford to contribute to the cost of keeping relatives there, but for the hundreds of people in receipt of out-relief in Wigan town district, typically in receipt of a couple of shillings a week, nothing had been collected from their relatives.⁸⁹

⁸⁵ *Wigan Observer*, 25th March 1896.

⁸⁶For example, when Joseph Simpson was appointed to the new Scholes relief district in July 1885, he was appointed on a salary of £60 p.a. plus 10% of all the moneys collected by him; G/Wi 8a, 13/945-6: Board meeting, 10th July 1885.

⁸⁷ Even more incentive given the aforesaid statement of the guardians that 'it is simpler for the relatives to pay the money direct to the applicants for relief, and thus save the collectors' commission.'

⁸⁸ *Wigan Observer*, 25th March 1896.

⁸⁹ Referring to the same 1895 report for the geographically large Upholland district, Jenner Fust noted that half-yearly expenditure was £2,283, but only £44 had been recovered from relatives and, like Wigan town, not a penny in respect of outdoor relief: *Ibid.* For discussion of the costs and running of asylums, see Ellis,

The practice of allowing neighbours to convey outdoor relief to paupers or for paupers to send out someone to collect their allowances as criticised by Jenner-Fust in 1895 above seems to have been an established feature of local practice. An interesting debate on this took place over three successive board meetings in the summer of 1888. At a meeting at which Inspector Henley was in attendance, Pemberton guardian William Lee White, seconded by Wigan guardian Dr William Berry, moved that ‘all relief be paid personally by the relieving officer, except in case of sickness or incapacity.’ White claimed that in existing cases where paupers sent out for relief to be taken to them, ‘it frequently happened that the pauper had to pay something to have the relief fetched, and in that way the relief was wasted.’⁹⁰ Berry in support claimed that ‘he knew of the case of a person who made a considerable sum by fetching paupers’ allowances’.⁹¹ Unsurprisingly, Henley disapproved of this practice, stating that where paupers could not come for their relief then the relieving officers should visit them personally, or if this was not possible, those officers should have some assistance. In reply, one of the ‘country’ guardians, John Turner of Winstanley along with several other (unnamed) guardians protested that:

‘They knew of instances where, if the resolution was carried, it would act very harshly, because persons in receipt of relief would have to leave their work in order to fetch it, and in that case they would be the losers. – Mr Turner said he had one such especial case in view – a woman who worked for him.’⁹²

No decision was reached and the resolution was adjourned to the next meeting. It might appear from the above that this disagreement reflected division on acceptable practice between the urban (Wigan and Pemberton) and rural (Winstanley) guardians. However, the debate at the next meeting shows this not to be the case. Mr White expressed surprise at some of his opponents, particularly Henry Darlington of Billinge who he claimed had promised on election to reduce the poor rate by a shilling in the pound, which a tightening up of policy in this regard might make more feasible. Darlington, arguably with a greater grasp of social and economic reality, suggested that ‘if the poor rate was to

R. (2006) ‘The Asylum, the Poor Law, and a Reassessment of the Four-Shilling Grant: Admissions to the County Asylums of Yorkshire in the Nineteenth Century’, *Social History of Medicine* (19:1) pp. 55-71.

⁹⁰ *Wigan Observer*, 11th July 1888.

⁹¹ *Ibid.*

⁹² *Ibid.*

be reduced some more drastic measure would have to be introduced than simply taking the paupers their relief to their own homes.⁹³ Wigan guardian Dr Berry again supported White's resolution as being in 'consonance with the consolidated orders' and having Henley's recommendation. However, his Wigan colleague Matthew Benson, seconded by John Turner, proposed that the present system should be continued: Turner again mentioned the case of the 'female employed on his farm mentioned last week and who was in receipt of relief (and) said if she had not got work would have to have double relief.'⁹⁴ Difference of opinion amongst Wigan guardians was echoed in Pemberton, as White bemoaned that colleague Richard Clayton opposed his motion even after White had been asked to bring the issue forward at a meeting of the ratepayers of Pemberton.⁹⁵ The issue was put to the vote, and Matthew Benson's amendment in favour of continuing existing practice defeated White's motion by 16-5.⁹⁶ Nevertheless, Dr Berry signalled that he would put another motion to the next meeting that the relieving officers report to the board how often they visit each case, though Hindley guardian Thomas Southworth added that they always had the information before them in the relief section.

At that next meeting, Berry proposed that each RO should make fortnightly returns of the number of relief applicants, the number of cases visited at their homes and inquired into and the numbers thus relieved, and also those who were receiving temporary relief or permanent relief.⁹⁷ Thus, Berry's motion provides further evidence of the commonly held belief in the importance of regular visits of a 'searching' character. Henry Darlington, who had opposed Berry and White in their attempt to end existing practice a fortnight earlier, supported Berry on this occasion on the grounds that the guardians ought to have more information, although his opinions also illustrate how much easier it was for guardians in less populous rural areas to have personal knowledge of cases than in the borough and other more urbanised districts of the union:

⁹³ Ibid, 25th July 1888.

⁹⁴ Ibid. Emphasis added.

⁹⁵ Ibid. Pemberton had two guardians at that point in time.

⁹⁶ Ibid.

⁹⁷ Ibid, 8th August 1888.

‘In the township which he represented there were 33 persons receiving relief, and he had inquired into the circumstances of 22 of them. Most of those who were receiving relief could have come for it if they had thought proper to do so, but in his inquiries he had been frequently misled by wrong names of streets being given. There were some cases of course where it was impossible to make personal application, but looking at the terms of Dr Berry’s motion he thought it was a fair and reasonable one.’⁹⁸

In terms of our understanding of relief practice in the union then, what do the above cases illustrate? It is important to know that belief in the importance of regular visiting and revision of relief cases was held to be of considerable importance by members of the board of guardians - given the constant reference to this issue by the inspectorate it would be surprising if this was not the case – however, what is most interesting is that despite significant opposition from within the board and without, the practice of allowing relief to be taken to paupers at their own homes by neighbours, or maybe, as suggested by Dr Berry, others who made a profit from doing so, was allowed to continue, with a convincing majority in the vote on the motion detailed above. Also, that people in work benefitted from the case alluded to by guardian John Turner. Without being able to offer any precise figures, local practice seems to have involved the provision of out-relief to some people in work, who were not forced to interrupt their work and possibly lose money by going out personally to visit the relieving officer. The case of the woman employed on Turner’s farm is a clear instance of the use of out-relief as wage-subsidisation: small doles to the low paid being regarded as a preferable alternative to higher doles to unemployed able-bodied workers. William White’s original motion on this subject noted above suggested that the sick or otherwise incapacitated were also maintained in this way, indicating that out-relief policy in Wigan union deviated from strict orthodoxy when it came to the maintenance of the old, the sick and the working poor – the ‘deserving poor’? This is a possibility that must certainly be borne in mind when we consider another significant factor in our attempt to explain the high levels of outdoor relief in the Wigan union – the lack of capacity or suitability of the Wigan workhouse as means of enforcing a policy favouring indoor relief on the lines suggested by the LGB and its inspectorate.

⁹⁸ Ibid. The motion was carried unanimously.

4 (v): ‘They ought to have a building and surrounding land upon which the inmates could do some labour which would be profitable to themselves and the ratepayers’: The Workhouse Factor

A study of the nature of indoor relief policy and practice in Wigan could sustain a doctoral thesis in its own right, as any perusal of the minutes and other records of the board of guardians would quickly make apparent. The primary sources and secondary literature on workhouses are highly detailed and allow for great depth of research on the intricacies of workhouse design, capacity, classification and accommodation arrangements, discipline, education and medical care. However, whilst acknowledging their importance, these are not areas for specific inquiry in this particular piece of work. From our perspective, the key issue is the extent to which the workhouse itself was offered as an explanation for high levels of outdoor relief. Debate on this crystallised into a few particularly salient and arguably contradictory explanations. For example: the workhouse itself was too small to enable the ‘offer of the house’ to be a realistic option given the overall size of Wigan’s relief rolls; the workhouse had insufficient space or facilities to act as a true ‘test-house’ in terms of exacting work from the inmates at sufficient financial return to make it worthwhile to the guardians and, by extension, the ratepayers; the work-house was not a suitable place to send the deserving poor; the workhouse had become too attractive to the poor to possibly be regarded as a test-house. The discussion and analysis that follows needs to be understood within two principal contexts: firstly, within Wigan itself there was a long running, controversial and immensely detailed debate throughout the 1890’s on the need, or not, for a new workhouse. Over the course of this debate options considered included the possibility of making improvements to the existing buildings; the construction of a new workhouse on the existing Frog Lane site; the construction of a new workhouse on a site elsewhere in the borough itself or further afield within the union boundaries.⁹⁹ Secondly, at national level, the issue of the Wigan workhouse must be understood within the context of debates on the ‘humanising’ of workhouses in the late nineteenth and early twentieth centuries.

⁹⁹ See the main minute books of the board, the various committee minutes or the reports in the local newspapers for voluminous detail on the progression of this debate.

As John Offer has suggested: ‘It may be that well before the poor law was officially abolished, it was by no means as loathed as we are led to believe’¹⁰⁰

The capacity of the Wigan workhouse that was built between 1855-1857 was 574 persons.¹⁰¹ This capacity had been commented upon as inadequate on various occasions, if the ability of the guardians to make indoor relief the norm rather than the exception was the criterion of measurement. Inspector J.J. Henley, in his annual regional reports to the LGB was one such commentator, though in doing so he was not singling out Wigan for especial criticism: Henley, in his reports for the late 1880s-early 1890’s noted that workhouse capacity in many Lancashire unions, notably those in the already heavily and increasingly populated mid-Lancashire region¹⁰² had not kept pace with that population increase, making it more difficult for guardians to pursue a stricter policy. His successor Herbert Jenner-Fust took up the issue and consistently impressed the need for a new workhouse upon the Wigan board throughout the 1890’s and into the new century. The guardians, of course, also discussed these issues and opinions on the need for a new workhouse with greater capacity varied. Examples of the kind of positions adopted can be seen in the following instances. At a meeting in February 1896, Henry Darlington, in pressing the case for a possible new site, argued that the existing workhouse capacity placed the guardians in a precarious position: he stated that at that moment there were currently 443 people in the workhouse, to which should be added the 90 or so children in the Swinton schools under an arrangement that might be ended at any time.¹⁰³ If this scenario came to pass, that would bring the total in the workhouse much nearer to capacity at c. 520: ‘A margin of 50 was a very narrow one and at any moment the

¹⁰⁰ Offer, J. (2006) ‘Virtue’, ‘Citizen Character’ and ‘Social Environment’: Social Theory and Agency in Social Policy since 1830, *Journal of Social Policy* (35:2), 283-303 (p.295).

¹⁰¹ This was the new union workhouse, replacing the old building that had a capacity of 160 when the union was formed in 1837. The old workhouse was adapted ‘equally for all classes’ in its arrangements: G/Wi 1: Formation of Wigan Poor Law Union document.

¹⁰² This was Henley’s own classification, which included Wigan. The annual regional reports only appear in the LGB annual reports from 1885, hence there do not appear to equivalent reports on the same basis for the period covered by Henley’s predecessor, Richard Basil Cane.

¹⁰³ The majority of children formerly in the workhouse had since 1892 been removed to the Swinton Schools (industrial schools) in an arrangement with the Manchester authorities. See G/Wi 8a 15/676-7 and 684.

guardians might find themselves on the horns of a dilemma.’¹⁰⁴ Given the guardians’ consistent refusal to apply the workhouse test however, if they were faced with anything approaching a full workhouse they would surely have simply granted out-relief as an alternative to the offer of the house, which an experienced guardian and able figure like Darlington must have known. To add weight to his argument he referred to the clerk’s intimation that the LGB might remove some townships from Wigan Union unless a new and larger workhouse was constructed, an action that would reduce the rateable value of the union.¹⁰⁵ He proceeded to list comparative data from other Lancashire unions that had much larger site acreage and larger houses that enabled greater levels of workhouse and pauper self-sufficiency: ‘they (Wigan) had no proper accommodation for obtaining the necessary amount of work from able-bodied inmates. In other unions they had made such provision, and the ratepayers were reaping the benefit.’¹⁰⁶ Wigan guardian John Harrison Prescott supported Darlington’s motion:

‘They ought to have a building and surrounding land upon which the inmates could do some labour which would be profitable to themselves and the ratepayers. At present they have a number of able-bodied people in the workhouse who had nothing to do but look at each other.’¹⁰⁷

By contrast another Wigan guardian, William Bryham¹⁰⁸, the chairman of the union’s estates committee, argued that improvements to buildings on the current site could bring them up to modern requirements, whilst there was currently capacity for more than 130 more people than they actually had in the workhouse: the present house had only been built in 1854 and ‘if they were to have a new site and a new workhouse every thirty-eight years he thought there was something wrong.’¹⁰⁹ The direct link between a larger ‘modern’ workhouse and lower levels of out-relief was asserted by J.H. Prescott at

¹⁰⁴ *Wigan Observer*, February 22nd 1896.

¹⁰⁵ *Ibid.* The implication being that any paupers in townships that might be removed from the union would be found places in the workhouses of the unions which such townships were reassigned to.

¹⁰⁶ *Ibid.* He compared the higher acreage of workhouse sites, and higher numbers of indoor paupers of Preston, Blackburn and Burnley unions. Apparently the Blackburn workhouse, in its attached grounds kept 46 cows: Darlington had calculated that then current milk consumption in the Wigan workhouse could be provided by ten cows, if they had but the space to keep them.

¹⁰⁷ *Ibid.*

¹⁰⁸ Before 1893, Bryham was referred to as Bryham junior, as his father William Bryham senior, was one of the guardians for Ince until his death in that year. They were mining engineers and colliery managers.

¹⁰⁹ *Ibid.*

another meeting the following month, at which Jenner-Fust was in attendance: ‘if they had a good and modern workhouse the expenses of their outdoor relief would be lessened by one half, whilst the persons inside would be doing something that would really tend to meet their own maintenance.’¹¹⁰

However, aside from the question of a new, larger house on a new site, discussion of conditions in the existing workhouse in the late 1890’s are revealing of other ideas on the role played by the workhouse in contributing to Wigan’s high out-relief numbers. In June 1896 the workhouse master reported to the guardians that there had been a significant increase in the number of inmates upon the previous year, particularly in the numbers of men who were described as able-bodied. Pemberton guardian Joseph Winstanley, a miner, speculated whether this was because ‘the various sections were now recommending the workhouse and refusing outside help.’¹¹¹ By contrast, rather than an intentional harshening of policy on the part of the guardians, Ashton guardian William Boardman suggested that the reason was the increasingly attractive character of the workhouse:

‘They had one man in Ashton who had been in four times, and in a recent conversation with a friend who said “How is it you are looking so well, Bill?” the man replied “Oh, we have better times in the workhouse now. Things are different.” (Laughter). Now they had found the inmates a recreation ground, he supposed Mr Winstanley would go in for a football ground and a cricket field. (Renewed laughter).’¹¹²

Students of social policy will no doubt immediately recognise here views of welfare provision as soft-headed indulgence of the undeserving, but these perspectives bear repetition if only at least to remind us of their ancient lineage. To contextualise Boardman’s opinions, immediately before this discussion the guardians had been debating whether or not to provide a field on the Gidlow side of the workhouse for the recreational use of workhouse inmates at weekends, so those guardians disposed to regard improved conditions of relief as evidence of backsliding from the principles of

¹¹⁰ *Wigan Observer*, 25th March 1896 (check date). This argument, however, ignores the significant cost of building a new workhouse.

¹¹¹ *Wigan Observer*, 13th June 1896.

¹¹² *Ibid.*

1834 already seem to have been warming to their task. This banter nonetheless illustrates a central dilemma for local and national poor law authorities: how could markedly improved conditions in workhouses be reconciled with the fundamental principles of less eligibility and the workhouse test? Examination of the contradictions that guardians faced on this central question in Wigan also sheds light on the reasons for the dominance of out-relief in the union. Views expressed by Henry Darlington encompass both sides of the coin in this context:

‘He had no doubt that Mr Winstanley was actuated by the best motives in moving his resolution with reference to the field, and the lady guardians might be credited with wishing all the inmates to be as comfortable as possible. This was all quite right, for he did not believe in making a mockery of any invitation to come into the “house”, and people who were invited to enter ought to be made reasonably comfortable. That was one side of the case, but they must not forget to look on the other side. Here, in the second week of June, they had no less than 60 able-bodied men who were making a very nice health resort of the workhouse, and in the interests of the ratepayers the guardians ought to obtain a better return from these men than a paltry 2d a day as the result of their oakum picking....At present it was a misnomer to call that building a workhouse.’¹¹³

In responding to Darlington, Clerk Ackerley used the apparent consensus on the increasing amenability of the workhouse to assert the need for a true test-house on the one hand, but on the other (contradictorily?) suggested that improved conditions provided a chance to reduce the numbers on out-relief. His statement is another worth quoting in full as it may well provide convincing evidence of the role played by the workhouse as a factor in the deeply entrenched policy of favouring outdoor relief in the union:

‘The Clerk thought the object of all the guardians ought to be to make the workhouse a real testing place. (Hear, hear.) That was the point, and that was the advantage of having a proper workhouse. For a long time past the guardians in the Wigan Union never liked to offer the workhouse to decent people, knowing that it was not fit for them to go in, and consequently out-relief had been given to an enormous extent, and he used the word advisedly, for the out-relief given in the Wigan Union was indeed enormous compared to that of most unions in the country. The objection to which he had referred however, might now be dismissed from their minds, for

¹¹³ *Wigan Observer*, 16th June 1896.

they need never be afraid now to offer the workhouse to decent people, and the guardians might now without inflicting any hardship test the applications for out-relief in many cases by offering the workhouse with perfect confidence. (Hear, hear.)¹¹⁴

As has already been noted, the opinion of the LGB was that in Wigan there was a general tendency to give out-relief, a view shared by the 1890 report of the guardians themselves on inquiring into the relief question. Does the statement by Ackerley provide the long-standing reason for this ‘tendency’? A range of factors, to an extent contradictory, become evident when addressing this question. On the one hand is the stated belief that the workhouse should be a test-house in a meaningful sense. However, the apparently less than testing nature of the workhouse is proffered as an opportunity to make greater use of the offer of the house as an alternative to outdoor relief, with the more comfortable regime increasing the likelihood of the offer being accepted, whilst simultaneously easing the conscience of guardians in their reluctance to send ‘decent people’ into a formerly unsuitable workhouse. How can this contradictory position be explained? That is, the workhouse should be a genuinely testing place but so amenable - ‘without inflicting any hardship’ – as to encourage the offer of the house to be made to a greater extent than in the past. The phrase ‘decent people’ is at once imprecise and contestable, but however it was meant by Ackerley or the board, it at least implies that the guardians did not take a blanket view of paupers as unworthy – many in receipt of relief seem to have been regarded as people down on their luck, for a variety of reasons, for whom the workhouse test and a strict regime of discipline with few comforts in a ‘test-house’ was not deemed appropriate. Was Ackerley suggesting that completely separate provision should be made for the ‘decent’ or ‘deserving’ poor? Conjecturally, in his ideal scenario, a new test-house would provide separate accommodation for those capable of work, whilst the deserving (e.g. the old and the infirm) should be provided for in more comfortable, dignified conditions, but in the mean-time the existing institution would serve as an adequate place for the deserving poor. If we consider these possibilities in conjunction with the statistical evidence presented in the tables in the preceding chapter, then a likely answer suggests itself. The workhouse governor’s aforesaid statement at this June 1896

¹¹⁴ Ibid.

meeting that the number of inmates had increased substantially on the corresponding period for the previous year is confirmed by the rise in the number of paupers and the increase in expenditure on indoor relief from 1895-1896. However, there was no corresponding decrease in outdoor relief expenditure, and the figures for the three years after this meeting illustrate that there was no subsequent decline in outdoor relief costs. Thus, despite the increase in the number of indoor paupers and significant rise in expenditure, it cannot be argued that the workhouse test was applied more rigorously. The most plausible explanation is that the board continued to supply outdoor relief to those people who had ordinarily received it, whilst simultaneously, because of improved conditions in the workhouse¹¹⁵, there was an increase in the number of people who whilst continuing to be denied outdoor relief, were increasingly willing to accept the offer of the house whereas previously they would have declined it: the year from 1895-96 saw outdoor relief continue to remain high whilst indoor relief set off on a newly upward path. The board and committee minutes detail many examples of attempts to improve the physical and psychological environment of the workhouse, led in particular by the three lady guardians elected in 1894.¹¹⁶

The question of how to provide for the ‘deserving’ and ‘undeserving’ was an important matter of wider national political debate in the late nineteenth and early twentieth centuries. These debates also raised the question of how to deal with the question of vagrancy or the ‘casual poor’, which we shall examine within the context of Wigan in the next chapter. As a union which strongly advocated the introduction of state old age pensions in some form, the Wigan guardians seem to have been very much on the side of

¹¹⁵ Ibid. Figures stated by the governor illustrated the increase in per capita expense of maintaining paupers in the workhouse.

¹¹⁶ The election of Annie Phillips, Annie Johnson and Sylvia Halliday Wilson also roughly coincided with the employment of a new workhouse master, Edward Ambrose, who replaced the long-serving John Lowe who died in 1894. Ambrose himself, however, was sacked in 1900 (see chapter six of this thesis). The lady guardians spearheaded a range of improvements in relation to e.g. bedding, clothing, chairs, dietary etc. In 1896 they felt compelled to issue a statement in defence of their activities, which, they claimed, were both humane and cost effective in the long-run. See *Wigan Observer*, 26th October 1896 for the detail of this debate. They also promoted the introduction of the Brabazon System into the workhouse: this system, established in 1880, entailed the provision of useful or interesting occupations for non-able bodied inmates: in April 1896, the three women were appointed as a committee to visit Chester Workhouse to investigate and report on the system there – G/Wi 8a, 18/4: Board meeting 2nd April 1896. A knitting machine was later purchased in this regard.

removing the taint of pauperism and sense of stigma as far as possible from the ‘deserving poor’. In August 1896, for example, the guardians unanimously adopted and forwarded to the government a circular from Sleaford Union that called for state-aided old age pensions paid by the Exchequer ‘so that the aged and deserving poor may be raised above the lot of the common pauper, and their support be an equal burden on all classes of the people.’¹¹⁷

The impression of a board motivated primarily by a sense of humane or benign pragmatism rather than being dominated by ‘Crusading’ ideologues as in some other unions is further suggested in remarks by Henry Darlington in 1896. On October 16th Ackerley notified the board of another ‘very large increase in the annual expenditure of the guardians’¹¹⁸, which he itemised in its various elements. However, in an attempt to reassure the board, Darlington noted that a large element of the increase in overall union expenditure was the £30,196 required for the county and county borough police rate:

‘Mr Darlington hoped the board would not run away with the idea that the increase was due entirely to the increase in poor law relief...(and he)...thought the board need not feel any great amount of alarm, in fact he thought they might even congratulate themselves that they had been able to deal in a large-hearted manner with the question of relief without bringing on anything like a revolution. (Hear, hear).’¹¹⁹

Sentiments such as these clearly raise the classic social policy theoretical question of the extent to which the introduction and development of social provision should be regarded as motivated by social control. There seems to have been genuine concern for the poor (within the confines of the limits dictated by the poor law, that is) exhibited by the guardians in their attitude towards the workhouse test over the last two decades of the nineteenth century. However, the maintenance of social order and self-preservation on the part of the board also, understandably, seem to have been of considerable if

¹¹⁷ G/Wi 8a, 18/74: Board meeting, 21st August 1896. This petition hoped the then sitting Royal Commission on the Aged Poor would make such a recommendation.

¹¹⁸ G/Wi 8a, 19/15.

¹¹⁹ *Wigan Observer*, 26th October 1896. The increasing expenditure required for the county rate was the subject of marked dissatisfaction in the 1890’s.

unquantifiable significance, as was hinted at early on in this chapter. It was all very well for the LGB and the inspectorate to preach purity of doctrine and practice on the matter of outdoor relief, but at union level the guardians and their officers lived in the same communities as the people who sought relief. Whatever the validity or otherwise of individual claims for relief at any point in time, threats and abuse, verbal or physical, went with the territory of being a guardian or a relieving officer. In January 1895, Haigh guardian John Taylor told Jenner-Fust that ‘their experience in Wigan was that where the relieving officers were most easily got at, there was the largest amount paid in outdoor relief.’¹²⁰ Jenner-Fust humorously retorted that: ‘Well, if you go on that principle you might as well say that if there were no relieving officers, there would be nothing spent in outdoor relief. (Laughter).’¹²¹ This was a great one-liner from the inspector, but one that almost certainly ignored the social reality of work at the coal face of poor law administration. The retirement from the board before the elections of 1887 of veteran Wigan town guardians John Nevill and William Strickland, both Tories, who had served for 25 and 23 years respectively, provides further hints of such pressures. In his farewell address to the board Strickland reflected thus upon his and Nevill’s public service:

‘Whilst Mr Nevill and himself had been members they had worked earnestly and energetically, and had endeavoured with the greatest sincerity to carry out their duties honestly, and to the best of their ability. The office was one unattended with reward. He had had his windows broken, he had had a good pummelling twice, and he had also received threatening letters, but he was living still. (Laughter).’¹²²

Allowing for the possibility of exaggeration during this nostalgic reminiscence, Strickland’s comments are indicative of a commitment to public service, and suggest that a willingness to take on personal risk was one of the qualities necessary in a prospective guardian.

¹²⁰ *Wigan Observer*, 26th January 1895.

¹²¹ *Ibid.*

¹²² *Wigan Observer*, 20th April 1887. Unless he was guilty of exaggeration in this reminiscence, it certainly demonstrates a commitment to public service.

4 (vi): Conclusions

A host of individual issues and practices that collectively constituted outdoor relief policy in Wigan union have been considered in this chapter, and these various threads need to be drawn together in order to reach some conclusions. Did Wigan's approach on the broad issue of outdoor relief represent local success or failure? This is entirely dependent upon the perspective adopted. From an LGB perspective, not to mention the COS's position, the answer would have to be in the negative as the wide discrepancy between indoor and outdoor relief levels continued into the twentieth century. However, to accede to this interpretation would be to accept that adhering to the LGB view was synonymous with a successful approach. This implies that any other interpretations of good policy and practice were invalid. The LGB was undoubtedly a key institution in the shaping of the 'public realm' in the late nineteenth and early twentieth centuries: outdoor relief practice, as a central aspect of the poor law and thus of statutory relief, lay outside the boundaries of the private realm of the market and was thus a fundamental element of the public domain. How statutory relief was to be organised, and upon what principles it was to be distributed were thus vital questions. The LGB certainly had its views, but it was not the only voice: poor law guardians were one of the others, and as the locally elected¹²³ officials directly accountable to the ratepayers their interpretation of wise policy was at least as important, if not more so than that of the LGB. This was even more the case when we take into account the fact that there was no statutory compulsion to pursue an anti-outdoor relief policy on the lines of the Manchester Rules or any of their variants: boards of guardians were effectively free to pursue a wide variety of strategies, and in that sense they were up for grabs to any individual or faction with a particular policy agenda to pursue, and who could persuade the other guardians of the validity of their cause. The dominant culture that developed within the central authority in the years after its creation was, as Christine Bellamy and Phillip Harling have demonstrated, one of 'persuasion'.¹²⁴ The only 'hard' powers the LGB effectively possessed were those of

¹²³ We must be wary of saying 'democratically elected', since before the full democratisation of the boards in 1894 this was not strictly true. See chapter on poor law elections.

¹²⁴ See Bellamy *op. cit.*, and Harling, P. (1992) 'The Power of Persuasion: Central Authority, Local Bureaucracy and the New Poor Law', *The English Historical Review* (107: 422), pp. 30-53. Harling's

audit on the one hand and sanction over the dismissal of the officers employed by boards of guardians on the other.¹²⁵ Where the government did not provide legislative support, as in the case of the ‘Crusade’ against outdoor relief, the LGB had to rely on its ‘soft’ powers; principally the persuasion, advice and instruction offered by its distribution of circulars and regulation orders backed up in the localities by the activities of the inspectorate. Given the relative freedom enjoyed by boards of guardians (considerable, when compared with early twenty first century local authorities) what main conclusions can be drawn in respect of the Wigan board’s interpretation of its public role in the administration of outdoor relief?

As we have seen, the detail of outdoor relief policy at local level was complex. In Wigan’s case, and little doubt in many other unions, to understand what went on more fully the guardians’ actions need to be explained in relation to two principal competing sources of political pressure: the addressing of local need pulling in one direction, and the perceived need, if not to please the LGB then at least to placate it pulling in the other. In terms of the latter source of pressure lie the various arguments advanced that explained ‘excessive’ out-relief in terms of lax administration. With regard to the former, are located those arguments that explained high out-relief levels in terms of wider socio-economic factors such as the trade cycle, the arduous nature of dominant local industries and the ‘deservingness’ of relief applicants. However, whilst such interpretations may appear neat as explanatory devices of the historian, it must be remembered that in reality the divisions between them were much less distinct. Guardians and their officials, at different times and for various reasons held opinions belonging to both categories simultaneously. The guardians, despite the continual prompting from the LGB, persisted with policies that maintained a clear and marked distinction between outdoor and indoor relief levels, yet at the same time this was a board of guardians that voluntarily adopted

work examines the relations between unions and the Poor Law Commission in the early years of the New Poor Law, but although this pre-dates the creation of the LGB in 1871, it demonstrates the long-established awareness of central government of the highly sensitive nature of dealings with local authorities. See also, Taylor, B., Stewart, J. and Powell, M. (2007) ‘Central and Local Government and the Provision of Municipal Medicine, 1919-39’, *English Historical Review* (122: 496) April 2007, pp. 397-426, for analysis of these tensions in the early 20th century.

¹²⁵ Bellamy, *ibid.* See chapter six of this thesis for analysis of the central-local conflicts generated by the issue of dismissal of officers.

the Manchester Rules and in some of its own discussions expressed belief that administration of relief could be tightened up, whether in terms of increasing the number of relieving officers, increasing the frequency and thoroughness of investigation of applications for relief and review of the circumstances of existing claimants. The 1890 internal inquiry, it will be remembered, largely accepted the inspectors' critique that there was a prevalent 'tendency' in the union toward the granting of outdoor relief and recommended certain specific changes in policy to redress that tendency. How can such an apparent contradiction be explained? One possibility is that the guardians maintained a purely cynical position to try and simultaneously appease two masters. Did they agree with many of the criticisms of the inspectorate just to keep the likes of Henley and Jenner Fust off their backs, and form committees of inquiry and make reports and recommendations to demonstrate that they were taking appropriate action? In doing so, did they believe that such efforts would be convincing enough to allay LGB concerns and thus free them to carry on with existing practice favouring outdoor relief? The editorial section of the *Wigan Observer*, 'Notes and Jottings', in January 1897 expressed a view which would accord with such an explanation. On the occasion of another visit from Jenner Fust, and writing on what it believed to be the 'alarming cost of out-door relief' and the continued foot dragging of the guardians in choosing the site for a new workhouse, the newspaper opined:

'The inspector, armed as he is with official authority for his grumblings, performs this task generally with an air that speaks in equal portions of sorrow and anger, but the guardians, armed as they are with skins of pachydermatous quality, listen either in solemn or unmoved silence, or, if they happen to be in a kindly mood, pass a "cordial" vote of thanks to the inspector for discharging the role of the candid friend. In either case however, the result has been the same. Nothing has been done, and the Wigan Union has kept on the even tenor of its way.'¹²⁶

The guardians, then, according to the *Observer*, when it came to serious reform of their alleged failings were all talk, putting up with the inspectorate's visits and admonishments rather as one would endure the visit of an irritating uncle. There may well be a fair degree of truth in this explanation, but as a complete answer to the conundrum it seems

¹²⁶ *Wigan Observer*, 30th January 1897.

overly simplistic. The guardians' debates on and attempts to reform administration of relief were a complex, intangible mixture of genuine belief; a desire to please yet also to fob off, but always within a context of a local economy that placed great demands upon its poorest participants. Whatever decisions were reached or resolutions passed on tightening up out-relief policy, the guardians faced the same choice of how willing they were to implement them given the socio-economic and political reality that faced them. There was clearly not sufficient will to strictly enforce the workhouse test, or to embark on a 'Crusade' in a broader sense. This could have happened: it did in the nearby union of Manchester where destitution and social need existed on a greater scale than in Wigan union. However, there appears to have been no dominant individual, or faction on the board that pushed such an agenda. The Wigan guardians, for the complex reasons that we have examined, opted for a more pragmatic and arguably wiser and more humane strategy.

Chapter 5: Increasing deterrence, asserting independence? The treatment of the casual poor in Wigan Union 1880-1900

In May 1891, a Miss Barnett, Secretary of the Tramps Mission, wrote to the Wigan guardians asking for information on casuals at the workhouse and asked if the board would accept a donation of a library and scripture wall cards for the tramps department.¹ Her letter was read out but left to 'lie on the table', and it was February 1892 before the guardians wrote back accepting her offer.² This matter is worthy of note since it is exceptional in twenty years of board minutes in terms of a recorded specific gift to this class of pauper. Gifts and 'treats' to the workhouse inmates, not just at notable occasions like Christmas or royal jubilees, were a common feature of union business. They ranged widely, including books, newspapers and journals; toys and fruit; outings to local theatres and other attractions; concerts, performances and presentations at the workhouse; valentine cards, a piano and a gramophone.³ Whether such benefactions are regarded as genuine expressions of humanity, and/or patronage and pacification of the poor and oppressed is not at issue here. The pertinent point is simply this: charitable actions and donations to the 'regular' workhouse inmates were commonplace activity, but interventions such as those of Miss Barnett on behalf of vagrants lodged at the workhouse were exceptional.⁴ Such a discrepancy illustrates a 'separateness' in public attitudes towards this group of people: a class of pauper less deserving of sympathy.

The appropriate treatment of vagrants, or the 'casual poor' as they were also termed by contemporaries, was an issue of great moment in the late Victorian and Edwardian era which exercised the minds of actors at all levels of the public domain and attracted comment and suggestions for reform from across the political spectrum. Most well known, perhaps, is the 'social explorer' literature that spanned the mid nineteenth to mid-

¹ G/Wi 8a, 15/683: board meeting 8th May 1891.

² Ibid, 15/683. In March 1892, Miss Barnett wrote to confirm that she'd sent 'some books etc' by rail, and the matter was passed to the workhouse committee for further attention: G/Wi 8a, 15/712.

³ In January 1895, for example, a Mrs Fairhurst of Worthington donated a piano and sets of dominoes and draughts for the entertainment of the workhouse. G/Wi 8a, 16/469: Board meeting, 25th January 1895.

⁴ If I have missed other references in the board minutes to donations to the casual poor, then they are very few in number. I made a point of noting all gifts/treats to the workhouse inmates as I proceeded through the various volumes.

twentieth centuries via the self-charted experiences of, for example, James Greenwood, Mary Higgs and George Orwell.⁵ Despite the great scrutiny applied to the question and the intense passions the subject provoked, no solution was arrived at. The role played by the poor law within this controversy was pivotal, but inconclusive: the 1909 Majority and Minority reports of the Royal Commission on the Poor Laws failed to resolve the issue, and by 1914 and the onset of rather weightier matters, there was still no clear national picture or unified sense of direction.⁶ As was the case with the outdoor relief controversy, it was what happened at local level that had real impact on the lives of the poorest, and the patchwork quilt picture of policy that existed in relation to outdoor relief was mirrored in the vagrancy question. Local sources are especially important in terms of statistical evidence on vagrancy. Rachel Vorspan, in an important and oft cited article, refers to the fact that national poor law statistics are limited in that they only record admissions to casual wards of workhouses on two days of each year (1st January and 1st July)⁷. Since Vorspan's article, scant attention was subsequently paid to the issues of vagrancy and the casual poor at local level, a fact noted by Jacqueline Fillmore in a 2005 article on female vagrant paupers that attempted to reduce this deficit, a contribution more recently augmented by the work of Dick Hunter and Brian O'Leary.⁸ The work of these historians illustrates the complexity and variety of local practice. Surviving local sources allow us to paint a fuller and more informative picture than relying purely on national statistics and LGB reports, as will be demonstrated in this chapter. In addition to local statistical evidence, this chapter will discuss the conditions and arrangements in the casual wards of the Wigan union, alongside the nature of the task of work to be performed and the associated debates on these issues. The interventions on the subject by

⁵ This genre incorporates a wide variety of work that to varying degrees sought to shock, entertain and inform. See, for example, Freeman, M. (2001) "'Journeys into Poverty Kingdom': Complete Participation and the British Vagrant, 1866-1914", *History Workshop Journal* 52 (Autumn, 2001), pp. 99-121; Keating, P. (1976) *Into Unknown England 1866-1913: Selections from the Social Explorers* (Manchester).

⁶ For the persistence of the vagrancy question in the 20th century, see e.g. Krafchik, M. (1983) 'Unemployment and Vagrancy in the 1930s: Deterrence, Rehabilitation and the Depression', *Journal of Social Policy* (12:2), pp. 195-212.

⁷ Vorspan, R. (1977) 'Vagrancy and the New Poor Law in Late-Victorian and Edwardian England', *The English Historical Review*, Vol. 92, No. 362 (January) p.62 note 2.

⁸ Fillmore, J. (2005) 'The Female Vagrant Pauper', *Local Historian* (35: 3), pp. 148-158; Hunter, D. (2006) 'Vagrancy in the East and West Ridings of Yorkshire During the Late Victorian Period', *Local Historian* (36: 3), pp. 185-194; O'Leary, B. (2009) 'Vagrancy in North Devon 1870-1914', *Local Historian* (39: 4), pp. 287-299. Fillmore's work centres on Bedford Union.

the LGB inspectors and comparison of their stance on the vagrancy question with that of the guardians is also essential to consider, and we must also note examples of the influence of other organisations on the Wigan board, and instances of collaboration and information sharing between unions. Also worthy of examination are the contingency measures adopted by boards of guardians outside the relief ordinarily provided in the casual wards, and examples of more innovative schemes, particularly the ‘way ticket’ system which, whilst not providing anything approaching a solution to the problem of vagrancy itself, nonetheless provides us with an indication about the ways in which guardians regarded different ‘types’ of casual pauper.

The casual pauper has been defined as ‘a destitute person who lacked both a permanent residence and a place of settlement and who sought temporary relief in a workhouse.’⁹ The terms ‘casual pauper’ and ‘vagrant’ are often used interchangeably in poor law historiography, a confusion which is also apparent in many original sources, although many contemporaries were keen to distinguish between the two categories. Inspector J.J. Henley, for example, told the 1888 House of Lords Select Committee on Poor Relief that ‘I draw a distinction between vagrants and the casual poor’, vagrants being the ‘army of men walking about the country who subsist by begging and in the workhouses’.¹⁰ For the sake of consistency, when speaking of casuals in this chapter, reference is being made purely to those people who sought relief from the poor law authorities: those people represented the minority of the vagrant class, since the majority sought alternatives in charitable shelters and common lodging houses on the one hand, or the streets or prisons on the other. According to a 1905 police census, only c. 10% of the 73,798 vagrants recorded on the night of 7th July were in the casual wards of workhouses.¹¹ These figures alone suggest that despite much contemporary official rhetoric on the increasing

⁹ Vorspan, *op. cit.*, p.60.

¹⁰ BPP: *Report from the Select Committee of the House of Lords on Poor Law Relief; together with the proceedings of the committee, minutes of evidence, and appendix*, 11th August 1888 - Q. 567 and 565 respectively for these two quotes. Henley gave evidence on 23rd April 1888.

¹¹ See Vorspan, *ibid*, pp. 63-64. In the cited survey, 47,588 vagrants were in common lodging houses, 4,108 in prison 7,478 in casual wards and 14,624 ‘elsewhere’.

attraction of workhouses per se, the casual wards were not widely regarded as ‘pauper palaces’ by the wandering poor themselves.

As historians have noted, solution to the vagrancy question was a notable omission of the 1834 Poor Law Commission and subsequent Poor Law Amendment Act. Anthony Brundage suggests that Chadwick and other leading reformers assumed that the less eligibility principle would deter vagrants along with all other classes of relief applicant.¹² The failure of reality to comply with such ideological assumptions necessitated a response from the centre, and thus the Poor Law Commission and its successors the Poor Law Board and the LGB provided direction for boards of guardians by securing the passage of legislation and the issuing of general orders and circulars which became the mainstays of communication between the centre and the localities. Central directives were principally concerned with the nature of the task of work to be performed by casuals, the periods for which they were to be detained and the conditions and arrangements within the casual wards. Before we analyse these issues, however, it would be useful to establish the numbers of casual paupers relieved in Wigan union, and the composition of this category¹³ of the population in terms of gender, age and occupational background.

5 (i) Statistical trends

The table below lists the numbers of casuals relieved by the Wigan guardians in each half year from Lady Day 1878-Lady Day 1896. These figures provide a fuller picture of the numbers of people relieved than the bi-annual snapshots in the national statistics which recorded only those relieved on the nights of 1st January and 1st July referred to earlier. For example, for 1881, on the 1st January, there were 12 people relieved as casuals by the

¹² Brundage, 2002, pp. 101-102.

¹³ Using terms such as ‘category’, ‘classification’, the ‘vagrant class’ when writing about the poor and marginalised does have a rather unsavoury feel to it, but given that this was how contemporary authorities organised people for the basis of dealing with relief applications, and is consequently how such people were presented in the historical record, it does at least facilitate analysis.

union, and 8 people on the night of 1st July 1881¹⁴: by contrast, the figures for the relevant half years listed in the table were 1,571 and 2,249 respectively.

Table 17: ‘Numbers of vagrants and tramps lodged and relieved during the half year’¹⁵:
Wigan Union 1878-1896.

	Lady Day	Michaelmas
1878	3,436	3,090
1879	1,602	2,988
1880	1,885	2,850
1881	1,571	2,249
1882	1,506	2,096
1883	1,174	1,088
1884	873	1,394
1885	931	1,296
1886	974	1,430
1887	1,160	1,676
1888	1,303	1,765
1889	1,680	1,711
1890	1,226	1,839
1891	1,316	1,948
1892	1,824	2,746
1893	2,413	4,192
1894	3,273	4,425
1895	2,895	4,263
1896	3,663	

(Source: G/Wi 13 – Abstract of Expenditure)

These statistics, broadly speaking, illustrate a decline in the numbers relieved from the late 1870s until the mid 1880s when they began to rise again, steadily at first but then rapidly from the mid 1890s. As we saw in the analysis of outdoor relief levels, the central question in explaining such statistics is to what extent were the changes due to LGB policy and local administration, or to wider socio-economic factors? Before we examine local practice some general observations can be made in this respect. For example, following the introduction of the 1882 Casual Poor Act, there was a sharp drop

¹⁴ G/Wi 13. The figures of 12 and 8 for the nights of 1st January and 1st July would have been Wigan’s contribution to the national figures of numbers of casuals relieved on those nights.

¹⁵ This is the exact phrase used in the statistics – see G/Wi 13, Abstract of expenditure.

in numbers at national level.¹⁶ This Act stipulated that upon admission to a casual ward, applicants had to be detained until 9.00 a.m. on the second morning after admission, or the fourth morning if it was the second application in a month to the same union.¹⁷ The statistics for Wigan depicted above demonstrated a similar response to the Act, with a striking fall in numbers in both sets of half yearly figures (particularly Michaelmas half year) from 1882 to 1883. Vorspan has argued, however, that vigorous responses to such policy changes tended in general to be short lived, with a pattern of periods of laxity, followed by a new outburst of activity from the centre, chiefly explicable by the fact that the LGB had limited powers of coercion and thus the reality of the situation at local level depended to a very considerable extent on the attitude of the guardians in each union.

The influence of economic downturns on relief applications is also evident in the Wigan statistics. For example, Vorspan notes rises in applications occurred in 1879 and 1895, years which also appear to have coincided with peak periods within Wigan figures. Overall, however, the chief characteristic of casual ward statistics was their volatility, which Vorspan attributes to a range of factors that had greater impact on vagrants in particular rather than on pauperism in general, including the climate, local availability of shelters and dosshouses, race meetings, fairs and other entertainments that attracted vagrants to different places at different times of the year.¹⁸ Without an extant register of casual ward admissions, we are limited to occasional snapshots of the occupational make-up of the casual wards printed in the local press, a rare example of which dates from a return compiled by Workhouse Master John Lowe in April 1893, reproduced in the table below:

¹⁶ Vorspan, 1977, p.63. Vorspan refers, for example, to the decline in applications to metropolitan casual wards from 294,960 in 1882 to 125,906 in 1883.

¹⁷ Brundage, 2002, p.119. In May 1882, the Central Committee of Poor Law Conferences circulated a letter enclosing a form of a petition for adoption in favour the 'Vagrancy Bill' then before Parliament, and asking unions for a minimum subscription of 5 shillings. The Wigan guardians agreed to pay the 5 shillings and Ackerley was asked to obtain a copy of the bill. G/Wi 8a, 13/203: Board meeting 5th May 1882.

¹⁸ Vorspan, p. 63.

Table 18: Admissions to the vagrant wards in the 3 months ending March 30th 1893

Labourer	657	Clerk	5	Sinker	2
Mill Hand	108	Iron Driller	5	Sadler	2
Charwoman	87	Printer	5	Boilermaker	1
Collier	68	Mason	5	Boltmaker	1
Children	59	Cooper	4	Currier	1
Bricklayer	16	Iron Dresser	4	Dyer	1
Hawker	14	Papermaker	4	Engraver	1
Engine Fitter	12	Brass Finisher	3	File Cutter	1
Puddler	12	Carpenter	3	French Polisher	1
Housework	11	Engine Driver	3	Glass Blower	1
Painter	11	Grocer	3	Grate Fitter	1
Sweep	11	Plasterer	3	Iron Turner	1
Shoemaker	11	Rivetter	3	Lock Filer	1
Tailor	11	Tinplate Worker	3	Machinist	1
Tailoress	11	Wheelwright	3	Matmaker	1
Seafaring Man	10	Watch Repairer	3	Metal Cutter	1
Baker	9	Brickmaker	2	Millwright	1
Gardener	9	Brush Maker	2	Nail Cutter	1
Moulder	9	Carriage Maker	2	Plate Moulder	1
Stoker	9	Dress Maker	2	Rag Gatherer	1
Blacksmith	8	Domestic Servant	2	Ropemaker	1
Fitter	8	Groom	2	Sawmaker	1
Laundress	8	Platelayer	2	Scissor Filer	1
Joiner	7	Pavior	2	Tanner	1
Lawyer	6	Sugar Boiler	2	Wire Drawer	1

Source: *Wigan Examiner*, 12th April 1893.

The above statistics comprised 1,019 men, 265 women and 59 children. The high representation of labourers is typical of findings in other unions, whilst it is also important to note that both the Master and the *Wigan Examiner* attributed the high numbers of admissions and unusually high variety of occupations to economic difficulties: ‘indicative of the slackness of trade and the consequent lessened demand for labour.’¹⁹ A general acknowledgement of the relationship between economic conditions and increases in vagrancy seems to have existed. However, maybe due to the understanding that vagrancy *per se* was a national social question beyond the capabilities of individual poor law unions to address, the Wigan guardians and their counterparts elsewhere, as we shall see, in practical terms concentrated on policies of deterrence.

¹⁹ *Wigan Examiner*, 12th April 1893.

The statistics on the numbers of casuals relieved in Wigan illustrated above do exhibit one curiosity: Vorspan explains that casual ward admissions tended to go up from August to January, and down from May to July, explicable most probably by vagrants preferring to sleep outdoors in the summer. However, the Wigan figures seem to demonstrate the opposite trend, as the numbers relieved in the half years ending at Michaelmas (1878 excepted) were consistently higher than those for Lady Day, which covered the winter months. In local terms, this would seem to contradict Vorspan's evidence from national statistics, though it is not clear why this was the case in Wigan.²⁰

The relieving officers' returns which were used to calculate the numbers of able-bodied and non able-bodied outdoor paupers also provide us with useful information on the casual poor.²¹ The weekly returns arguably provide a more meaningful picture of the number of casuals relieved in the union, in that they allow us to trace the numbers of people on a quarterly basis, counting the human traffic through the casual wards each week, rather than relying on snapshots at extreme ends of the spectrum like the half yearly totals or the biannual headcounts. These returns cast further light in that they also categorise casual paupers by gender and list the number of children relieved in the casual wards. As an example, the table below lists the numbers of casuals on a weekly basis for Michaelmas quarter 1895: this allows us to directly compare the size of the casual population to figures for the indoor and outdoor paupers during the same period discussed in the sections on outdoor relief.

²⁰ Jacqueline Fillmore, in her study of Bedford from 1881-91, also expected vagrancy numbers to drop in the summer months, but found that the highest number of admissions of women to the casual wards was in June and July: *Op. Cit.* p152-3.

²¹ G/Wi 23.

Table 19: Number of casual paupers relieved per week, Michaelmas quarter, Wigan union, 1895.

Week	Men	Women	Children	Total
1	117	30	9	156
2	114	16	9	139
3	93	29	6	128
4	117	26	7	150
5	132	33	5	170
6	126	16	12	154
7	116	27	4	147
8	146	24	9	179
9	123	17	6	146
10	120	26	10	156
11	146	34	8	188
12	127	32	11	170
13	114	17	6	137
	(79%)	(16%)	(5%)	Tot: 2020

(Source: G/Wi 23)²²

The vast majority of casual paupers relieved in Wigan were men, a fact which broadly fits in with the established national picture. Vorspan states that women never accounted for more than 10% of vagrants, and children under sixteen less than 3%.²³ The Wigan statistics for this sample quarter broadly confirm this, though 16% of casual paupers were women and 5% children. Fillmore's study of Bedford replicated the figure of 10% for female vagrants, but it is difficult to say, given the paucity of local studies, whether the figure for Wigan represents a significant variation.²⁴ What the bald statistics do not reveal of course, is how many casual paupers were travelling alone and how many as family groups. Again, Fillmore seems to be the only guide here, and then only in respect of women casuals, 49% of whom in Bedford travelled alone, and 51% with a family member.²⁵ In comparison with other categories of pauper, however, the number of casuals was small. For example, from the above table, in week one of Michaelmas quarter 156 casuals were relieved. However, for the same week, 2,062 adult outdoor paupers and 1,560 children under-16 were on the relieving officers' books, in addition to

²² The exact percentages of men, women and children in this example are 78.77, 16.19 and 5.05 respectively.

²³ Vorspan, p. 60, note 3. Vorspan's statistics are based on the figures for 1st January 1905, reported by the Departmental Committee on Vagrancy.

²⁴ Fillmore, op cit, p.151.

²⁵ Ibid, pp. 154-155. Fillmore used the Admission and Discharge Register (Casuals) that has survived for Bedford, but no such document is extant for Wigan during this period.

357 workhouse inmates.²⁶ Thus, casual paupers constituted a fraction of the overall total, yet they were the focus of a heated and protracted debate at national and local levels. How did the Wigan guardians engage with this provocative issue of the public domain? The following sections will address this question by focusing on the issues specified in the introduction to this chapter, firstly, looking at practice and debate on the appropriate task of work and period of detention for those admitted to the casual wards.

5 (ii) 'It did seem to him that there was no right to withhold the vagrant's breakfast until he had done his task'

The task of work expected from casuals was a classic example of the less eligibility principle in action. It is difficult to deduce from the Wigan board's minutes whether the task of work remained constant throughout our period since there are few specific mentions of it, but in 1880 it was certainly corn grinding, as the way in which it was then carried out caused a minor dispute with the LGB. Henry Stevens, sub-inspector to Richard Basil Cane, had visited the union and among other things had observed the corn grinding test in operation. He thought that the test was a good one, but it required attention in that 'it was necessary to see that the mills were not refilled before the working cells were empty or a vagrant might commence a second task, a case of which he saw on the occasion of his recent visit to this workhouse.'²⁷ At the following board meeting, Wigan guardian John Nevill responded that on investigation, Mr Stevens had been mistaken – 'the fact was, the hopper which supplies the mill with corn would only hold 40lbs, whereas a vagrant has to grind 60lbs, and what Mr Stevens saw was simply putting in the additional 20lbs to make up the full amount of the task.'²⁸ This minor spat is in many ways a microcosm of the wider relations between the guardians and the LGB. The inspectorate frequently drew attention to what it regarded as errors of practice and administration across the whole range of union activity; the guardians, wherever they

²⁶ G/Wi 23.

²⁷ G/Wi 8a, 12/827: Board meeting, 16th July 1880. The corn-grinding test was the one in use at Lambeth in James Greenwood's lurid *A Night in the Workhouse* (available in Keating, 1976, op. cit.).

²⁸ G/Wi 8a, 12/832, 30th July 1880. William Chalk suggested the provision of hoppers capable of holding the full task of 60lbs and the matter was delegated to the workhouse committee for implementation.

could, were keen to point out any instances where they felt the inspectors were in the wrong. Such different interpretations of correct procedure were part of a wider feeling that the guardians were the best judges of appropriate practice and that their view of how best to serve the public good was at the very least as important as that of the inspectors. A clear and strong articulation of these sentiments is discussed later in this chapter.

Assistant-inspector Stevens' concern that casuals might be forced to perform two tasks of work is one of a number of examples that suggest that on this issue, and the issue of conditions in the casual wards, the inspectorate took a less punitive line than the guardians. However, in relation to the required number of days' detention, the inspectorate took the harder line and rebuked the guardians for not sticking to the letter of the law. Regarding the task of work, on his first meeting with the guardians in July 1892, Jenner Fust complained that casuals:

‘were expected to do their task in the morning before they received their breakfast. It seemed also that the task was frequently not completed until eleven or twelve o’clock, and occasionally until two or half-past in the afternoon. It did seem to him that there was no right to withhold the vagrant’s breakfast until he had done his task’²⁹

In terms of the requisite period of detention, both J.J. Henley and Jenner Fust on a number of occasions criticised the guardians for their failure to implement the 1882 Casual Poor Act. It was noted above that the year 1883 saw a significant reduction in the numbers of casuals relieved in the union, which may have been in large part attributable to enforcement of the Act on the lines suggested by Vorspan for the nation as a whole. However, if that were so, there was no prolonged effort in Wigan to maintain enforcement. In April 1886, Henley complained to the guardians that the orders of the LGB were not being carried out, in that casuals:

²⁹ *Wigan Observer*, 8th August 1892. It is not clear whether that task was still the corn grinding test as used in 1880, or another task such as the commonly used oakum picking or stone breaking. See G/Wi 8a, 15/807, for the entry in the board minutes for this meeting. In 1897, the Clerk of Bolton union wrote to Ackerley asking ‘whether chips are made at the Vagrant wards’. The information was to be provided to him, but is not recorded in the board minutes. G/Wi 8a, 20/41: Board meeting 11th June 1897.

‘Were let out the first day instead of being kept in until the second, and that he thought was objectionable. Great good had come of carrying out the order, and if the guardians would only follow the instructions therein given, they would soon see the advantage of it.’³⁰

It was reported in 1886 that roughly half of all unions were not enforcing the second day’s detention and so Wigan was not at all exceptional in this respect.³¹ The guardians were still ignoring this rule six years later, as is evident after the LGB issued a circular amending regulations on the discharge of casual paupers on 13th June 1892 which the board asked Henry Ackerley to look into: the clerk reported back that the guardians ‘were acting in perfect accordance with the orders of the Local Government Board in discharging from the workhouse casual paupers on the morning following the day of their admission.’³²

The one night detention system was still in operation by autumn 1897, when the overall mood of the guardians began to shift in favour of the two night system.³³ This initiative followed another prompt from Jenner Fust in August 1897, who exhorted that

‘the system of detaining them two nights was gaining ground all over the country, and certainly as a rule resulted in a considerable decrease in the number of applicants. He did not say that was the universal experience. From time to time he was afraid they were over full, and had to give tickets for lodging houses.’³⁴

Taking up Jenner Fust’s banner, the chief proponent of this move was Wigan guardian Daniel Dix, who stated quite plainly that the objective was to create a deterrent to reverse the increasing numbers of vagrants. Table 17, compiled from the abstract of expenditure covering 1878-1896 illustrates the significant rise in the numbers of casuals from 1893, a trend which Dix observed had continued. On 17th September 1897, Dix stated that 7,224

³⁰ *Wigan Observer*, 7th April 1886. Henley thus asked the guardians to give the two night detention order a fair trial: G/Wi 8a, 14/134. By ‘great good’, he almost certainly meant a reduction in admissions to the casual wards.

³¹ See e.g. Brundage, 2002, p. 119.

³² G/Wi 8a, 15/779, 788: Board meetings on 17th June and 1st July 1892.

³³ An LGB circular of February 1896 had advocated a minimum of two nights’ detention and the adoption of the cellular system: Hunter, *op. cit.*, p. 189.

³⁴ *Wigan Observer*, 7th August 1897.

vagrants had been relieved in the past year, an increase of 228 on two years earlier. Of that 7,224 people, ‘no fewer than 4,712 were men having no classified occupation, and presumably were men who spent their time wandering about from one workhouse to another.’³⁵ Thus, it seems that Dix was focused on discouraging the unskilled labourers and ‘professional beggars’, rather than the ‘honest wayfarer’. However, the difficulty of deterring those deemed undeserving without simultaneously punishing the genuine work seeker was not lost on some members of the board. Ince guardian Isaac Lawrence suggested that in that regard the proposed two nights’ system was a retrograde step: ‘would it not be a hardship to compel an artisan looking for work to remain two days in the workhouse? If they adopted such a course, he thought it would be going backwards instead of forwards.’³⁶ Other guardians, whilst supportive of Dix’s proposal to detain casuals for two nights, doubted its practicality given the lack of suitable buildings on the premises that could be converted so as to allow useful work to be done by casual inmates, and a committee was established to confer with the workhouse master on the suggested scheme.³⁷

Nevertheless, there was no immediate effective action to implement Dix’s initiative, but he made a renewed effort in the summer of 1898 following yet another complaint from the LGB. In June, the LGB wrote to the guardians in relation to a recent visit to the workhouse by Assistant Inspector William Moorsom who stated that vagrants were detained for only one night.³⁸ In the debate that followed, the same range of opinions was articulated as in the previous year and opinions did not conform to a party line. Mr Dix, a Tory and the Liberal Matthew Benson both articulated the view that Wigan was a ‘soft touch’, a fact well known on the tramping circuit: ‘Dr Benson said that vagrants walked from Ormskirk and Preston to Wigan – Mr Dix: And they tell each other on the way.’ In the same light, Clerk Ackerley was concerned that Wigan needed to protect

³⁵ *Wigan Observer*, 18th September 1897. Dix cited the example of Stone union workhouse, where the introduction of this system had resulted (or coincided with) in a reduction in casual pauper numbers.

³⁶ *Ibid.*

³⁷ *Ibid.*, and G/Wi 8a, 20/84.

³⁸ G/Wi 8a, 22/48. The LGB referred the guardians to their circular on vagrancy of 25th February 1896, urging upon them the importance of detaining vagrants for the periods prescribed by the General Order of 18th December 1882.

itself against nearby unions which enforced the order.³⁹ Such views reflected those long propagated by the inspectorate. Mr Cane, for example, in 1879 informed a Select Committee on settlement and removal that: ‘The vagrants communicate with one another, and they know what they call a good union, or a good workhouse, as well as we should know what we call a good hotel.’⁴⁰ By marked contrast, Henry Darlington argued that:

‘He had seen the people examined as they came in, and among them was a large proportion of men who were really honestly looking for work, and it would be unfair to keep those men in the workhouse two days. The result would be that they would have a second lot coming. They could not keep them out, and they could demand to be there one night at least. A lot of them simply came to stay one night, and there was no sufficient accommodation to discriminate between the idle and those who were honestly looking for work. Until they got proper tramp wards they could not discriminate between the two, and could not carry out the order properly.’⁴¹

The Chairman, William Valiant, sided with Darlington on the grounds that insufficient capacity in the wards prevented enforcement of the order, however, guardians Mitchell and Ballard argued that discrimination was possible, with the former suggesting that an ‘honest man’ should be given one night whilst those of ‘worse character’ should be given two or three nights, whilst Ballard agreed that it was possible to distinguish ‘between the soft-handed, sunburnt vagrant and the honest working man.’⁴² Daniel Dix won the day, nevertheless, and his new proposal, unanimously accepted, was that:

‘in order to test the system, the vagrants who are admitted into the Casual Wards of this Workhouse be detained for *five* days, and that such extra detention be enforced for a period of one month from this date, the Master being allowed to use his discretion as to the detention of men admitted into the Casual Wards who appear to him to be honestly in search of work.’⁴³

³⁹ *Wigan Observer*, 29th June 1898. Benson recommended the four nights’ detention system in operation at Preston.

⁴⁰ PP: *Select Committee on Operation of Laws in United Kingdom relating to Settlement and Irremovability of Paupers, with special reference to Removals to Ireland. Report, Proceedings, Minutes of Evidence, Appendix, Index*, 1878-79: Q. 785, 20th June 1879.

⁴¹ *Wigan Observer*, 29th June 1898.

⁴² *Ibid.*

⁴³ *Ibid.* Emphasis added: Board meeting, 24th June 1898.

On 30th September 1898, Dix claimed success for this new stringency, as he presented figures to the board illustrating a decrease of 531 in the number of casuals maintained in the workhouse between the half-year ended September 1897 and March 1898, ‘which he attributed to the enforcement of the *two* days detention order.’⁴⁴ Thus, it is clear that a policy of increasing deterrence had been adopted, but there is less clarity as to the exact period of detention introduced. The motion passed in June unambiguously stated a five day detention period, yet by September this was down to two days, the latter position being confirmed by the workhouse porter James Siddall, who in October 1898 asked for a salary increase because of ‘the extra work which he now has to perform, owing to the detention of casual paupers for two nights and one whole day.’⁴⁵ However, the five nights suggestion was a recording error, as in July 1898 Henry Darlington drew attention to the previous meeting’s minutes and stated that Mr Dix’s proposal was actually for two nights, the accuracy of which was confirmed.⁴⁶ In terms of the fall in casual numbers cited by Dix, it may well be the case that the more deterrent policy was chiefly responsible: Historians have commented on how unions with strict regimes commonly attracted far fewer casuals than more lax unions.⁴⁷ However, we cannot be precise on this, since due to the limitations of the sources it is practically impossible when recording pauper numbers on the one hand, to separate those vagrants deemed to be genuine work-seekers from the ‘workshy’, and to attribute individualistic or structural causes of vagrancy to exact numbers of casuals on the other. Whatever the precise causes, statistics for 1899 show that casual numbers remained at the reduced levels recorded for September 1898: during the Lady Day and Michaelmas quarters of 1899, for example, 1,555 and 1,404 paupers were respectively relieved.⁴⁸ The policy initiated by Daniel Dix proved short-lived, however, suggesting that Darlington and Valiant’s concerns over capacity proved accurate: Assistant Inspector Moorsom’s visit to the workhouse on 28th

⁴⁴ G/Wi 8a, 23/6. Emphasis added. The total number of casuals relieved in each respective half-year was stated as 1,916 and 1,385. ‘The Guardians considered this very satisfactory indeed’. However, in referring to statistics for the *half-year* ending September 1898, either Dix or the recorder of the board minutes was in error. A count of the total number of men, women and children relieved as casuals for the Michaelmas *quarter* 1898, gives the exact same total of 1,385. See G/Wi 23.

⁴⁵ *Ibid*, 23/20: Board meeting, 28th October 1898.

⁴⁶ *Wigan Examiner*, 13th July 1898. This was confirmed by Jenner-Fust, who was present at the meeting.

⁴⁷ See e.g. Vorspan (1977) and Brundage (2002) *op cit*.

⁴⁸ G/Wi 23: My count of the figures.

April 1899 revealed that ‘the two night system was tried for two months last summer, but so many had to be sent to the lodging houses that the attempt was relinquished.’⁴⁹

For most of our period then, in terms of required detention periods, the guardians were more lax than the LGB regarded as being acceptable. However, when it came to accommodation arrangements in the casual wards, these roles were reversed as the inspectors, particularly Henley and his successor Jenner Fust, criticised the guardians for their punitive stance. The comments of the inspectors on their visits to the board always emphasised the need for improvement of the treatment of casuals, and never accused the guardians of being too soft-hearted. A consistent complaint concerned the beds that casuals had to sleep on. These were wooden ‘plank beds’, which, in the spirit of less eligibility, intentionally offered little comfort. In May 1889, Henley told the guardians that the vagrants ‘ought not to be made to sleep on boards’ and hoped that the guardians ‘would provide them with some kind of mattress.’⁵⁰ In elaborating on this, Henley articulated the commonly held belief that vagrancy and criminality were inherently linked, in that the former tended to lead to the latter:

‘There were people who preferred to beg, etc., but if they were destitute he thought it was far better they should go to the workhouse than into the police cells, and when they did come into the workhouse, pressure should not be put upon them, and so drive them into crime’, adding that ‘a man ought not to be made to sleep upon what was a punishment in gaol.’⁵¹

It is not clear, however, if Henley was referring to all casual paupers here, or was focusing on ‘genuine’ work seekers who might be driven to crime if poor law unions treated them too harshly. The guardians apparently took no action in response, however,

⁴⁹ MH 12/6380.

⁵⁰ G/Wi 8a, 14/196: Board meeting 10th May 1889. The Wigan Observer report on this meeting more specifically mentions that Henley ‘thought women and children should not sleep upon the boards.’ 15th May 1889.

⁵¹ *Wigan Observer*, 15th May 1889: Implying, clearly, that prison conditions were preferable to the arrangements in casual wards. In further reference to this, in August 1890, the LGB criticised the nearby Leigh Union for using plank beds for both male and female casuals, with Mr S.B. Provis reminding the Leigh guardians that the use of plank beds was a recognised feature of Prison discipline. After discussion, the Leigh guardians decided to let Provis’s letter lie on the table, on the grounds that improving conditions would ‘increase the number of tramps’. *Wigan Examiner*, 20th August 1890.

since in July 1890, Henley told them that the LGB ‘requested him to say that they cannot sanction plank beds for vagrants, and that some other kind of bed should be provided, either mattras (sic), hammock, or what the guardians consider best, and suitable bed clothing provided in each ward.’⁵² On his final visit to the board before retiring in 1892, Henley suggested that ‘the tramps should have three rugs in winter. One to sleep upon and two to cover them.’⁵³ Wigan was, however, far from exceptional in its minimalist approach in this aspect of policy. An 1890 survey by Henley of sleeping arrangements for vagrants in Lancashire recorded that 17 of the 31 unions provided plank beds. Alternatives provided by various unions included, felt beds, straw beds, flock beds, canvas on frames, hammocks and coil mattresses.⁵⁴ Some unions provided different types of bed for men and women. At Ashton-under-Lyne, for example, there were plank beds for men and straw beds for women, whilst at Blackburn female casuals slept on straw beds and males were provided with ‘canvas on frames, with canvas pillows with wooden ends’.⁵⁵ Wigan was one of seven unions that offered only plank beds regardless of gender.⁵⁶

Turning our attention away from the Spartan nature of ‘beds’ in casual wards, another important issue to consider is that of overcrowding. Information about the scale of accommodation in the casual wards covering the whole period 1880-1900 appears to be limited, but a surviving report on the workhouse from April 1899 conducted by Assistant Inspector Moorsom indicates that on that occasion there were 24 beds for men and 8 for

⁵² G/Wi 8a, 15/248. Board meeting: 4th July 1890. Again, he stated that ‘they ought not to be dealt with like convicted prisoners.’ *Wigan Observer*, 9th July 1890.

⁵³ G/Wi 8a, 15/564. Board meeting: 28th August 1892. Henley also recommended that the guardians build a small separation block to isolate cases where there was a suspicion of infectious disease.

⁵⁴ MH 32/46: Beds for vagrants in the workhouses of Lancashire (information taken from workhouse reports of 1890).

⁵⁵ *Ibid.*

⁵⁶ *Ibid.* The others were Chorley, The Fylde, Garstang, Lunesdale, Prestwich and Todmorden. The nature of casual ward accommodation was yet another aspect of administration about which the policy community of poor law unions sought and shared information amongst themselves. In April 1890, for example, the Clerk of Ashton-under-Lyne Union wrote to Ackerley asking for information on the kind of sleeping accommodation provided in Wigan (G/Wi 8a, 15/190), whilst in August of that year the Ulverstone Union clerk stated that his board was considering Mr Henley’s suggestions re the sleeping arrangements for casual paupers and wanted to know the arrangements in Wigan. Ackerley told him that Wigan also had Henley’s suggestions under consideration – in Wigan’s case, presumably the suggestions from July 1890 discussed above. G/Wi 8a, 15/277.

women, which on the night before his visit were occupied by 17 and 1 casuals respectively.⁵⁷ Other evidence from 1899 suggests that the cell system was in operation at Wigan.⁵⁸ This system, increasingly common in the late nineteenth century, accommodated vagrants in individual cells rather than a mixed ward, and was believed to benefit the honest work-seeker by minimising contact between him and the professional tramp.⁵⁹ Overcrowding of casual wards was a common criticism made by LGB inspectors, and the scale of accommodation and the nature of the regime varied significantly at both regional and national levels.⁶⁰ The markedly upward trend in the number of casuals from 1892-3 onwards noted earlier was accompanied by complaints from guardians about overcrowding in the wards. The sudden upsurge during this period of economic downturn, according to workhouse master John Lowe, meant that the casual ward accommodation for 24 men and 8 women, normally sufficient, was no longer adequate: 'but I suppose it is only temporary, and it is the cheaper policy to pay eight or ten shillings per week for a time than to provide extra accommodation and an additional officer.'⁶¹ Complaints about overcrowding then do not appear to have been motivated by concern about the possible impact of overcrowded conditions on the vagrants themselves, but by the additional financial cost to the guardians in paying for alternative accommodation.⁶² In May 1893, the then chairman J.F. Morris reported that 'the vagrant wards were frequently full, and the Guardians were paying for lodgings in Wigan of the overplus vagrants.' Jenner Fust advised that 'the female wards should be used also by the male vagrants, and that lodgings be paid for females only.'⁶³ The inspector's advice in this instance would seem to support the statistics that showed that casuals were predominantly male, with the implication that women casuals should be kept separate from the men, even if this meant the extra expense of paying for lodgings in town.

⁵⁷ MH 12/6380: report by W.M. Moorsom, 28th April 1899.

⁵⁸ MH/12/6381: the guardians' inquiry into the conduct of the workhouse master (see next chapter) refers to the 'tramp cells' in the list of complaints against him: meeting held 14th November 1899.

⁵⁹ See, e.g. Dick Hunter, 2006 op. cit.

⁶⁰ Ibid, and also see O'Leary, 2009 op. cit.

⁶¹ *Wigan Observer*, 3rd June 1893. Lowe stated that 190 vagrants had applied at the workhouse during the previous week, rather than the 'normal' number of 'about fifty'. Vagrants reported to him similar pressures at Preston, Bolton, Chorley, Prescott and Warrington.

⁶² For example, the transmission of infectious disease in vagrant wards was an issue of concern to the LGB. See G/Wi 8a, 15/954 for a local example of this.

⁶³ G/Wi 8a, 16/29: Board meeting 19th May 1893.

Concern over the costs incurred by lodging vagrants outside the workhouse was again expressed in March 1896, when guardians Thomas Southworth and Annie Phillips asked for information on the number of vagrants relieved since 25th March 1895, and specifically for the number for whom lodgings had to be found.⁶⁴ The workhouse master, E.H. Ambrose, provided a return at the next meeting illustrating that from 25th March 1895-19th March 1896, 7,527 casuals had been admitted to the workhouse, and 199 were sent to lodging houses in the same period.⁶⁵ Expressed as a percentage of 7,527, the figure 199 only represented 2.64% of the total number of casuals relieved, which when considered *prima facie* would not seem to warrant the concerns expressed by the guardians. However, such resentment was at least as ideologically as financially motivated. The deeply rooted antipathy toward elements of the casual poor in late Victorian society was articulated in several ways, as was noted in the introduction to this chapter, and at local level it could be expressed as bitterness at having to pay for the maintenance of those who were distinctly not “one’s own”. A resolution moved at a board meeting of 4th August 1899 by Wigan guardian J. Ballard and Henry Darlington of Billinge referred to the ‘vast number of wandering casuals who crowd our Workhouse at night and who eat up the Rates (sic) that are intended for our own deserving poor of the Wigan Union.’⁶⁶ Objection to supporting the poor who had no legal right of settlement in a union was, of course, a long established commonplace opinion, but as statements such as the aforesaid resolution illustrate such general attitudes seemed to take on an extra edge when directed at the ‘unworthy’ elements of the itinerant class.

The desire to punish the professional vagrant whilst simultaneously wishing to assist the honest man in search of work was an ingrained feature of popular opinion in late

⁶⁴ G/Wi 8a, 17/152: Board meeting 6th March 1896.

⁶⁵ G/Wi 8a, 17/161: Board meeting 20th March 1896. It is not clear whether the 199 people sent to lodging houses were in addition to, or subtracted from the figure of 7,527. Traces of the guardians’ payments to the owners of lodging houses can be found in the board minutes. For example, accounts listed in August 1899 refer to 3s 4d payable to the proprietor of the Black Lion lodging house re lodgings for casuals (G/Wi 8a, 24/82). In May 1898, a Mrs Crompton of the Rose Bridge Inn, Ince, sent an account to the guardians asking to be recompensed to the tune of 10s 6d re ‘loss of trade, sheets etc’ in connection with the lodging of a dead body. The board sent the account back to her, claiming that the guardians could not do anything in the matter (G/Wi 8a, 22/36: Board meeting 27th May 1898).

⁶⁶ G/Wi 8a, 24/77. The main intent of this resolution was actually procedural, as part of an attempt to establish acceptable formal practice in relation to the admission of vagrants to the casual wards. It sparked off a heated dispute with the LGB and will be examined in detail in the last section of this chapter.

Victorian and Edwardian society, and the Wigan board of guardians was no exception. In the chapters on outdoor relief, we noted the guardians' reluctance to send 'decent' people to the workhouse. With regard to the problem of vagrancy, this concern to differentiate between deserving and undeserving found clearest expression in the board's enthusiasm for the 'way ticket' or 'wayfarer' schemes that sprang up in various parts of the country. These were locally initiated schemes that without ever securing the unqualified support of the LGB were nonetheless immensely popular in the nation at large.⁶⁷ In order to explain the mechanics of such schemes, it is useful to quote in full a resolution of the Wigan guardians on the matter. In December 1895, the board had received a circular from Wolverhampton Union that asked the LGB to amend its orders regarding the treatment of casuals, urging other unions to adopt similar resolutions. The Wigan board unanimously agreed to press the LGB to make the necessary changes:

'So as to provide different treatment of bona-fide men leaving their place of residence for some other defined locality in search of employment. The order to require Boards of Guardians, or the Relieving Officers of the respective unions where an application is made, and where such applicant is resident, to make due and full inquiry into the statements of the person so applying, and if satisfied that the man is actually leaving in search of work, a certificate shall be granted to that effect. Such certificate to state name, previous address, trade, the time for which it should be available, the route by which he intends to travel and the place to which he wishes to go. Upon the production of such certificate at any workhouse on the route the man be entitled to a bed in the reception wards, and supper and breakfast, the same as an ordinary inmate of such workhouse, and to be released as soon as possible on the morning after his arrival (except in the case of Sundays etc) without having to do the usual or any task of work. On the arrival of the man at the last workhouse on his route, the certificate to be kept by the master of such workhouse, and returned to the Board or Relieving Officer issuing the same. In case of the refusal of a certificate by a relieving officer, the applicant shall have power to appeal to the Board within whose district he resides.'⁶⁸

As this resolution makes clear, way ticket schemes attempted to morally discriminate in favour of the genuine work seeker on the tramp by offering the same conditions of bed

⁶⁷ Vorspan, pp. 70-71.

⁶⁸ G/Wi 8a, 16/729-730: Board meeting 13th December 1895. It is not clear from the board minutes whether this resolution is a direct copy of the one received from Wolverhampton union, or a similar one drafted by Wigan.

and board as received by non-casual workhouse inmates, without having to endure the privations of the vagrant wards or perform the task of work to obtain release from detention. However, the routes devised for applicants for these schemes commonly required them to walk in the region of twenty miles a day to keep up with the time schedule stated on certificates, thus, it was believed, deterring all idlers and only encouraging the most determined of ‘honest wayfarers’.⁶⁹

After forwarding this resolution to the LGB, the guardians’ enthusiasm for the way ticket system was further stimulated by a letter from Middlesbrough union in January 1896, asking whether Wigan would be willing to send representatives to a conference to discuss the ‘proposed Ticket System for casuals’ at the Middlesbrough guardians’ board room on 6th March 1896.⁷⁰ Ackerley was instructed to reply in the affirmative, however, another circular received from Middlesbrough, stating the date of the conference that would take place in Middlesbrough council chamber, was only read to the guardians at a meeting of the Wigan board on that date and so the clerk was told to reply, rather pointlessly it would seem, that because of the short notice given, Wigan could not send representatives.⁷¹ Nonetheless, in April 1896 Middlesbrough forwarded to Wigan a copy of the resolutions passed at the conference, along with a petition to the LGB asking the guardians to adopt the same. This request was unanimously consented to but thereafter the trail on this issue runs cold, as the way ticket system did not continue as an item for discussion in the recorded minutes of the board. It is thus difficult to determine whether or not the scheme actually became operational in Wigan. This is a theme on which clear evidence has proved difficult to come by. For Yorkshire, Dick Hunter also notes that a way ticket scheme was discussed at a conference of guardians in 1893, but no agreement was reached.⁷² Vorspan suggests that to be effective, such schemes needed to be implemented over a wide area, noting that in this respect the 1906 Departmental Committee on Vagrancy recommended that jurisdiction over vagrants be removed from

⁶⁹ Vorspan, pp. 70-71.

⁷⁰ G/Wi 8a, 17/110: Board meeting 10th January 1896.

⁷¹ Ibid, 17/152: Board meeting 6th March 1896.

⁷² Hunter, op. cit, p. 189.

the poor law and given to the police.⁷³ Whatever the success or failure of the Wigan union's proposals on way tickets, the fact that the guardians expressed support for such a venture is just as important in terms of analysis of their attitudes to the vagrant question. Whilst undeniably punitive in some respects, such as the 'plank bed' sleeping arrangements within the casual wards, their support for the wayfarer scheme illustrates a discriminatory, rather than a blanket approach, in their treatment of the casual poor, reflective of increasing national support for better treatment for the 'deserving' claimants alongside the enforcement of the less eligibility principle for the 'professional tramp'. The picture is complicated further by the overall failure to implement the 1882 Casual Poor Act's insistence on two nights' detention for all vagrants admitted to the wards. Despite the brief change championed by Daniel Dix in the late 1890's, for the vast majority of the period, one night's detention was the norm. Whether this was mostly due to a lack of ideological zeal on the guardians' part, or to their reluctance to spend money on providing necessary arrangements at the workhouse to enforce the two nights' detention is debatable – a combination of both motives seems the likeliest answer.

It is also necessary to give the guardians their due by acknowledging the emergence of a slightly more humane approach to the treatment of casuals from the mid-1890's onwards. As much as anything else, these developments serve to illustrate the severity of previous conditions that had to be endured. In November 1896, the workhouse committee passed a resolution stating that 'the tramps be provided with warm gruel in the morning, instead of cold water' and at the same meeting resolved that 'the cocoa nut matting be brought from the dining room and used for the passages to the casual wards.'⁷⁴ A week later, the committee requested the workhouse governor 'to have a man to keep the stove going through the night in the tramp wards' and at the next meeting the committee appointed three guardians to report back to the full board whether the heat given was sufficient for

⁷³ Vorspan, p. 71.

⁷⁴ G/Wi 8g, 3/23: Meeting, 13th November, 1896. Information on the dietary adopted for casuals in Wigan before this appears to be limited. However, in response to the 1871 Pauper Inmates Discharge and Regulation Act, the Wigan board adopted the option of 8oz of bread for males over 15 years of age, rather than the alternative option offered by the LGB of 6oz bread and a pint of gruel or a pint of broth see G/Wi 57. As Fillmore and other historians have commented, the dietary for casuals was deliberately 'less eligible' than that afforded to other workhouse inmates.

the ward.⁷⁵ Sanitary improvements occurred after the workhouse master reported that two closets in the casual wards were ‘nearly always in an insanitary condition, and expensive to keep in repair, and recommends that they should be removed and two pedestal pans fixed, as in other parts of the house.’ The committee consequently ordered the purchase of two ‘Baltic pans’ at a cost of £1/2/6 each.⁷⁶ While such initiatives indicate the beginnings of a more progressive approach to the treatment of casuals, a consideration of the guardians’ policy over the whole period 1880-1900 leads to the conclusion that the principle of ‘less eligibility’ was applied to this group of people, for reasons that have been discussed, with a vigour conspicuously absent in their treatment of the outdoor poor.

5 (iii) ‘They are not justified in deferring to the opinion and directions of an irresponsible official’: The guardians, the auditor and the LGB

How the policy and practice of the guardians actually impacted on casual paupers represents the sharp end of their role as agents and shapers of the public domain. Their right to determine how poor law policy was to be interpreted and locally implemented was just as important if we are to more fully understand the public role of boards of guardians within this context. As Marquand⁷⁷ argues, the developing boundaries of the public domain in the late nineteenth century were constantly shifting and evolving, with such change being determined to a considerable extent through protest, argument and negotiation – the stock in trade of poor law unions, which makes them ideal institutions to examine from this perspective. With regard to the casual poor in Wigan union, an auditor’s comment on a specific aspect of local administration, seemingly innocuous, sparked a passionate debate, the detail of which is highly illustrative of some of the processes through which the public domain in a broader sense was gradually being shaped. These are muddy waters. There was no unchanging, crystal clear definition of opposing factions, nor complete unanimity or consistency of position amongst those

⁷⁵ Ibid, 3/24-25: Meetings 20th and 27th November, 1896.

⁷⁶ G/Wi 8g, 5/68: Board Meeting 26th November 1897.

⁷⁷ Marquand, op. cit.

broadly on the same side. Whilst there undoubtedly were elements of ‘them and us’ within this dispute, the reality was more complicated, and more interesting because of it.

In June 1899, in his audit of the accounts of the workhouse master E.H. Ambrose, District Auditor Charles Jordison commented that:

‘All casual paupers are admitted into the Casual Wards by the Workhouse Master without an order, in contravention of article 3, General Order, 18th December, 1882. I also find that when the wards are full, casual paupers are sent into Wigan provided with Orders signed by the Workhouse Master, enabling them to obtain sleeping accommodation at lodging houses.’⁷⁸

This specific criticism led to a furious reply drafted by Clerk Ackerley attacking auditors on a broader front. The minutes and correspondence this generated highlight the sensitivities surrounding local and national jurisdictions and privileges, illustrating how the LGB sought to defend the position of its auditor, and also how the guardians openly reflected on these issues in terms of how they saw themselves and their status and relations with the central authority.

At the board meeting of 23rd June 1899, the week after the audit, a letter from workhouse master Ambrose was read alerting the guardians to Jordison’s criticism that casuals were admitted to the wards without an order from the relieving officer. Ambrose explained his position in terms of custom and practice: ‘for many years the practice had been for the Master or Porter to admit Casuals who were bona fide travellers and destitute from 7 till 10 in the evening.’⁷⁹ Article 3 of the 1882 General Order referred to by Jordison and quoted above stated that admission depended upon an order being signed by a relieving officer or assistant relieving officer.⁸⁰ The practice described by Ambrose was obviously in breach of Article 3, but this may have been for sensible pragmatic reasons. If the relieving officer (in this case the very busy relieving officer for Wigan Town section where the workhouse was located) was not immediately available, the master or porter,

⁷⁸ MH 12/6380. Extract from report made by Mr C.F. Jordison, 17th June 1899.

⁷⁹ G/Wi 8a, 24/52: Board meeting, 23rd June 1899. Ambrose had been master since 1894, so presumably the practice ante-dated his period of office.

⁸⁰ Dumsday, *The Relieving Officer’s Handbook*, p.70.

faced with on the spot decisions over whether or not to admit an applicant to the wards, could either send the casual off to find the relieving officer to obtain an order, or use his judgment to determine the claim there and then. Ambrose's statement referring to the admission of 'bona fide travellers' suggests that through experience, the master and porter knew who the 'regular' travellers were and using their professional judgment decided on applications on this basis. There is no evidence of the guardians or relieving officers objecting to the practice Ambrose described before the issue was raised by the auditor, and it is reasonable to infer that this was simply how practice had developed on a locally determined informal basis. The guardians deferred Jordison's report and Ambrose's explanation for discussion by the workhouse committee.

At the same time, the LGB was formulating its response to Jordison's report. On 27th June 1899, Thomas Lawrance wrote a note to Jenner Fust asking whether the inspector advised any action on this issue, noting that: 'the Master should not admit to the Wards without an order except in cases of sudden or urgent necessity.'⁸¹ In a less doctrinaire reply two days later, Jenner Fust suggested that: 'Of course the Bd's (sic) orders shd (sic) be complied with, but I do not see that any practical advantage wd (sic) result from making the Casuals apply to a R.O. It wd (sic) be simpler to appoint the Master or Porter a R.O. for Casuals.'⁸² The LGB took Jenner Fust's advice and Mr Howell Thomas instructed officials to proceed as proposed by the inspector.⁸³ It was this instruction that sparked the furore that followed.

On 21st July a letter from the LGB, along with the already quoted extract from Jordison's report, was read to the guardians 'suggesting' rather than ordering, that the master or porter be appointed an Assistant Relieving Officer for Vagrants so as to comply with the 1882 general order. This prompted Wigan guardian Dr Matthew Benson and Aspull guardian William Fairhurst to move that Ackerley prepare a letter to the LGB ready for the next board meeting: 'asking them to inform the Guardians of the position of the

⁸¹ MH 12/6380. Thomas Lawrance, LGB, to Herbert Jenner Fust jr, 27th June 1899. Cases of sudden and urgent necessity are likely to have been understood and acted on by the workhouse master.

⁸² Ibid. Jenner Fust to Lawrance, 29th June 1899. Some unions had a relieving officer for vagrants, who in a number of cases were serving police officers: see e.g. O'Leary, 2009, op. cit.

⁸³ Ibid. 6th July 1899.

District Auditor in reference to his making suggestions as to the manner in which the various duties of the Guardians should be performed'.⁸⁴ Opposing this, Billinge guardian Henry Darlington and Henry Moorfield of Pemberton moved an amendment that the LGB's suggestion should be complied with. The amendment was soundly defeated by 19 votes to 2, with only the mover and seconder supporting it.⁸⁵ The debate preceding this vote illustrates competing interpretations of the LGB's and auditor's actions and motives, and the nature of the relationship between, and proper jurisdictions of, the guardians and the auditor. Ackerley argued that what was at stake was much broader than merely the mode of admitting casuals, in that as the auditor's report had triggered the LGB's letter, 'the question was as to in what position the board stood in relation to the auditor.'⁸⁶ The auditor's statutory duty, he argued, was to examine the books and inspect the vouchers produced for payments made in those books. He went on:

'If he (the auditor) was empowered by the Local Government Board to make suggestions as to the way in which the guardians should manage their affairs, the guardians ought to know that, and also whether they were expected to comply with any suggestion made by the auditor...The auditor had made suggestions to them, and he would put it that they were further than suggestions, almost amounting to directions, and it was very important that the guardians should know how they stood in the matter.'⁸⁷

Dr Benson's successful resolution regarding the drafting of a letter requesting such clarification from the LGB was moved directly with regard to Ackerley's statement. Benson noted that the question of the auditor's duties had arisen on previous occasions, and he spoke of 'the auditor, who seemed to come there, and dictate whatever he thought proper, and until they knew what his duty was, and also what their own duty was in the matter, they would always be in the same difficulty.'⁸⁸ Henry Darlington strongly countered that the guardians should take no such action, as 'Mr Jordison was one of the best auditors they had had.' Darlington argued that whilst they 'had other auditors

⁸⁴ G/Wi 8a, 24/67: Board meeting, 21st July 1899. The LGB letter was dated 18th July (G/Wi 8a, 24/75).

⁸⁵ G/Wi 8a, 24/67.

⁸⁶ *Wigan Observer*, 21st July 1899: Cutting located in MH 12/6380.

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

besides Mr Jordison that had gone too far in the execution of their duties’, the current auditor was ‘a gentleman in every sense of the word’.⁸⁹ On the specific point of the LGB’s letter, Darlington argued, the auditor was technically correct:

‘Notwithstanding what the clerk had said, that the auditor had the right to express an opinion with regard to the introduction of casuals into the workhouse. It was a financial matter, because when they had no room for them payment had to be made for their accommodation elsewhere, and the auditor had every right to satisfy himself before any payment was made by the board that there was proper authority for it in each case. His idea of local authority was a properly filled up order, and he maintained that that order had not been given, for it had not been the custom to give such orders. They had left it to the discretion of the master, but, still, where payment had been made, it was quite right that there should be a properly written order, and the auditor was not exceeding his duty one whit in suggesting that those orders should be filled up.’⁹⁰

Daniel Dix, the acting Chair, stated that as there was an inspector ‘over that department’ (i.e. Jenner Fust) ‘he did not see why the auditor should interfere.’⁹¹ In response to Darlington, both Benson and Ackerley were quick to point out that their position was not an *ad hominem* attack on the auditor. The clerk claimed it was simply ‘very desirable for the board to know in what relation they stood to the auditor, and then they would know how to act.’⁹² This reassurance did not satisfy Darlington, who ‘insisted that the resolution suggested by the clerk amounted to a reflection on a public official. The Local Government Board recognised the auditor as their official.’⁹³ Darlington’s wariness of slighting ‘a public official’ suggests a clear sense in his mind of status differentials between the LGB and the guardians, something which he would rearticulate later in the dispute: needless to say his views were not universally shared. If, when stating that the auditor was ‘their official’, he meant that the LGB would seek to defend Jordison in this matter, then he certainly proved correct.

⁸⁹ Ibid.

⁹⁰ Ibid. Darlington’s point that the auditor’s ‘idea of local authority was a properly filled up order’ clearly illustrates an awareness of different perspectives on what actually constituted good government and administration, from the narrowly defined to the broadly based.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid. The *Observer* recorded the vote as going against Darlington by 18-2, rather than the 19-2 recorded in the board minutes.

The auditor himself acted swiftly to defend his position before Ackerley had the chance to present his draft letter of protest to the guardians. On 30th July 1899, seemingly prompted by the *Wigan Observer* report on the 21st July guardians' meeting, Jordison wrote a detailed letter to Mr Lloyd Roberts of the LGB explaining his actions, which, in essence, blamed Ackerley for the whole affair. Protesting his innocence, Jordison wrote: 'The attack upon me is a most unjustifiable one, for I have never dictated to the Guardians or interfered in questions of administration, directly or indirectly, on any one occasion.'⁹⁴ Jordison went on to state that Ackerley's motives were personal in that they constituted a response to criticisms he had made of the clerk's keeping of accounts at previous audits, and in particular a surcharge of £4/14/10, reported on 16th June 1899, which was 'really the cause of the present attack'.⁹⁵ On the specific issue of the admission of casuals without orders, the auditor claimed that he:

'said nothing to anyone but the Master, and, in his case I only referred him to the Order. Another annoying feature in the matter is, that neither the Clerk nor his Son the Asst Clerk attend my audits except for a few minutes occasionally (sic), they know absolutely nothing of what occurs except from hearsay and on the occasions above referred to.'⁹⁶

The LGB was thus aware of the incipient quarrel when it received Ackerley's letter of 8th August on behalf of the guardians. In this frank and strongly worded missive, Jordison's avowals of non-interference were fiercely countered. Asking the LGB for clear definition of what were the powers and duties of the auditor, Ackerley noted that:

'The guardians have observed for some time past that it is the practice of the Auditor to report to the Local Government Board upon the manner in which they transact the business of the Union, and also as to the way in which the officers appointed by the Guardians perform their duties.

Among other subjects recently reported upon by the Auditor are: The amount of Relief recovered from relatives of Paupers in receipt of Outdoor Relief; the manner in which Non-resident Relief is

⁹⁴ MH 12/6380. Letter from Jordison to Lloyd Roberts, 30th July 1899. Jordison had sent the clipping from the *Wigan Observer* to the LGB, and also a clipping from an edition of *Collector and Guardian*, which criticised him but supported the Wigan guardians in their stance.

⁹⁵ Ibid.

⁹⁶ Ibid.

paid by the Guardians; the custody of the Relief Order Sheets and the Abstract of Out Relief Lists; the distribution of Orders on Tradesmen; the question of the employment of Clerks by myself to perform routine business; and other matters of a detail of a similar character.

At present the Guardians are not aware that Mr Jordison – as Auditor – has any power to interfere with them in the conduct of the business of the Union which they have been elected by the ratepayers to do, and they think it would be very difficult for anyone with the knowledge gained in a few days each half-year to form a trustworthy opinion on the best way of dealing with difficult cases of local administration.

The Guardians feel that if Mr Jordison has no proper authority to make reports and suggestions, it is not right that they should be asked to consider them, and further, that they are not justified in deferring to the opinion and directions of an irresponsible official in dealing with matters which they have been elected to manage in accordance with their own judgement.

They have therefore directed me to enquire whether these reports and suggestions are made by Mr Jordison by direction of the Local Government Board; and if so, to ask the Board to be good enough to refer them to the authority under which such direction is given.⁹⁷

When put to the vote, approval of this letter was carried unanimously even though Henry Darlington, who had previously voiced his opposition to this course of action, was present. At the same meeting, adding confusion, it was Darlington who proposed to accept with thanks an offer from the editor of *Councillor and Guardian* who had offered to supply each of the Wigan guardians with a copy of his paper that contained comment on the discussion that had taken place at the 21st July meeting detailed above.⁹⁸ This comment was unequivocal in its support of the guardians' stance and worded in equal, if not even stronger terms. Referring to Jordison, *Councillor and Guardian* stated:

‘This gentleman seems to have thought it to be his business to suggest that certain additional duties should be imposed upon the Master or the porter in regard to dealing with vagrants. What in the world has this matter to do with the Auditor, and why has it been referred, “for

⁹⁷ G/Wi 8a, 24/75-76. Letter by Ackerley dated 8th August 1899, read out at the board meeting of 4th August. The letter also survives in the MH 12/6380 file. Emphasis added.

⁹⁸ Ibid, 24/75. Ackerley was instructed to send the editor a list of all the names and addresses of the guardians so copies could be sent to them.

observations” we suppose, to the ladies and gentlemen composing the Wigan Board of Guardians, who are perfectly well qualified to protect the interests of the ratepayers whom they represent..?’⁹⁹

In further scathing critique of the auditor acting beyond his remit, the paper continued: ‘It really would be difficult to find a parallel to this work of supererogation, not to say impertinence, on the part of the Auditor, or to the impotent officiousness of the so-called Board which has been foolish enough to give its countenance to his self-assumed functions.’¹⁰⁰ The paper argued that auditors’ duties had clear formal limitations¹⁰¹ and that adhering to those strictures was more than enough for them to be doing, without going beyond their remit:

‘But if he is to be allowed to go out of his way to interfere with details outside his clearly-defined province, with the approval of the Local Government Board, it is high time that the Circular referred to was revised. As matters at present stand there is no room whatever for doubt as to the position of the Auditor. The Clerk of the Wigan Board, Mr Ackerley, stated it accurately’.¹⁰²

To summarise the dispute thus far then, after being alerted to the auditor’s criticism of the mode of admission of casuals by both the workhouse master and the LGB, the guardians responded with a strongly worded critique of the auditor, demanding precise clarification of his role and powers, and received vociferous support in so doing from *Councillor and Guardian*. The combination of Ackerley’s letter and the support from a ‘trade’ paper, might suggest an emboldened stance on the guardians’ part, but strangely, at the same 4th August meeting, they passed a resolution agreeing to the auditor’s suggestion to make the workhouse porter an assistant relieving officer for the purpose of giving orders to casuals

⁹⁹ *Councillor and Guardian*, 29th July 1899: cutting in MH 12/6380. The words ‘his business to suggest’ have been underlined in red ink with a question mark added by an LGB official – indicative of the beginning of the process of searching for examples of precedent as the LGB sought to provide an answer to the guardians’ letter.

¹⁰⁰ Ibid.

¹⁰¹ This circular, referred to by *Councillor and Guardian*, according to Christine Bellamy was intended to reduce the frictions caused by petty disallowances and surcharges made by auditors, and to ‘treat the authorities gently’. It told auditors that ‘your powers should be exercised with all consideration for the officers who may submit their accounts to you, and that care should be taken by you to avoid all expressions of severity.’ LGB Circular, 31st December 1879, *Instructional Circular to Auditors*, cited in Bellamy, op. cit, pp. 173-74.

¹⁰² Ibid. Emphasis added.

for admission into the workhouse.¹⁰³ This was one of two alternatives proposed. Ironically, given his support for the auditor, Henry Darlington seconded a motion by Wigan guardian J. Ballard that ‘it is desirable to negotiate with the Authorities of the town, who shall issue permits for the Workhouse to these strangers, and that proper remuneration should be granted to the Authorities for this service.’¹⁰⁴ However, an amendment moving that the porter be appointed was passed on a vote of 18-1.¹⁰⁵ Why, given their hostility to the auditor’s actions, would the guardians so quickly comply with his request? The answer, it seems reasonable to infer, was that in the minds of Ackerley and many of the guardians, the actual mode of admission to the casual wards in a technical sense was small beer. The real issue was the respective boundaries of local and national power: complying with the auditor’s suggestion by making the porter an assistant relieving officer was arguably the guardians ‘showing willing’ in one sense, whilst simultaneously demanding clarification on the broader and more important question of in what precise areas did the auditor have the legal authority to tell them what to do. This seems to have been the understanding of the LGB officials who dealt with the case. Their internal correspondence as they batted notes and suggestions to each other in the drafting of an answer to the guardians illustrates how seriously they regarded the matter, a process which culminated in a rather disingenuous letter defending the position of the auditor.

The LGB took two months of deliberation after receipt of the guardians’ letter until their reply was sent out on 5th October. Officials spent August and September 1899 discussing the case and their notes provide useful detail on the processes by which local cases were dealt with by the centre, in addition to shedding further light on the content of the dispute itself. The two separate elements of the case, the appointment of the porter as assistant relieving officer and the conduct of the auditor, were quickly allocated to different divisions of the LGB, with the crucial issue of the auditor’s conduct being sent to ‘G

¹⁰³ G/Wi 8a, 24/77: Board meeting, 4th August 1899. The version of the guardians’ letter to the LGB extant in MH 12/6380, quoted at length above, is prefaced by the wording of this resolution.

¹⁰⁴ Ibid. It is not clear exactly who this referred to: the town council or borough police?

¹⁰⁵ Ibid.

section'.¹⁰⁶ On 28th August, advice by a Mr Tristram, adverting to Jordison's letter to the LGB blaming the clerk for dictating the policy of the guardians, suggested the following response:

'The specific items referred to in this letter (i.e. the guardians') have been reported on by the D.A. and shew a lax administration of the general business of outdoor relief of the union. The reply might be generally that the Bd think the D.A. may properly report to them any departures from their rules and regulations which he may discover at the audit of the accounts in the keeping of the accounts.'¹⁰⁷

A different official, in a note on the same day, commenting on the guardians' letter, stated: 'As the Bd communicate the D.A. report to the guardians, this letter seems to be a veiled criticism of the Bds procedure' ('veiled' being something of an understatement) and the draft reply he offered constituted, almost verbatim, the reply that was eventually issued to the guardians in early October:

'Say that the Bd have no exceptions to take to the manner in which the D.A. has discharged his duty in reporting to them upon the accounts of the guardians and their officers. The Bd gather that there has been some misapprehension with regard to the suggestion of their letter of the 18th ultimo. The D.A. reported to the board the fact, and made no suggestion with reference to them: the suggestion as their letter shews was that of the board.'¹⁰⁸

This draft came before another official (possibly a Mr Pitts) who suggested a different line of reply should be emphasised, rather than commenting on apparent misapprehension on the guardians' part. Focusing on the role of Henry Ackerley, this secretary argued that:

'The latter part of the letter is in general terms and the Clerk may be referring also to suggestions made at the audits by the D.A. The special items mentioned in the letter are the complaints

¹⁰⁶ MH 12/6380: notes by Lloyd Roberts and Howell Thomas (I think – handwriting!), 11th and 12th August 1899. Howell Thomas wrote 'as this letter relates mainly to the conduct of the Auditor refer to G'.

¹⁰⁷ Ibid. Note, 28th August 1899.

¹⁰⁸ MH 12/6380: note, 28th August 1899. Emphasis added.

included in the reports on the Clerk for Mich 97 and Lady Day 1898. See also the unsatisfactory explanations apparently accepted by the Guardians.¹⁰⁹

As another part of this lengthy process, the LGB invited Jordison, who had been away on leave from 3rd-30th August, to comment on the guardians' letter as he 'may wish to make some observations which might be submitted to the Guardians.'¹¹⁰ Jordison keenly reiterated his position, stating that it was:

'very desirable that the Guardians should know that I have given a very unqualified denial to the inference in their letter that I have interfered in the conduct of the business of the Union, or of having made suggestions to anyone relating to the work of the guardians. There is no doubt that the action of the Guardians has been dictated by the Clerk.'¹¹¹

Jordison's comments clearly illustrate his concern to emphasise that he had not acted outside the bounds of his authority, and the final phase of the LGB's deliberations on the case involved an inquiry into this issue. On 2nd September, an official asked 'Is there a precedent as to inquiries by the guardians of this kind as to the right of the Auditor to advert to their proceedings in his reports to the Board'.¹¹² The immediate reply, on 4th September referred to 'the best case noted' as being one from Bridgewater in 1887: 'Auditors reporting on matters outside his province – Discussion as to whether Auditor would be right in calling Board's attention to any matter which may seem to him a defect or abuse in administration though without his special province.'¹¹³ It is not clear what this particular case involved, but there then followed a search through the files for other possible precedents, resulting in 15 cases identified by the official responsible as the most important cases since 1888, which he summarised for the attention of his colleagues on

¹⁰⁹ Ibid. Obviously the implication is that this LGB official believed on some matter that the guardians had wrongly supported the clerk – these specified audits are mentioned in Jordison's earlier discussed letter to Lloyd Roberts complaining about Ackerley. Jordison referred generally to many things in the Clerk's department needing amendment, action was promised but nothing done, until after an LGB letter of 28th June which the auditor said had a good effect, as he had had no serious reason since then to complain about Ackerley's keeping of accounts.

¹¹⁰ MH 12/6380.

¹¹¹ Ibid.

¹¹² Ibid. Note, 2nd September 1899.

¹¹³ Ibid. This case was apparently noted in the 'G precedent bk'.

23rd September 1899: this list was titled ‘Précis of recent cases in which Auditors have exceeded their powers (i.e. in reporting, speaking, writing to press etc, on matters which do not concern them as Auditors)’.¹¹⁴ These summaries explain the particular nature of auditors’ transgressions and the action that the LGB took in response – perhaps understatedly summarised as less than draconian. For example, in 1892, Jordison’s predecessor as auditor, Mr Haslehurst, in his report on Wigan and Ashton-in-Makerfield Local Boards, referred to the enforcement of school attendance. This was the auditor ‘going beyond his functions’ and the Inspector of Audits was asked to ‘mention the matter’ to him.¹¹⁵ In 1893, Haslehurst informed the Assistant Overseer at Prescott that whether he retained his office would depend on the state of his books and accounts at the next audit: the LGB’s decision was ‘Auditor went too far, but no action taken’.¹¹⁶ Similarly, in the other cases cited in this document, the auditors’ ‘punishments’ constituted having their actions or comments described as ‘injudicious’ or ‘undesirable’ or being asked to withdraw their comments and suggestions to the local officials concerned. The only cited case that involved strong censure of an auditor was one from 1888 where he had criticised the actions of a board of guardians ‘on the ground that they had not properly resisted the pressure placed on them by the Board’!¹¹⁷

Following this review of past cases, Assistant Secretary Noel T Kershaw formally replied to the Wigan guardians on 5th October, stating that the LGB ‘have no exception to take’ to the auditor’s actions. The LGB stuck to the wording of the draft reply of 28th August, referring to the ‘misapprehension’ on the part of the guardians regarding its letter to them on 18th July: Jordison had merely reported on the facts of the case, and had made no reference to the guardians, whilst the suggestion to appoint either the workhouse master or porter as assistant relieving officer ‘as their letter shews, was made by the Board.’¹¹⁸ In taking this particular narrow line, the LGB had ignored the broad question framed in the guardians’ letter as to the authority of the auditor to comment on a range of specified areas of practice. There was also a degree of disingenuousness about this reply that

¹¹⁴ Ibid. 23rd September 1899.

¹¹⁵ MH 12/6380: 23rd September 1899.

¹¹⁶ Ibid.

¹¹⁷ Ibid: The Board being the LGB.

¹¹⁸ MH 12/6380: 5th October 1899.

underplayed the role of the auditor: Jordison had noted the non-compliance with the 1882 General Order, mentioned this to the workhouse master and then reported it to the LGB along with a suggested change in local practice, but because the LGB had sent the letter to the guardians relaying this information, the suggestion became that of the LGB. The review of past cases of auditors going beyond their authority also suggests that the prime concern of the LGB was to protect Jordison. The precedents reviewed wherein the LGB unequivocally accepted that auditors had exceeded their authority, only to receive the equivalent of a slapped wrist for doing so, imply that even if the Board believed that Jordison had erred to some degree, it would not have mattered because there were other cases on record of auditors doing the same, and thus he could be easily defended.

Henry Ackerley, unsurprisingly, was less than impressed with the LGB's reply which was debated at the guardians' meeting of 13th October 1899. The clerk stated that the LGB's letter:

‘gave no answer whatever to the request made by the Wigan Board as to whether the auditor in reporting upon the proceedings of the board was acting under their authority, and if so, what was their authority for asking him to interfere with the proceedings of the board.’¹¹⁹

He thought that the matter should not rest there, and that the guardians' case had political momentum:

‘The letter from the Wigan Board to the Local Government Board caused a good deal of comment on other boards, and was written about in several leading papers on local government, and attracted a good deal of attention. Now they as a board had done their part, he thought it ought to be taken up by the Poor Law Guardians' Association, of which they were members, the association having been formed to deal with that kind of question.’¹²⁰

In the ensuing debate, a variety of strong opinions were expressed, with Henry Darlington resuming his role as the most prominent critic of the course suggested by

¹¹⁹ *Wigan Examiner*, 14th October 1899. Clipping of debate in MH 12/6380.

¹²⁰ *Ibid.*

Ackerley. Darlington began by stating that the recorded unanimity of the guardians in supporting Ackerley's letter to the LGB of 4th August was slightly misleading, given that he himself had abstained since as he 'appeared to be by himself he did not choose to raise a division.'¹²¹ Having expressed this piety, on the key matter of interpretation of the LGB's reply, Darlington fully accepted the reasoning of Asst. Secretary Kershaw:

'The reply of the Local Government Board was pretty much of the nature he expected. He could see it was the Local Government Board who had given the instructions, not the auditor, and that the auditor had simply supplied them with certain facts which, as the matter was a financial one, he had a perfect right to do.'¹²²

The standing and reputation of the guardians would suffer by continuing to pursue the case, he argued, claiming that the decision to adopt the LGB's suggestion of appointing the porter as assistant relieving officer the week after they had protested against the auditor going beyond his authority had destroyed their credibility in the matter: 'They had been made to look ridiculous enough at Whitehall without going any further' and he urged them not to be 'continually lowering themselves in the eyes of the gentlemen at London.'¹²³ Darlington found support from guardians P. Moorfield (Hindley) and J.F. Ashton (Wigan)¹²⁴, with the former simply stating that he did not think that the auditor had gone beyond his duty, whilst Ashton interestingly noted that 'if the auditor could suggest something which was good, and which would put them in a better position, it was their duty in the interests of the public to adopt it.'¹²⁵

In opposition to these interpretations, Isaac Lawrence of Ince asserted that the guardians were quite within their rights to ask the LGB 'to give them a proper reply' and if necessary he would move that they the LGB be written to again, telling them that their

¹²¹ Ibid.

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Listed as J.F. Ashton in the *Examiner*, this could only be J.T. Ashton, one of the Wigan guardians.

¹²⁵ Ibid.

reply was ‘no answer to the guardians’ inquiry.’¹²⁶ Challenging Darlington and Moorfield specifically, Wigan guardian John Harrison Prescott:

‘Remarked that what Mr Darlington and Mr Moorfield said might be all right, but were they going to laud the people in London as infallible? He had heard them speak differently. As for the “showing up” at Whitehall, he thought they could compare very well with them if they got the same stipend for doing nothing. As it was they had to pay the piper.’¹²⁷

Ackerley himself reasserted his arguments put forward during the summer debate, restating that this was not a personal attack on the auditor but a request for clarification of his role and powers:

‘Whether it might be useful for the Local Government Board to send an official to criticise the board was not the question. But it was certain that if such were the case there should be some authority for it. The Local Government Board had no more right than had the guardians to go outside the powers under which they were to act. If they had the power to appoint an official to criticise the actions of the board why did they not say so?’¹²⁸

The clerk’s draft resolution, ‘which he hoped the board would pass’, comprised an instruction to send copies of all correspondence between the guardians and the LGB regarding the rights of auditors to interfere with guardians in the performance of their duties to the secretary of the Poor Law Guardians’ Association for the consideration of the PLGA council.¹²⁹ It also pressed the PLGA to obtain assurance from the LGB President in the House of Commons that he would ‘direct the auditors to confine themselves in future to the performance of their statutory duties.’¹³⁰ The board minutes record the resolution as carried unanimously, despite the reservations expressed by Darlington, Moorfield and Ashton. Despite his rhetoric, Darlington again chose not to

¹²⁶ Ibid.

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Ibid. Indicative of Ackerley’s leading role in the dispute, and perhaps lending some, if not undue, weight to Jordison’s contention that the actions were ‘entirely dictated’ by the clerk.

¹³⁰ G/Wi 8a, 25/4: Board Meeting 13th October 1899. Ackerley’s resolution was proposed and seconded by Samuel Hill and John Harrison Prescott.

propose an amendment to Ackerley's draft resolution saying: 'he thought it only right to tell his colleagues what his feelings were, so that it should not go forth that the board were unanimous in the action about to be taken.'¹³¹

Following the passing of this resolution, the case seems to have subsided, from the guardians' end at least.¹³² This dispute is illuminating in a number of ways. The ostensible issue at stake was the mode of admission of casuals, but this acted as a trigger for the release of simmering tensions in a much broader sense as the guardians, led by Ackerley, directly challenged central government. Whilst Ackerley was undoubtedly a pivotal figure, it would be quite wrong to portray his relationship with the guardians simply as that of a shepherd guiding and cajoling his flock. Articulate, passionate voices on the board argued in support of and against him, and although the guardians overwhelmingly supported his position when it came to a vote, this was through the process of debate, not rubber-stamp. Some of the arguments put forward demonstrate that guardians saw the board's role as defender of the public interest in different ways: Ackerley and his supporters clearly believed that the priority issue was the respective powers of guardians, auditors and the LGB. Others, such as Wigan guardian JT Ashton stated that it was the duty of the board to accept good advice from the auditor in the public interest, whilst Darlington believed the image of the guardians in the eyes of the LGB was a crucial factor. It must be added however, that this was not sycophancy on Darlington's part: he stated that he felt there had been no undue interference from the centre, but if there had been: 'He would be the first guardian to resent it. There had nothing been done out of course.'¹³³ On the facts of the case, Darlington believed his colleagues were in error and that in terms of political judgement they had made the wrong call. On the other hand, the LGB's actions in the affair lend weight to John Harrison Prescott's riposte to Darlington that Whitehall officials should not be seen as infallible. Clearly, in its reply to the guardians, the Board had avoided Ackerley's central

¹³¹ MH 12/6380, *Wigan Examiner*, 14th October 1899, op cit.

¹³² LGB officials commenting on the *Wigan Examiner* report noted that no reply had been received from the guardians by 19th October, and the document bears the stamp of the LGB Reference Department, 23rd October 1899.

¹³³ MH 12/6380: *Wigan Examiner*, 14th October 1899.

question on the extent of and legal basis of the auditor's actions and powers. The LGB's main concern seems to have been to defend District Auditor Jordison – if that defence was based on finding previous cases where other auditors had gone beyond their legal powers and regarding such precedents as reason enough, then so be it. There were obviously shades of grey here, as the boundaries of the public domain, in this sense between local and national power, were gradually evolving through dispute, challenge and negotiation. The important role of poor law guardians in this respect needs to be more fully acknowledged. In the next chapter, the tensions inherent in central-local relations will be examined in relation to the themes of professional competence and reward for public service, focusing on the issues of dismissal of union officials and the provision of superannuation.

Chapter 6: Punishment and Reward? The dismissal of Union Officers and the provision of Superannuation

Throughout this thesis, poor law policy in Wigan Union has been analysed and explored with reference to the role of the guardians as agents of the ‘public domain’ within the context of the rise of professionalism in public life. Unions’ attitudes towards issues of professionalism and service, competence and reward do not appear to have been explored in any great detail in recent poor law historiography. Over forty years ago, Eric Midwinter commented that in the period after 1834, the reformers on the Poor Law Commission had held high hopes in this regard: ‘It was supposed that a regular and competent Poor Law service would replace the haphazard and parochial workers.’¹ However, detailed analysis of the subsequent experience of the salaried officials employed by poor law unions, especially in the late-nineteenth century, is thin on the ground. This is another aspect of poor law studies in which it is necessary to advance our understanding. Greater depth of awareness of how these themes took form at local level can be gained by focusing on the two related issues that are the focus of this chapter. Firstly, we will consider how unions faced the question of how to deal with incompetent or inadequate officials and secondly, on the reverse side of the coin, how to appropriately reward those officers who had given many years of good service. Unsurprisingly, the thorny issue of central-local relations was a prominent factor in debates on these questions. In analysing the problematic nature of dismissing union officials, attention will focus upon the cases of two relieving officers – George W Smith and George Brassington – and the workhouse master Edward Ambrose. Controversy over the provision of superannuation will be highlighted by the cases of Assistant Overseer John Bolton, Workhouse Matron Alice Lowe and Nurse Jane Jones. All of these cases occurred in the early 1890s: by the end of our period central-local tensions over the recruitment and dismissal of union officials remained unresolved, however the sting surrounding superannuation provision had been drawn by the introduction of national legislation in 1896.

¹ Midwinter, 1969, op. cit. p. 37.

6 (i) ‘The Guardians consider Mr Smith’s statements entirely unreliable’: The relieving officers

The 1909 Minority Report remarked that relieving officers:

‘as a class appear to us to be upright and honourable men, hard-worked and poorly remunerated, regular and diligent in the performance of what they conceive to be their duties. But not infrequently, as we regret to have to report, the impracticability of any professional training and the absence of any prescribed qualification have resulted, in some Unions, in the office being filled, not by the best men fitted for it, but by those who most desire it and have friends at court.’²

Of course, the Minority Report demanded the break-up of the poor law and its replacement with specialist services, releasing relieving officers from the impossible task of adequately dealing with applications and distribution of outdoor relief in relation to all classes of pauper and accurately keeping their books and accounts. However, as long as the late-nineteenth century poor law remained intact, the relieving officer was the fulcrum of the system. Given the impossibility of ‘proving’ whether an officer was doing a good or bad job, this section will concentrate on examples in which the conduct and competence of officials were called into question and they became troublesome to the Union.

G.W. Smith and George Brassington both took over the reins from long serving relieving officers. Smith replaced John Hilton in the Wigan (Town) section in March 1895 – Hilton had served for forty years and had been forced into retirement due to ill health, whilst Brassington was appointed to the Hindley district to replace the deceased James Simm in November 1895.³ Providing an exhaustive account of the careers of Hilton and Simm is beyond the scope of this study, but to have lasted as long as they did in a job as demanding as relieving officer must at the very least have required more than a degree of basic competence. Perhaps their competence is best illustrated by the experience of their

² Minority Report, p. 56.

³ G/Wi 8a, 16/503-4, for Smith; 16/719-20 for Brassington. Simm’s district had been reduced in size shortly before his death and at the time of Brassington’s appointment included Hindley, Ince and Aspull.

successors: it quickly became apparent that both Smith and Brassington were not up to the job, the first difficulties with Smith surfacing nine months after his appointment whilst it was only three months into his post that Brassington gave the guardians cause for concern. It should be noted that what we are focusing on here are questions of professional competence and diligence rather than matters of ideology. Neither Smith nor Brassington got into trouble for arbitrarily paying too much or too little to recipients of outdoor relief – those issues were decided by the guardians of the respective relief sections. The problems with Smith and Brassington centred upon their ability to effectively carry out the functions of their office. Once the problems with the two new ROs had begun, they continued until their eventual dismissal. In Brassington's case this was relatively undramatic as he quickly seemed to accept, however reluctantly, that perhaps the job was too much for him and agreed to resign with little fuss. Smith was certainly the more tenacious of the two men, and as such he proved to be much more problematic for the guardians: his actions necessitated the unwelcome intervention of the LGB and led to his forced resignation, the commencement of criminal proceedings and his abscondment.

Brassington's difficulties and the problems they caused for the board were limited in range. Less than three months into his job (and before formal confirmation of his appointment had been received from the LGB) he was called before the board for not producing his books and vouchers to the Clerk. He stated that 'in consequence of his duties being strange to him' his books had not been ready to submit to Ackerley but he had now completed them and promised that it would not happen again.⁴ Brassington's subsequent difficulties continued in a similar vein and essentially give the impression of a man who found the job too demanding to keep pace with. For example in November 1896, a letter from Brassington reporting the removal of six people to the county asylums was read at the board, but on being once again called before the guardians to explain why

⁴ G/Wi 8a, 17/137-8: Board meeting 7th February 1896. Board meetings were on Friday mornings and the relieving officers' books and vouchers were required to be submitted to the Clerk for approval on the Thursday. Brassington's appointment confirmation was read to the guardians at the 2nd April 1896 board meeting – G/Wi 8a, 18/3.

he had not reported these earlier he stated that he had forgotten to.⁵ In February 1897 he (along with G.W. Smith) was again reprimanded over the same issue: ‘contrary to the regulations, and very inconvenient’⁶ whilst in July of that year Ackerley reported that Brassington had failed to produce his book of outdoor pauperism before the past two meetings. Brassington told the guardians that ‘he was unable to find it, and it must have got lost or mislaid somewhere.’⁷ This latter incident marked the beginning of the end for Brassington’s tenure, as the guardians voted 19-7 in favour of a motion censuring him for this neglect and requiring his resignation upon a repeat occurrence. A month later, an unfavourable report by District Auditor Charles Jordison on Brassington’s accounts for the half-year ending Lady Day 1897 effectively sealed his fate. Ackerley was instructed to inform the LGB that ‘after considering the Auditor’s Report and taking into account what the board themselves know of Mr Brassington, they consider him unfit to hold the office of R.O.’ and asked that subject to LGB sanction he was to be given a month’s notice.⁸ The last rites were read at the 1st October board meeting, when Ackerley reported that Brassington had failed to produce his vouchers for the past two weeks, with the hapless R.O. stating that he thought they were in the book as usual. The Clerk then read out the LGB’s response to his aforementioned letter, which confirmed that the LGB required Brassington’s resignation: Brassington confirmed that he’d received LGB communication on this and promised to comply.⁹

In a bizarre coda, however, at the next board meeting on 15th October, following Ackerley’s confirmation of receipt of Brassington’s 1st October resignation letter, guardians Isaac Lawrence and James Hilton of Ince and Wigan respectively, moved that Ackerley write to the LGB requesting that Brassington retain his post: this motion was carried by a vote of 13-12.¹⁰ This apparent volte-face came after a long and agonised debate over whether Brassington had really been given a fair chance, with some guardians suggesting the relief section had not been sufficiently helpful to him, and he

⁵ G/Wi 8a, 19/36: Board meeting 27th November 1896.

⁶ Ibid, 19/68: Board meeting 19th February 1897.

⁷ Ibid, 20/70: Board meeting 23rd July 1897.

⁸ Ibid, 20/78: Board meeting 3rd September 1897. The LGB’s letter on this was dated 27th August 1897.

⁹ Ibid, 21/89: Board meeting 1st October 1897.

¹⁰ Ibid, 21/96-7: Board meeting 15th October 1897.

was a courteous young official, eager to please but whose responsibilities were so onerous that they required more getting used to and he would make a good officer in time: or as guardian Lawrence put it, ‘If they dispensed of his services, they might get a much worse officer.’¹¹ In counter, other guardians argued that they nonetheless felt that he had not been up to the task and that the LGB had accepted this, and they did not wish to unnecessarily incur the displeasure of the LGB by asking for reconsideration.¹² The majority of one in favour of a reprieve was not a ringing endorsement, but it was too late nonetheless: Brassington’s resignation letter had already been sent to the LGB and on 22nd December 1897 Albert E. Walls was appointed as his successor.¹³ Ironically, Walls was one of the three candidates who had been interviewed when Brassington had been given the job and proved himself to be a much more successful appointment.¹⁴

Before his appointment as RO for Wigan (Town) section in March 1895, G.W. Smith had been the Master’s Clerk at the Wigan Workhouse, and during that time had unsuccessfully applied for relieving officer posts in Thetford and Docking Unions.¹⁵ He was also appointed interim Master of Wigan Workhouse in June 1894 after the death of the long-serving John Lowe.¹⁶ His ambition to become a relieving officer was realised on 8th March 1895 when he comfortably won the vote to secure the vacant Wigan post and was appointed on a salary of £100 p.a. plus 10% commission upon all money collected.¹⁷ As with the case of George Brassington, Smith quite quickly ran into difficulties in his new post, some of which mirrored those experienced by the Hindley section RO. However, Smith caused more serious problems for the guardians than

¹¹ *Wigan Observer*, 20th October 1897.

¹² *Ibid.*

¹³ *Ibid.*, 21/125-6: Board Meeting 22nd December 1897. On 29th October, the guardians had received a letter from the LGB requesting the completion of two forms re appointment of Mr Brassington’s successor: *Ibid.*, 21/102. The LGB stated in October that it accepted Brassington’s resignation ‘after careful consideration’: *Wigan Observer*, 2nd October 1897.

¹⁴ In June 1898, for example, in response to a report from District Auditor Jordison on Brassington’s accounts, the guardians made a point of absolving Walls from any blame, ‘as he has proved himself to be a very painstaking and efficient officer.’ G/Wi 8a, 22/42: Board meeting, 10th June 1898.

¹⁵ G/Wi 8a, 15/843 – 23rd September 1892 for Smith’s successful request to the guardians for a testimonial for his application to Thetford union, and 16/196 – 12th January 1894 for his application to Docking union.

¹⁶ *Ibid.* 16/311: Board meeting: 29th June 1894.

¹⁷ *Ibid.* 16/503-4. Smith received the votes of 16 guardians and defeated Samuel Wood (5 votes) and Joseph Ward (2 votes). Prominent guardians Henry Darlington of Billinge and Matthew Benson of Wigan were his proposer and seconder. The 10% commission relates to the money relieving officers collected from relatives of paupers – see chapters on outdoor relief.

Brassington: relieving officers were highly important local figures, crucial to the smooth running of poor law administration and an incompetent or mendacious officer was a liability (literally as well as metaphorically) to the guardians. The necessity of LGB sanction for dismissal of officials could be a considerable hindrance to unions in dealing swiftly with such cases. When incompetence was agreed on all sides, as in the case of Brassington, proceedings could be handled relatively smoothly. However, when agreement on the correct course of action was not easily reached, as in the case of Smith and, as we shall see with Workhouse Master Ambrose, then cases could drag on significantly. Whilst it is easily tempting to see the ‘dead hand’ of the LGB as the dominant factor, it has to be acknowledged that the guardians bore their own share of responsibility.

It would be unfair, for example, to solely blame G.W. Smith for his initial failure to fully perform his duties. Smith had agreed to additionally act as temporary relieving officer for the Hindley district in September 1895 and continued in that role until Brassington was appointed in late November.¹⁸ In December 1895, Ackerley informed the board that Smith had not produced his books for examination, to which the relieving officer not unreasonably replied that it was ‘in consequence of pressure of work through his having two districts to attend to, but promised it should not occur again.’¹⁹ However, with Brassington in post, the same explanation cut little ice in March 1896 when the Clerk noted that Smith had failed to provide all of the vouchers for payments made in his out-relief list – he said he had mislaid them. This prompted the guardians to ask Smith for his resignation unless he produced all of the vouchers within three days.²⁰ At first sight, it might seem as though this constituted an overreaction on the board’s part, but it needs to be remembered that the relieving officers’ books, vouchers and payments were all subject to the district audit and any anomalies therein opened both the officer himself and the guardians to criticism and possible surcharge by the auditor. Boards of guardians were especially keen to defend their reputations for probity and competence and were loath to give easy ammunition to auditors.

¹⁸ G/Wi 8a, 16/670-1.

¹⁹ Ibid, 16/728: Board meeting: 13th December 1895.

²⁰ Ibid, 17/150-1: Board meeting: 6th March 1896.

It was not long, however, before Smith attracted the attention of the LGB when he antagonised another key local union official, Thomas Bolton the Assistant Overseer. This contretemps centred on Bolton's accusation, in August 1896, that Smith had failed to perform his statutory duty in providing the 'necessary list of paupers which is required for the proper compilation of the Register of Voters.'²¹ The annual revision of voting lists was imminent and Bolton claimed to have been placed in great difficulty by Smith's neglect. Guardian Joseph Mitchell claimed there was some enmity between the two men and 'in the interests of the public it ought to be stamped out.'²² Both men were requested to attend the next meeting to resolve the matter. On that occasion, Smith defended himself by saying that he'd attended Bolton's office once and 'marked in a few names', but that the date when Bolton asked him to attend again was inconvenient.²³ Bolton countered by arguing that Smith had had ample opportunity to complete the work if he'd desired to do so. Upon this, and following comments by several guardians about previous complaints against Smith for neglect of his duties, a motion to suspend Smith and report the matter to the LGB was proposed. However, Joseph Mitchell and John McQuaid anticipated that course of action would be met by issue of a severe reprimand to Smith from the LGB and thus pre-emptively put a resolution to that effect, which was just carried by a vote of 11-10.²⁴ Smith was thus censured by the board, with Chairman Daniel Dix referring to his 'very reprehensible' conduct, adding that if he was reported again he'd probably be severely dealt with.

The importance of this issue becomes more apparent when we note that the scenario Assistant Overseer Bolton had hoped to avoid became reality. On 17th September 1896 at the annual County Borough voting revision before Revising Barrister James Scully, Smith's neglect caused embarrassment for Bolton and the guardians. Objections made to householders in Wigan (Town) section on the grounds that they received poor relief and were thus disqualified from the franchise could not be dealt with because Smith had failed to provide the list of paupers to Bolton. The Revising Barrister had summoned

²¹ G/Wi 8a, 18/67: Board meeting, 7th August 1896.

²² *Wigan Observer*, 8th August 1896.

²³ G/Wi 8a, 18/71, Board Meeting: 21st August 1896.

²⁴ *Wigan Observer*, 28th August 1896.

Smith to the meeting to respond to the complaint against him. Smith argued that according to section 35 of the Local Government Consolidated Orders he was only required to supply lists of paupers in his district upon application being made to the guardians or the clerk. Ackerley countered that that was only in the case of applications for relief lists by political parties, otherwise the relieving officer was required to supply lists to the overseers when asked.²⁵ The Revising Barrister explained that he had no power to punish Smith, but his attendance at the court was required given that his evidence was necessary to complete the revisions: a slightly comical scene ensued, with Smith offering to go and fetch his books, with Scully adding that: 'If you are back here by six o'clock it will do.'²⁶

From the above evidence it would seem that Smith was indeed in error, however it would be fair to say that rather than this being a case of wilful negligence he genuinely thought his understanding of the law was correct and he made this known to the LGB, arguing he had been unjustly dealt with and complaining against the vote of censure passed against him by the guardians, again citing Article 35, Examination and Closing of Accounts of the Poor Law Orders in his defence. Ackerley informed the guardians that the vote of censure had not been passed for Smith failing to supply a list of paupers to Mr Bolton (in accordance with Article 35) but for not supplying Bolton 'with the names of paupers, in accordance with Section 12 of the Parliamentary and Municipal Registration Act, 1878' which required a relieving officer to produce to overseers upon application and at the time and place specified by the overseer, the books containing the names of people disqualified from the voting lists by reason of having received parochial relief.²⁷ The guardians instructed Ackerley to make this clear to the LGB.²⁸

Smith was soon back in Ackerley's bad books, when in November 1896 he failed to produce his relief lists and books for routine examination by the Clerk, 'in consequence

²⁵ *Wigan Observer*, 19th September 1896. This almost certainly refers to the General Order, 14th January 1867, Article 35, cited in Dumsday, pp. 226-27.

²⁶ *Ibid.*

²⁷ G/Wi 8a, 19/14, Board Meeting: 2nd October 1896.

²⁸ *Ibid.*, 19/15. The LGB soon after thanked the guardians for their explanation of this matter. G/Wi 8a, 19/30. Board meeting: 27th November 1896.

of being engaged at the Assizes²⁹ and in February 1897, as noted earlier in Brassington's case, was jointly reprimanded over the late reporting of removal of lunatics to asylums.³⁰ A quiet six months followed thereafter, but Smith landed himself in more serious trouble in late July 1897 when his neglect placed the guardians in an embarrassing position with the LGB. Once again he had failed to produce his relief book to Ackerley who as a consequence had been unable to send the fortnightly statistical return to the LGB. Smith wrote to the LGB claiming that if there had been any neglect, it was from Ackerley's office.³¹ The Clerk stated that the LGB had had to telegraph for the return, 'no doubt causing great inconvenience in London'. The guardians' meeting noted that previous complaints had been made against Smith for neglect of duty, and that on the last occasion he had been informed that upon any recurrence he would be dismissed. The LGB quickly responded, but decided 'in accordance with their usual practice' to offer Smith the chance to give an explanation, on the receipt of which they would report back to the guardians.³² At the next board meeting the LGB's letter and copy of Smith's explanation were read to the guardians, and Ackerley's reply to this was unanimously approved³³ – however, the minutes offer no details here but by letter of 2nd September 1897 the LGB informed the guardians that it proposed to hold an official inquiry in Wigan into the case of the relieving officer.³⁴ In that regard, the clerk also notified the guardians that Jenner-Fust had intimated to him that 'the charge of being found in a disorderly house would form part of the inquiry'.³⁵

The inquiry was originally scheduled for 22nd September but was adjourned.³⁶ This gave Smith time to add to the litany of his alleged transgressions. On 23rd September Ackerley reported that he had been handed by 'Mr Clayton's representative' a number of specified

²⁹ G/Wi 8a, 19/29

³⁰ G/Wi 8a, 19/68.

³¹ *Wigan Observer*, 25th August 1897.

³² G/Wi 8a, 20/64. Board meeting: 6th August 1897.

³³ G/Wi 8a, 20/71: Board meeting, 20th August 1897. The minute refers to Smith's failure to provide Ackerley with the figures for form 'B'.

³⁴ G/Wi 8a, 20/77: Board meeting, 3rd September 1897.

³⁵ *Wigan Observer*, 18th September 1897.

³⁶ G/Wi 8a, 20/83: Board meeting: 17th September 1897.

orders for relief for which Clayton had been unable to obtain payment from Mr Smith.³⁷ The Mr Clayton referred to was almost certainly Mr Joseph Clayton, one of the three Honorary Overseers of Wigan Borough. On being called before the guardians to explain himself, Smith stated that he'd paid the amount of the specified orders to Mr Clayton that week. He was asked why he had not entered in his book the orders for food given to Mr Clayton and argued that it was a matter for himself to determine whether he would pay the money to Mr Clayton out of his own pocket, or on account of the guardians, and that if he paid it out of his own pocket he was not bound to enter it in his book. The guardians unanimously resolved to inform the LGB of this matter, and to also notify Inspector Jenner Fust at the adjourned inquiry into Smith's conduct which was set to commence the following day.³⁸ As we saw with the dispute between Smith and Thomas Bolton concerning correct procedure over the compilation of voting lists, and if we are viewing his actions in the most sympathetic light, this issue also illustrates how the relieving officer knew his own mind: professionalism, which by definition involves the use of discretion, is a grey area and in both cases Smith interpreted the law and correct procedure in his own way, just as boards of guardians and the LGB did. He may have been wrong in both cases, but as an employee he was also less powerful than those two particular institutions.

The LGB inquiry was adjourned again until December³⁹, the result of which was communicated to the guardians in early February 1898. The LGB, after considering Smith's explanations at the inquiry held by Jenner Fust, asked the board to give him one more chance on the understanding that any further ground for complaint would mean dismissal. The guardians unanimously resolved to retain Smith on those terms, and the relieving officer on being informed, understandably thanked the guardians 'very sincerely'.⁴⁰ The LGB's insistence on giving Smith yet another chance raises the

³⁷ G/Wi 8a, 21/89-90: Board meeting: 1st October 1897. These payments were as follows: 12th and 19th June – Dominic Sheridan 4s; 3rd July – Ellen Connor 5s; 10th July – Susan Connell 3s, Patrick McMullen 2/6; 17th July – Susan Connell 3s; 7th August – Margaret MacNamara 3/6; 1st September – Frances Keefe 2/6.

³⁸ G/Wi 8a, 21/89-90: Board meeting: 1st October 1897.

³⁹ Ibid, 21/121. Jenner Fust asked for the use of the guardians' offices and was given the Board Room for the resumption of the inquiry on 8th December 1897.

⁴⁰ Ibid, 21/141: Board meeting, 4th February 1898.

question of whether the guardians had higher expectations of a relieving officer than the central authority, or whether the guardians were being overly zealous in their approach to Smith? Another incident, a month before Smith entered the 'last chance saloon' provides further suggestions of impropriety on his part. In January 1898, in between Jenner Fust's inquiry and his LGB reprieve, Ackerley again found fault with Smith's books. The incident arguably demonstrated Ackerley's professional diligence and attention to detail in contrast to Smith's laxity, or possibly his determination to nail the relieving officer. The Clerk noted that in his usual examination of relieving officers' lists and books, all were correct except for Smith's, who in his outdoor relief book for the 11th week of the quarter, on page 13 had recorded relief in kind to John Sullivan for 3s/9d for the last fortnight and 2s/6d for the current week, but Smith had produced vouchers for neither payment. Smith appeared before the board and produced vouchers for 3s/9d.⁴¹ At the next meeting, however, Ackerley said that his assistant Mr Harrison was absolutely certain that the aforesaid vouchers produced by Smith and stamped with Harrison's initials had not been stamped by him nor by anyone with authority to do so: 'The stamp was kept in a bag, and was left on Thursday night in a desk at the Workhouse'.⁴² The clear implication of this was that Smith had surreptitiously stamped the vouchers himself or got a member of the workhouse staff to do so on his behalf.

Possible chicanery aside, it was the cumulative effect of Smith's failure to fulfil his routine administrative duties to the satisfaction of the guardians and the LGB that eventually led to his dismissal. As will by now be apparent, this was not a swift process, protracted as it was by the guardians' own inquiries into the detail of Smith's professional conduct and practice, coupled with the necessity of LGB sanction. Given that many of the administrative errors made by Smith had already been highlighted by Ackerley, it is unsurprising that they did not escape the attention of the auditor. Unfavourable reports on his books by District Auditor Jordison for the half-years ending Michaelmas 1897 and Lady Day 1898 ramped up the pressure on the beleaguered relieving officer. In June 1898, Ackerley reported that Smith had only delivered his books to him at 9.45pm the

⁴¹ G/Wi 8a, 21/129: Board meeting, 7th January 1898.

⁴² G/Wi 8a, 21/136: Board meeting, 21st January 1898.

previous night, an incident which prompted an attempt to establish a fixed time for the production of books and vouchers by all the relieving officers.⁴³ More significantly, at the same meeting, it was noted that the LGB asked the guardians for their observations on Jordison's Lady-Day 1898 report on Smith, and also on his Michaelmas 1897 report. Smith was brought before the board to explain why he had not provided the Wigan Section guardians with a written reply to Jordison's 1898 report as he had been requested to do: Smith claimed he had done so, but the Wigan guardians denied receipt of any such letter.⁴⁴ The matter was referred to the Wigan guardians to deal with a week later, and Smith was given a copy of Jordison's second report 'for his perusal' in the meantime.⁴⁵ At that committee meeting, Smith provided a written response to Jordison's 1897 criticisms and a verbal explanation to the auditor's 1898 report. The Wigan guardians concluded that Smith had been 'very careless and neglectful' in the conduct of his duties and deemed his explanation of the auditor's report 'very unsatisfactory'.⁴⁶

The LGB's response to this development initially gave the impression of yet another reprieve for Smith, but it was constructed (unwittingly or not?) so as to give the guardians the opportunity they needed to dismiss the relieving officer. Whilst the LGB stated that 'they agree generally' with the resolution of the Wigan Section on Smith's conduct, they referred back to the February 1898 agreement following Jenner Fust's inquiry (discussed earlier) whereby Smith had been given one last chance. The guardians had agreed to this by letter of 7th February, and the LGB noted that 'practically all the complaints in the District Auditor's reports relate to periods anterior to the date of that letter', and asked the guardians for a report on Smith's performance in the six months thereafter, delaying any decision based on the D.A's criticisms until they received the guardians report.⁴⁷ Without wasting any time (and strictly speaking, two days before the six month trial period had ended) Ackerley informed the guardians that Smith had again not produced his accounts to him prior to the board meeting. This was a routine task that Smith had

⁴³ G/Wi 8a, 22/41: Board meeting, 10th June 1898.

⁴⁴ Ibid, 22/42.

⁴⁵ Ibid.

⁴⁶ G/Wi 8g, 6/31: meeting 17th June 1898. The Wigan Section's conclusions were adopted at the full board meeting on 24th June and forwarded to the LGB - G/Wi 8a, 22/46.

⁴⁷ G/Wi 8a, 22/69: Board meeting, 5th August 1898.

failed to comply with several times, but unusually on this occasion, and as if noting the significance of the opportunity, the Clerk cited the specific order that Smith had contravened (article 215-13 of the General Consolidated Order (Unions), 24th July, 1847).⁴⁸ The relieving officer was questioned on the failure to perform his duties in a proper manner, and the guardians resolved to inform the LGB that Smith had not performed his duties satisfactorily in the six months since 7th February 1898. Hardly moving like the wind in reply, a month later the LGB asked the guardians for a full statement of the ways in which Smith had not satisfactorily performed his duties. They were told that Smith had not supplied Ackerley with the necessary information to enable the Clerk to prepare the last 1st July Return ‘until his neglect had been reported’ to the LGB who had asked him for it; secondly, that Smith had failed to submit his ‘relief list etc’ to Ackerley for examination on 4th August prior to the board meeting.⁴⁹

As should be apparent by now, a swift conclusion to the matter was still not imminent. Smith wrote to the LGB in explanation of his actions following the guardians’ complaints, but at the board meeting of 28th October 1898, after listening to both Smith and Ackerley’s remarks, the Clerk was unanimously instructed to inform the LGB that ‘the Guardians consider Mr Smith’s statements entirely unreliable’.⁵⁰ It took until December before Smith was finally dismissed, with further complications being revealed at the very meeting at which he offered his resignation. On 9th December 1898, Ackerley reported that Smith, in his capacity as collector, had a balance in his hands of £15/4/3 at the end of the Michaelmas 1898 half-year that he should have paid into the bank. In addition to this, Smith had carried this balance forward as a credit, rather than a debit on his account and had entered it as a payment to the Treasurer. The Treasurer had not been paid this amount, and Smith was asked to explain his actions: he stated that this entry had not been dated and ‘was not intended to represent a payment to the Treasurer, but he had put it there simply to remind him that he had that amount in hand’.⁵¹ Ackerley read out an LGB letter requiring Smith to resign, and noted that Smith also had on his hands a

⁴⁸ Ibid.

⁴⁹ G/Wi, 8a, 22/82: Board meeting, 2nd September 1898.

⁵⁰ G/Wi 8a, 23/21: Board meeting, 28th October 1898.

⁵¹ G/Wi 8a, 23/48. Board meeting: 9th December 1898.

balance of £34/12/1 on his relieving officer's account. Smith declared his ability to pay off the two balances referred to by Monday 12th December, and resigned his offices. The newly appointed General Relieving Officer Elijah Prescott was to take over Smith's duties until a successor was appointed, while Smith was allowed to continue for one month to assist Prescott on condition that he paid in the two balances totalling £49/16/4 noted above.⁵² The guardians did not waste time in finding a successor, and James Townley Hilton was appointed to Smith's district on 6th January 1899.⁵³

Hopefully, this detailed account of a particular case illustrates how in practice, processes of dealing with unsatisfactory poor law officers could be complex and protracted. It is apparent that the guardians regarded G.W. Smith's performance as relieving officer as a matter of utmost seriousness: the multi-faceted and onerous nature of the office was very demanding of those who held it and when things began to go wrong, as they did with Smith in cumulative fashion, the smooth running of union business was negatively affected and the 'professional' front that the union was keen to present, particularly to the LGB, was at times compromised. Nevertheless, it is difficult to see how the union could have been any more rigorous than it was in Smith's case, particularly given the fact that ultimate power of dismissal was in the hands of the LGB. The LGB was continually involved in the case from the time of Smith's first difficulties becoming apparent in March 1896 until his eventual dismissal in December 1898.

Smith's dismissal, however, did not mean an immediate end to the affair: what could be described as a 'clean-up' operation had to be mounted to tie up the various loose ends left by the relieving officer. His promise to quickly pay off the two balances amounting to £49/16/4 was not kept, and thus his one month's continuation of office was suspended, his remaining salary was withheld and he was ordered to hand over all his books and papers to General Relieving Officer Elijah Prescott.⁵⁴ Prescott soon discovered inaccuracies in Smith's records. For example, he reported that according to Smith's books, a Mr W. Daniels of Darlington Street was shown as owing £29/8/9, but on visiting

⁵² G/Wi 8a, 23/48-49: Board meeting: 9th December 1898.

⁵³ G/Wi 8a, 23/67-68: Board meeting: 6th January 1899.

⁵⁴ G/Wi 8a, 23/56-57: Board meeting, 23rd December 1898.

Daniels, the latter produced two receipts signed by Smith totalling £10/18/9 which the guardians thus discharged from his account.⁵⁵ The guardians asked Prescott to visit all contributors in the Wigan Town district to ‘ascertain, if possible’ if the amounts shown as owing from them in Smith’s account were correct.⁵⁶ At the same time a number of local tradesmen surfaced with relief notes and orders for articles supplied that had been signed by Smith and for which they had not been paid.⁵⁷

In March 1899, the ripple effect of Smith’s actions and dismissal extended over deeper waters when District Auditor Jordison notified the guardians that he had surcharged Smith with a sum of £64/2/6 regarding monies he’d received and not accounted for in his accounts as Collector. Jordison recommended that the guardians should seriously consider the necessity of commencing criminal proceedings in Smith’s case, and Ackerley was instructed to take out a warrant for his arrest.⁵⁸ The background to this lay in Smith’s non-attendance at Jordison’s audit that began on 6th February 1899. Jordison explained to the LGB that Smith had been communicated with, but took no notice and thus the Auditor initiated legal proceedings against him. The case was heard at the Wigan Borough Police Court on 13th February, wherein Smith was fined £2 with costs of £6/11/6, with the alternative of one month’s imprisonment.⁵⁹ At this hearing, ominously for Smith, Ackerley was prosecuting with Jordison in attendance, the latter stating that he had attended the audit all week but Smith had failed to show up. Smith based his defence on the belief that since he had finished his duties at the workhouse on 23rd December 1898, he had therefore finished altogether and his books had been handed over to the General RO Elijah Prescott. Therefore, he believed he was not accountable for those books; he had failed to attend the audit on Tuesday 7th February as he had a prior appointment and whilst he could have attended the audit on subsequent days he did not do so as the letter from Jordison requiring his presence did not say which particular day he should attend. On this basis, he sought an adjournment to seek legal advice but was

⁵⁵ G/Wi 8a, 23/74.: Board meeting, 20th January 1899.

⁵⁶ Ibid.

⁵⁷ Ibid. For example, Messrs O. and G. Rushton &c. Grocers, Wigan; also, W.H. Heaps, James Hooton and a Mr Whittle: G/Wi 23/81-82 – 3rd February 1899.

⁵⁸ G/Wi 8a, 23/97: Board meeting, 3rd March 1899.

⁵⁹ MH12/6380: Auditor’s statement, 19th February 1899.

given short shrift by the Mayor who said he had had ample time to do so and thus the fine was imposed.⁶⁰ Jordison resumed the audit on 18th February, and Smith again failed to present himself. Indeed, as Jordison commented in his report of 3rd March 1899: ‘I am informed that the late Relieving Officer absconded on the morning of my adjourned audit held on the 18th February. He has not paid to the Treasurer the balance in his hands at the time of his giving up his office in December last, viz: £34/12/1.’⁶¹ Smith’s whereabouts were still a mystery two months later. In a letter to the LGB about a bill of costs incurred by Jordison in consequence of the RO’s non-attendance at the February audit, Ackerley commented that ‘nothing has been heard of him for some months.’⁶²

In addition to this drama, the literal, as well as metaphorical liability incurred by boards of guardians in regard of mal-performing officials was further illustrated in G.W Smith’s case when the guardians tried to make a claim on the guarantee society who Smith had taken out a policy with as a condition of his appointment.⁶³ Armed with the Auditor’s certificate of surcharge on Smith, Ackerley made a claim on the Ocean, Accident and Guarantee Corporation Ltd to recover the liabilities incurred by the relieving officer. The company was less than forthcoming in response – probably no surprise to a man like Ackerley, used to (as we have seen earlier in this thesis) crossing swords on the guardians’ behalf with huge commercial interests such as railway and canal companies. Records of this dispute have been located for the period March-September 1899, at the end of which no resolution had been reached.

During his ‘trial’ period from February-August 1898 when Smith was on final notice, he appears to have switched his sureties from one insurance company to the other. This seems to have been the initial basis for the stonewalling by Ocean &c, who claimed that they had not formally accepted Smith’s policy with them until 29th September 1898, and therefore the claim should have been made on his previous sureties, the Poor Law

⁶⁰ *Wigan Examiner*, 18th February 1899: clipping in MH12/6380.

⁶¹ MH12/6380: Auditor’s statement, 3rd March 1899. The audit was concluded the previous day.

⁶² MH12/6380: Ackerley to the LGB, 18th May 1899. The bill of costs was for £4/2/6.

⁶³ All relieving officers and certain other officials were required to provide security upon taking office. Earlier in the 19th century, this was in the form of personal sureties, but by this period the use of insurance/guarantee societies had become the norm. See G/Wi 5: Bonds of Employment for the earlier years of the New Poor Law and the main minute books for later conditions of appointment.

Officers' Mutual Guarantee Society.⁶⁴ The company also asked if Smith was dead, upon which Ackerley was instructed to press them for immediate payment. Letters preserved in MH 12 between Ackerley and Richard Paull, representing Ocean provide some clarification of this affair. Writing to Paull on 26th June 1899, Ackerley claimed that the full amount due to the guardians was £98/14/7, comprising the aforementioned £34/12/1 balance remaining in Smith's hands on 8th December 1898, and the £64/2/6 with which Jordison had surcharged Smith. Ackerley's letter reveals that the date of the assurance policy with Ocean was 1st June 1898.⁶⁵ The period between 1st June and 29th September, when Ackerley's 'propol' was accepted by the company appears to have given them grounds to delay payment. In his reply of 28th June 1899, Paull forwarded Ocean's request to Ackerley 'to apply to the Local Government Board Auditor to amend his Certificate by the insertion of the dates upon which the various items constituting the £98/14/7 were embezzled.'⁶⁶ Therefore, it seems that the company was stalling on the grounds that if any of the money claimed for could be attributed to errors by Smith in the period from 1st June (the date of his policy) and 29th September (when it was formally accepted) then Ocean &c were not liable for those amounts. Ackerley quickly replied that the guardians had no authority over the auditor and could not 'properly make any suggestion to him with reference to his certificate.'⁶⁷ The Clerk went on to state that Jordison's certificate was indicated by Ocean's policy to the guardians, and thus the latter were perfectly satisfied with it: if Ocean wanted any alterations made to the certificate it was up to them to try and obtain it from the LGB, the guardians simply wanted a cheque for the amount certified by the auditor.⁶⁸ Paull wrote back to notify Ackerley that Ocean &c had indeed opted for this course of action, and thus could not proceed with the claim until the LGB had replied.⁶⁹ By 1st September 1899, no settlement had been reached. Ocean &c wrote to the guardians enclosing a letter the company had sent to the LGB which aroused the anger of the Wigan board. The full letter itself is not reproduced in the Wigan minutes, but excerpts from it indicate that Ocean &c were possibly accusing the

⁶⁴ G/Wi 8a, 23/98: Board meeting, 3rd March 1899.

⁶⁵ MH12/6380: Ackerley to Paull, 26th June 1899.

⁶⁶ Ibid, Paull to Ackerley, 28th June 1899.

⁶⁷ Ibid, Ackerley to Paull, 30th June 1899.

⁶⁸ Ibid.

⁶⁹ MH12/6380: Paull to Ackerley, 25th July 1899. Ackerley had written again to Paull the previous day.

guardians of trying to burden them, rather than the Poor Law Officers' Mutual Guarantee Society, with the claim, stating that:

‘a certain animosity appears to exist in the minds of some of the officers of the Board of Guardians against this Corporation, and it is apparently this feeling which is responsible for the peculiar position taken up by the Guardians of shielding one Guarantee Society at the expense of another.’⁷⁰

Ackerley was unanimously instructed to reply that the guardians strongly objected to the tone of this letter, and this statement in particular which they were confident was untrue: all that either they or their officers required from the company was the amount they were legally entitled to.⁷¹

By the end of 1899, no result of the dispute appears to be recorded in the board minutes; however, the detail of the whole process is very revealing. Not only could a problematic incumbent relieving officer disrupt union administration, antagonise the Clerk, Assistant Overseer, the guardians and to some extent undermine wider perceptions of the professionalism of the union in the eyes of the LGB; he could also create a trail of related difficulties in a similar vein even after the protracted process necessary to obtain his dismissal had been completed. It is important and, I believe, necessary to explore this process in detail as it is only through doing so that we can have a greater sense of how these important issues impacted at local level. In a purely financial sense, the guardians had a legal duty to the ratepayers to recover the money owed by Smith; in a broader context, they demonstrated a sense of public duty in their efforts to clarify the range of ambiguities created by Smith's book-keeping; thirdly, and perhaps most importantly, whilst to the casual twenty-first century eye, a major public body spending many months in an attempt to recover £98/14/7 might superficially seem not worth the effort involved, we need to remember the following stark facts. Smith was dismissed in December 1898, towards the end of the Christmas Quarter: in the 6th and 7th weeks of that quarter, he had

⁷⁰ G/Wi 8a, 24/100: Board meeting, 1st September 1899.

⁷¹ Ibid. Although he is not named, the officer/s referred to by Ocean &c presumably includes Ackerley.

respectively paid out £49/1/9 and £46/14/3 in outdoor relief.⁷² Thus, the £98/14/7 he incurred liability for amounted to just over two weeks' outdoor relief for the Wigan (Town) district – reason enough for the guardians' attempts to recover the money.

6 (ii) 'He is I am sorry to say an unsatisfactory officer, and the Guardians are an unsatisfactory Board': The workhouse master

As the lengthy business of G.W. Smith's case was reaching its conclusion, the guardians were simultaneously faced with another affair concerning the suitability of another key union official – the Workhouse Master Edward H. Ambrose⁷³. Given the detail of this case in terms of the number of complaints against Ambrose, it would easily be possible to devote as much space to it as has been provided for the imbroglio surrounding Smith. However, as Ambrose's case centred upon the administration of indoor relief, which is not the focus of this thesis, analysis will concentrate upon the *process* of his dismissal: the delays, ambiguities and uncertainties evident in both the guardians' and LGB approaches to the case and what they reveal about central-local relations and conceptions of 'doing the right thing' within the context of the rise of professionalism.⁷⁴

Of all the litany of complaints and charges against Ambrose, two in particular seem to have been regarded with most gravity by LGB officials and perhaps had most significance in securing, eventually, his dismissal. The first of these was that Ambrose had broken an agreement with the guardians over the keeping of his children with him at the workhouse, and secondly, that he had attempted to conceal this. This concealment was alleged to have involved Ambrose rubbing off records of entry to and exit from the workhouse on the Porter's slate while the Porter was temporarily absent. The first issue

⁷² See G/Wi 23. These are the latest figures extant in this source – fortuitously they more or less coincide with the period leading up to Smith's dismissal.

⁷³ The terms Master and Governor were used interchangeably to refer to holders of this office. Ambrose was appointed in 1894.

⁷⁴ Students of workhouse administration would find this an interesting case to explore. Much micro-level detail of the inquiries into Ambrose and the allegations against him survives in the guardians' main board minutes, the various committee minutes, newspaper reports and MH12/6380 and 6381.

came to a head in August 1899, but it took another ten months before the Master and his wife relinquished their posts. Ruminations on this matter illustrated a degree of uncertainty as to who bore primary responsibility for both reprimanding and ultimately removing Ambrose. The guardians' apprehensiveness is comprehensible, given that they could not sack Ambrose without LGB approval, just as they could not quickly dismiss G.W. Smith for the same reason. LGB officials on the other hand, were also tentative in their response, regarded Ambrose's conduct with varying degrees of censure and despite holding the ultimate whip hand tried to place the burden of responsibility on the guardians' shoulders.

Ambrose had written to the LGB on 8th August 1899, explaining his reasons for allowing his children to remain with him at the workhouse, to which Ackerley replied on 19th August that the guardians thought the master's explanation unsatisfactory as 'he knew he was committing a breach of the terms of his appointment'.⁷⁵ The guardians' response stimulated a diversity of opinion within the LGB on the correct course of action to adopt. The initial draft reply suggested that the Board concurred with the guardians and warned the master against any further breaches of the terms of his appointment.⁷⁶ However, another official commented that 'this seems to be letting the Master off rather easily'.⁷⁷ Lengthier musing followed with a second official seeking Jenner Fust's advice: 'looking to the files of correspondence generally, it is difficult to avoid the conclusion that the Master is a very unsatisfactory officer.' He further noted that since the guardians:

'ask us what they are to do with Mr Ambrose, would you have any objection to our writing to them in the first instance adverting to this letter and asking whether Mr Ambrose so far retains their confidence that they would wish him to continue in office? If they answer yes we can let him off with a caution somewhat as already proposed; - but we should have brought home to him the gravity of the situation more forcibly.'⁷⁸

⁷⁵ MH12/6380: Ackerley to LGB 19th August 1899.

⁷⁶ MH12/6380: note of 23rd August 1899.

⁷⁷ Ibid, note of 28th August 1899.

⁷⁸ Ibid, note of 29th August 1899.

Jenner Fust, however, argued that the LGB should only ask this question if they were prepared to act upon the guardians' opinion, 'but not otherwise':

'for if the question is asked and the guardians (as is probable) reply in the negative, the Board can hardly maintain the Master in Office. It was this feeling that led me to concur in the proposed censure, for I hardly thought the Board would be prepared to call for the Masters' resignation. He is I am sorry to say an unsatisfactory officer, and the Guardians are an unsatisfactory Board.'⁷⁹

The inspector thus seems to have regarded Ambrose as not up to the mark, but that this particular offence did not warrant sacking him. On the other hand, other advice was less sympathetic to Ambrose, but sought to put the onus on the guardians:

'the conduct of the Master as regards keeping his children in the WH seems to me to be very bad...and quite sufficient, taken together with his past record...to justify the Bd in requiring him to resign, if the Guardians say they have no confidence in him. The Guardians letters are, I think, framed with the object of throwing responsibility on the Board, and it seems important that we should indicate clearly that the responsibility rests in the first instance with them.'⁸⁰

By 4th September the case had been passed on to a Mr Provis who doubted the offence was sufficiently grave to warrant the LGB to demand Ambrose's dismissal, and instead suggested he be warned that any future breaches would be given 'very serious notice' by the board: this recommendation formed the substance of the LGB's reply on the matter to both Ambrose and the guardians.⁸¹

Thus had Mr Ambrose been censured, yet reprieved – but he was not to be spared. The guardians set up a sub-committee to inquire into further complaints against the workhouse master, the two reports of which were forwarded to the LGB along with a

⁷⁹ Ibid, note by Jenner Fust, 30th August 1899. This criticism of the guardians most likely is based on the inspector's long-running, and at that stage unsuccessful, attempts to persuade the guardians to build a new workhouse.

⁸⁰ Ibid, note 1st September 1899. The note concluded with: 'Reserve a month (and if the Guardians have not pursued the matter further by that time, put by).'

⁸¹ MH12/6380: note of 4th September and letter of 9th September 1899.

letter informing them that in the guardians' opinion, on a vote of 15-3, the master was 'no longer fit to discharge the duties of his office'.⁸² The sub-committee first met on 14th November 1899 and ten specific charges against the master were inquired into, adjourning to meet again on 4th December for further investigation of two of those charges.⁸³ Acknowledging the limitations of space and with regard to our already established focus on two specific charges, it is important to note, firstly, the tenth charge. The porter gave evidence that when he was called away from his office, his assistant, Bottomley, was accustomed to enter on the slate particulars of persons entering or leaving the workhouse, which it was the porter's duty to copy into his day book. The porter alleged, confirmed by Bottomley, that: 'When particulars of the departure or admission of the Masters children were entered on the slate the Master would go into the Porters Office and rub the entries off.'⁸⁴ This clearly relates to the second charge against Ambrose of not sending his son away from the workhouse after being ordered to do so by the guardians.⁸⁵ The master had five children of whom the eldest three he had sent to be kept by relatives on his appointment to office, as he was only sanctioned to keep the youngest two with him and his wife at the workhouse, an agreement which in August 1899 he admitted he had kept to for the first three years in the job.⁸⁶ The admission that he had five, rather than two children living with him was the cause of the guardians refusing to increase his salary in July 1899.⁸⁷ The committee in this respect emphasised that Ambrose had 'wilfully and deliberately' disobeyed the guardians, before concluding that 'they have been profoundly impressed with the lack of truthfulness and straightforwardness on the part of the Master'.⁸⁸

⁸² MH12/6381, Ackerley to the LGB, 1st January 1900. This decision was taken at the 22nd December 1899 board meeting: G/Wi 8a, 25/36.

⁸³ MH12/6381 contains both, very detailed, reports in full. Only the report of 4th December is recorded in full in the guardians' board minutes: G/Wi 8a, 25/29-30.

⁸⁴ MH12/6381, report of guardians' committee meeting held 14th November 1899.

⁸⁵ Ibid, and G/Wi 8a, 25/30. The committee's reports detail a blow by blow account of the comings and goings from the workhouse of Ambrose's son and two daughters in the second half of 1899.

⁸⁶ G/Wi 8a, 24/85: Letter from Ambrose to LGB, 8th August 1899. He stated departure from the terms of his agreement had begun with illness to his two eldest girls, which had necessitated them being with their mother, and promised that no future variations from the terms of his appointment would occur without the consent of the guardians.

⁸⁷ MH12/6381: summary of whole case by Jenner Fust, 26th March 1900.

⁸⁸ Ibid. The second of these quotations from the report has been highlighted in parentheses by LGB officials.

This decisive intervention by the guardians placed the ball firmly back in the LGB's court. Initially, Ambrose's illness in the early part of 1900 delayed his response to the guardians. However, he had recovered sufficiently to write back to the LGB on 26th February.⁸⁹ The guardians, for their part, wrote to the LGB asking for an official inquiry into both the details of their complaints against Ambrose listed in their letter of 1st January and into the master's explanations offered in his own letter.⁹⁰ An inquiry would necessitate a visit from Jenner Fust who at this juncture compiled a detailed summary of the case thus far for the attention of the LGB: the inspector evaluated both the guardians' case against Ambrose and the master's defence.⁹¹ Ambrose had strongly denied 'any interference with the Porter's slate beyond correcting Bottomley's style in entering people's names. He states also that Bottomley is a "mental patient"'. The master also claimed he had not been present at the 4th December sub-committee meeting and thus had no opportunity to defend himself.⁹² Jenner Fust noted differences between Ambrose and the guardians as to the precise dates when the master's children were at the workhouse, but most importantly that Ambrose did not deny that the guardians had instructed him clearly on this matter as already discussed. Whilst in August 1899 Jenner Fust was one of the LGB voices against sacking Ambrose, the events since then had evidently caused him to adopt a much tougher stance. With reference to his case summary he stated: 'I have set out the above at some length because it appears to me there is quite sufficient, without further inquiry, to necessitate the Bd's calling for the Master's resignation.'⁹³ After further commenting on the issues of Ambrose's children, he went on:

'Besides this there is a good deal to show that the Master is an unsatisfactory officer, and looking to all the complaints made against him since his appointment in 1894...it appears to me that even if in the course of an inquiry the Master succeeded in explaining the minor, and somewhat absurd,

⁸⁹ MH12/6381: Ackerley to LGB, 3rd February 1900 notifying that the guardians had granted Ambrose a month to reply to their letter of 1st January. Comments on the reverse from Jenner Fust dated 6th February, stating his presence at the board meeting when the guardians thought it fair to allow additional time to Mr Ambrose. Ambrose's original letter of 26th February survives in MH12/6381.

⁹⁰ MH12/6381, Ackerley to the LGB, 21st March 1900.

⁹¹ Ibid: summary compiled by Jenner Fust, 26th March 1900. This takes up seven full pages, evidence of how seriously the issue was regarded. The summary covers the period 12th June 1899 to the writing of the document.

⁹² Ibid.

⁹³ Ibid.

charges made, there would remain enough on his own admission to prevent the Board from maintaining him in office. I therefore recommend that he be called upon to resign.’⁹⁴

Jenner Fust’s advice carried considerable weight. Following his summary, one LGB officer proceeded to consider a number of the charges against the master, before eventually agreeing with the inspector. On the issue of rubbing entries off the porter’s slate, the official wrote: ‘The Porter’s statement is definite enough, and the Master’s explanation very feeble. Why should he be so particular about the style of temporary entries on a slate? The charge seems a serious one.’⁹⁵ The same official regarded the issue of Ambrose’s children in the workhouse as the most serious of all, and he suggested that unless it was necessary at that stage to establish the master’s untruthfulness by an inquiry on oath: ‘Write and call upon him to resign – leaving him to ask for an Enquiry’.⁹⁶ It is from this document, alongside an extract from the auditor’s report, that it becomes clear exactly why the issue of the master’s children was seen as so important. It was commented that: ‘it seems very likely from the Auditor’s Report ...that the Master has never paid a penny to the guardians for the maintenance of his children – except the £5 referred to by the Auditor – since his appointment.’⁹⁷ Jordison’s report for the half-year ending 29th September 1899 referred to an admission by Ambrose that his three eldest children had been visiting him ‘off and on’ at his own expense, and that anything the children had required over and above the rations assigned to himself and his wife had been purchased outside. According to Jordison, Ambrose then produced some receipts for provisions obtained outside the workhouse, but the auditor explained that the rations assigned to the master and matron were exclusively for their own use. Ambrose claimed that the total cost of food consumed by his children would not come to more than £5: put on the spot by this, Jordison accepted the figure; Ambrose immediately paid the sum to the Union Treasurer, but was formally surcharged for it by Jordison.⁹⁸

⁹⁴ Ibid.

⁹⁵ MH12/6381: summary and advice offered by unidentified LGB official, 3rd April 1900. If only the signatures made it clearer who these men were!

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ MH12/6381: extract from Jordison’s report, half-year ended 29th September 1899.

Ambrose was formally instructed to resign on 16th April 1900.⁹⁹ The master, however, would not go quietly or without a fight and his tenacity initiated a further period of vacillation and self-doubt amongst both the guardians and the LGB officials. Of the latter, only Jenner Fust remained unflinching in his adherence to the original decision which, as we have seen, had hardly been a rush to judgement. On 25th April 1900, Ambrose wrote to the LGB asking for an official enquiry, noting that the guardians had already asked for one. He made further protests about the nature of the guardians' December 1899 sub-committee inquiry and report, particularly incensed by the latter's description of his untruthfulness and lack of straightforwardness. Indeed, he enclosed a copy of an 'unsolicited testimonial' from the chairman of that committee, Henry Darlington, along with other recent testimonials.¹⁰⁰ The LGB's response further reveals the uncertainties involved at the highest level over how to proceed in such cases. Initial comment stated that: 'This letter does not impress me favourably; but as the Master presses for an Inquiry, I suppose it can hardly be refused?'¹⁰¹ When passed on to Jenner Fust, the inspector wrote that 'I am not sure as to the practice of the Bd in such a case' but since the decision to demand Ambrose's resignation had already been made without the need for an inquiry, 'it is not clear to me that any good purpose wd be served by an inquiry'. The letter did not 'pretend to explain his conduct' regarding having his children at the workhouse, and that the master 'would have to clear himself more completely than there seems any chance whatever of his doing in order to induce the Bd to maintain him in office'.¹⁰² The LGB turned down Ambrose's request for an inquiry, but officials were very amenable to granting one and almost certainly would have done so had they not placed such store in Jenner Fust's opinion. On 1st May 1900, a request was made for examples of precedents whereby an inquiry had been granted in cases where the LGB had asked for an officer's resignation.¹⁰³ The result of this search was as follows:

⁹⁹ Ibid, Assistant Secretary W.E. Knollys, letters to Ambrose and to the guardians.

¹⁰⁰ MH12/6381: Ambrose to the LGB, 25th April 1900.

¹⁰¹ Ibid: note of 27th April 1900.

¹⁰² Ibid: note of 30th April 1900. Jenner Fust added that this was in spite of the guardians' resolution regarding an inquiry.

¹⁰³ Ibid: note of 1st May 1900.

‘The Bd do not regard a letter requesting the resignation of an officer as necessarily final. Witness Epping, and Royston...annexed, and the many cases in which the Bd have withdrawn such a request at the instance of the Guardians. There have also been cases where the Bd have granted an inquiry at the urgent request of an officer, where (as here) the Guardians also were not unwilling and the officer alleged that he had not had fair play, although inquiry was not necessary to satisfy the Bd of his unfitness. But search for a case similar to this has been unsuccessful, and I am content to fall into line with Mr Jenner Fust.’¹⁰⁴

The decisive influence of Jenner Fust is further evidenced by the consideration of the case offered by another LGB official, who was also minded to grant an inquiry as requested by Ambrose and the guardians – this official’s ruminations reveal another complicating factor in the whole affair in the form of testimonials of support given to Ambrose and his wife by a number of guardians and prominent local figures. Acknowledging that Ambrose’s recent letter did not in any sense constitute a defence, it was noted that the master:

‘encloses a number of testimonials chiefly from members of the Wigan Board of Guardians which describe him and his wife as the best of masters and mistresses. The case against him is not dependent upon any individual past charge but rather is the result of a series of minor delinquencies and presumed general untrustworthiness. If it was not for Mr Jenner Fust’s opinion I should certainly suggest that an inquiry should be held, but in view of what he says, knowing the man, I am disposed to think that the Board should adhere to their decision.’¹⁰⁵

The LGB communicated to Ambrose their decision not to hold an inquiry on 14th May 1900.¹⁰⁶ However, the master still refused to give up and succeeded in persuading the guardians once again to support his request for an inquiry. On 28th May Ackerley wrote that Ambrose had by written request obtained an interview with the guardians at a board meeting asking them to appeal to the LGB on his behalf, expressing ‘his unqualified regret’ at anything that had been remiss in the discharge of his duties. This prompted a division, with guardians Hill and Fairhurst moving that Ambrose be given a month’s notice, countered by an amendment by guardians Boardman and Shuttleworth again

¹⁰⁴ Ibid: note of 7th May 1900.

¹⁰⁵ MH12/6381: note of 8th May 1900. The issue of these testimonials will be examined shortly.

¹⁰⁶ Ibid: letter of 14th May from Assistant Secretary Noel T. Kershaw.

requesting the LGB to send an inspector. The amendment won the day on a majority vote, with four guardians abstaining.¹⁰⁷ A seemingly exasperated Jenner Fust reiterated his position on 31st May: ‘I do not think I can usefully add to which I have already said. The Guardians are again endeavouring to throw responsibility on the Board.’¹⁰⁸ This time, the LGB central staff moved quickly to support their inspector, and the guardians were told that no inquiry would be held and that the request for Ambrose’s resignation must ‘be at once complied with’.¹⁰⁹ Finally, the master conceded defeat and handed in his resignation at a board meeting in June 1900, with the guardians asking for him to be allowed to continue in office for three months until a successor had been appointed.¹¹⁰

One intriguing loose end to be cleared up in this case is the matter of the testimonials from the guardians that Ambrose supplied to the LGB in support of his April 1900 request for an inquiry. In terms of attitudes to public service, honesty and integrity this aspect of the affair poses some interesting questions, primarily: were the guardians attempting to serve the Wigan public at the expense of their counterparts in Chorlton Union? In June 1899, shortly before the issue of the master’s children at the workhouse first came to a head, Ambrose and his wife had applied for the jobs of master and matron at Chorlton Union Workhouse. On 23rd June the guardians granted a testimonial to be given on their behalf, augmented by a reference from the Chair and Secretary of the Board of Management of Wigan Infirmary, where Ambrose had been Senior Dispenser for the previous thirteen years.¹¹¹ The testimonials that Ambrose referred to in his April 1900 request are extant in MH 12 and all date from June 1899. The descriptions they offer are strikingly at odds with the conclusions the guardians reached in their inquiries into Ambrose’s conduct, and the earlier complaints against him.¹¹² Joseph Gee, for

¹⁰⁷ Ibid: letter from Ackerley, 28th May 1900.

¹⁰⁸ Ibid: note by Jenner Fust, 31st May 1900.

¹⁰⁹ Ibid: letter from Assistant Secretary W.E. Knollys, 15th June 1900.

¹¹⁰ Ibid: letter from Ackerley, 27th June 1900. The LGB agreed to allow Ambrose to continue temporarily on this basis, advising that such temporary arrangements did not require their sanction.

¹¹¹ G/Wi 8a, 24/52: Board meeting 23rd June 1899. It does not need Holmesian powers of deduction to conclude that the application to Chorlton Union was unsuccessful.

¹¹² MH12/6381: Nine references testifying on Mr and Mrs Ambrose’s behalf survive: from Ackerley on behalf of the guardians as a whole, and from: Henry Darlington; Joseph Gee (who was also the then Mayor); Daniel Dix; Annie Johnson; James Birkett Almond; Edward Ball (then Chair of the Guardians);

example, wrote that he had known the master and matron for upwards of nine years and had always found them ‘steady, diligent, courteous and obliging. They have earned for themselves an excellent reputation in this town and district.’¹¹³ Ackerley, directed by the board, testified that the guardians:

‘have always found them to be methodical, reliable and of good character. They have always worked in harmony with the other officers, and have discharged the duties of their respective offices admirably...The Guardians also consider that their integrity of character qualifies them for any position of trust and responsibility and would enable them to deal with the inmates in an impartial but kind manner.’¹¹⁴

Similar details from the others could be added, but the point is sufficiently made. It was Ackerley’s testimonial that became the focus of discussion over a year later in August 1900 when the guardians considered whether or not to give a reference to the dismissed Mr Ambrose.

Ambrose asked the guardians whether the testimonial that he had been given the previous year would be endorsed. This specifically referred to Ackerley’s reference on the board’s behalf, which was objected to for different reasons by both those who opposed and those who supported providing a reference for the former workhouse master. Guardians Hill and Moorfield believed Ambrose had forfeited his right to a testimonial, furthering that the testimonial drawn up on the board’s behalf was out of order as it had been drawn up by Ackerley, but not subsequently presented to the guardians for sanction. Alice Johnson believed that when Ambrose had originally asked for the reference, it was understood that he would be given the one he had brought with him from Wigan Infirmary. In agreement, Annie Phillips argued that:

‘she would like them to give Mr Ambrose a character, but as they were not all cognisant of the character just read having been sent, she did not approve of that being given to Mr Ambrose, and

Mrs Elizabeth Farrington (the Union Treasurer’s wife and a notable provider of gifts and other ‘treats’ to the workhouse inmates) and Dr Matthew Benson (Wigan guardian).

¹¹³ Ibid: testimonial of Mayor Joseph Gee, 19th June 1899.

¹¹⁴ Ibid: testimonial of Ackerley on behalf of the board, 23rd June 1899.

would certainly oppose it being given. She thought it would be better to give the character that they got with him. She did not agree with giving him a fictitious character.’¹¹⁵

Ackerley did not dispute that the testimonial had not been read and sanctioned by the guardians at a board meeting, but stated that: ‘The testimonial from the Guardians had to be given in a hurry, and he was instructed to give Mr Ambrose a testimonial from the Board in the same terms as the testimonial received from the Wigan Infirmary.’¹¹⁶

Mrs Phillips’s objections to a ‘fictitious character’ raises the central question of whether the guardians and Ackerley were simply lying through their teeth about the master and matron’s qualities in a bid to offload him to a nearby union? It would be unfair to wholly blame the Clerk in this instance, since despite the complaint about the wording of the testimonial not being agreed by the board, he had written the reference as instructed, whilst as has been discussed, seven other guardians wrote references on Ambrose’s behalf, some of which pre-dated Ackerley’s reference. It is difficult to decide whether or not this constituted singularly sharp practice by the guardians: was this an example of a slipping of professional standards and a commitment to public service, or was it something commonly practiced by other unions and public bodies?

It will be evident from the foregoing analysis that the dismissal of unsatisfactory officials could be a complicated and lengthy process. The necessity of sanction on the part of the LGB with regard to the appointment and removal of certain key officers such as relieving officers and workhouse masters often made it difficult for poor law unions to be rid of those deemed not up to the task, particularly in less immediately clear cut cases when an officer was struggling with his responsibilities over a sustained period, rather than being sublimely incompetent. Yet it would be wrong to depict this as a simple confrontation between central and local power. As we have seen, disagreement, inconsistency, backtracking and changes of mind were to be found at both union and LGB level, and motivation for courses of action and changes of heart is not always easy to discern. For example, did the guardians decide to support Ambrose’s request for an official inquiry

¹¹⁵ MH 12/6381 – clipping from *Wigan Examiner*, August 1900.

¹¹⁶ *Ibid.*

after they had decided he was no longer fit to hold office because on reflection they believed they had acted too hastily? Were they sufficiently won over by his expressions of ‘unqualified regret’, or, given their knowledge that only the LGB could ultimately authorise Ambrose’s sacking, did they see advantage (as Jenner Fust had intimated) in letting the LGB ‘play the bad guy’?

These ambiguities are well illustrated in a qualified gesture of independence from November 1899 which forms a fitting closure to this section. The late 1890’s had seen the guardians tangle with the LGB over the cases of G.W. Smith, E.H. Ambrose and, as discussed in the preceding chapter, over the role of the auditor in criticising union practice beyond the strictly defined terms of his remit. Within this context, in late October 1899, following the reading of a circular from Gainsborough Union regarding the appointment of officers, Wigan guardian J.T. Ashton gave note that at the next meeting he would move that the LGB be informed:

‘that the Guardians of this Union are of opinion the time has arrived when Boards of Guardians should have sole power of control in regard to the appointment, tenure of office, and remuneration of all classes of officers employed in connection with the administration of the Poor Law.’¹¹⁷

When the vote came at the next meeting, Ashton’s resolution (seconded by Henry Darlington) was carried, but only by a vote of 16-10, perhaps indicative of the uncertainties felt over the appropriate jurisdictions of local and central power. Within this vote, for example, the Wigan guardians were themselves divided, with the majority in favour but J.H. Prescott and Daniel Dix voting against the motion.¹¹⁸ The LGB’s response to Ackerley’s letter informing the LGB of the resolution was merely to acknowledge it, and ‘Res. with other cases’.¹¹⁹

¹¹⁷ G/Wi 8a, 25/12: Board meeting 27th October 1899. The details of the Gainsborough circular are not stated in the board minutes.

¹¹⁸ G/Wi 8a, 25/17: Board meeting, 10th November 1899. Prescott was a Liberal and Dix a Tory, so it would not appear to have been a division according to party loyalties.

¹¹⁹ MH12/6380: note on Ackerley’s letter, 21st November 1899. This comment would at least seem to suggest expression of similar sentiments from other poor law unions.

6 (iii) ‘I respectfully ask your board to make a suitable retiring provision for my declining days’¹²⁰: The provision of superannuation

Superannuation, as both an indicator of professional status and reward for dedicated public service, had been available to poor law officers since the Poor Law Officers’ Superannuation Act 1864. Under the terms of this Act, superannuation could be granted on account of infirmity or old age – to qualify, an officer had to be at least 60 years old and to have served for a minimum of 20 years.¹²¹ However, as was so widely the case in the mid-Victorian era, this was permissive legislation and any grants of superannuation were entirely at the discretion of the guardians and subject to the consent of the Minister of Health.¹²² It was the discretionary nature of the legislation that meant that debates on pension grants to long serving officers could be extremely emotive and divisive at local level. After the passing of the Poor Law Officers’ Superannuation Act 1896, by contrast, the issue became more of a ‘routine’ matter of administration, reflected in the changed way in which superannuation was dealt with at board and committee level. It is the nature of this transition at local level that will form the concluding section of this chapter. We have examined the complicated processes involved in the dismissal of officers, but what issues and interests come to light when considering the reward of officers deemed to have provided good public service?

The bulk of this analysis will concentrate on the period before the 1896 Act since that was when the controversial and illuminating cases occurred. Firstly, attention will focus on the case of Assistant Overseer John Bolton, who announced his intention to retire after 36 years’ continuous service in August 1890. As overseer and collector of poor rates for Wigan Township, his was a high status occupation, also involving the maintenance of the voting lists, at a salary of £300 p.a. At the time of his retirement he was 72 years old and thus qualified as a candidate for superannuation under the 1864 Act. Bolton added that his son Thomas had been working with him for the past 18 years and ‘for nine years past

¹²⁰ Assistant Overseer John Bolton, to the guardians: Wigan Observer, 30th August 1890.

¹²¹ W.H. Dumsday, *The Relieving Officers’ Handbook*, p.24.

¹²² Ibid. The 1848 Public Health Act is arguably the classic example of the permissive nature of much social reform legislation.

has been discharging almost the whole of the duties of the office.’¹²³ This additional information indicating his infirmity doubly qualified his candidacy for a pension. The tributes offered to Bolton’s qualities as a public servant were suitably wholesome. Henry Darlington asked the board to place on record ‘their sense of the worth of Mr Bolton’, wishing to ‘acknowledge the valuable services he had rendered to Wigan during the long period in which he had occupied the onerous office of assistant overseer.’¹²⁴ Chairman of the Assessment Committee Christopher Fisher Clark bemoaned the loss of Bolton’s services: ‘a man more thoroughly conversant with all matters relating to rating he was sure it was impossible to have.’¹²⁵ There is no reason to have any doubts as to the authenticity of such tributes, but there was no guarantee that those testimonials would translate into a superannuation grant. The priority of replacing Bolton took immediate precedence over his request for a pension, discussion of which was deferred until the next board meeting.¹²⁶ At that next meeting, Bolton’s son Thomas was appointed to the post at a salary of £300 p.a. on security of £700, the wages of his assistants to be employed out of that salary.¹²⁷ The question of Bolton senior’s superannuation was referred to the Wigan guardians for consideration – Ackerley had pointed out that a superannuation grant would be a separate charge on Wigan township and not a union charge.¹²⁸ The Wigan guardians met separately on 8th October 1890 to debate the matter, but the meeting was adjourned with only five of the eight Wigan representatives in attendance.¹²⁹ On reconvening, only William Bryham junior was absent and so the guardians proceeded. Ackerley informed them that John Bolton had been appointed on 19th May 1854 and since then ‘devoted the whole of his time to the duties of the office’. The clerk went on to point out that Bolton’s salary of £300 p.a., according to the LGB scale, would qualify him for a pension of £180 p.a. ‘After considerable discussion’, William Chalk and

¹²³ Letter from John Bolton to the guardians: *Wigan Observer*, 30th August 1890.

¹²⁴ *Wigan Observer*, 30th August 1899.

¹²⁵ *Ibid.*

¹²⁶ G/Wi 8a, 15/284-5: Board meeting, 29th August 1890.

¹²⁷ G/Wi 8a, 15/294: Board meeting, 12th September 1890. Thomas Bolton, it will be remembered, was the assistant overseer who GW Smith fell foul of as discussed earlier in this chapter. He was appointed without the post being advertised, with a number of guardians speaking in glowing terms of his already demonstrated capacity to do the job while working alongside his father.

¹²⁸ G/Wi 8a, 15/294. The assistant overseer’s salary was also a township, rather than a union charge: *Wigan Observer*, 18th September 1890.

¹²⁹ Volume of Minutes of Various Committees and Sub-Committees: 8th October 1890.

Robert Layland moved that superannuation be granted, opposed by Matthew Benson and John Woods. The motion in favour of granting superannuation was successful by five votes to two.¹³⁰ This decision was put to the full board on 24th October, with Chalk, this time supported by William Berry arguing in favour of the pension according to the LGB scale, whilst Benson and Woods restated their opposition by an amendment demanding no superannuation. In moving the case, Mr Chalk sought to sway potential opponents by prefacing that he only supported superannuation in exceptional cases and that he believed it should be denied to any new employees, to which William Bryham senior added, somewhat callously, that Mr Bolton could not be expected to live very long and so ‘would not be a burden for many years on the rates.’¹³¹ Chalk, having obviously done his research, argued that in the previous year the LGB had allowed 80 grants of superannuation to poor law officials and so what he proposed was not outlandish.¹³² Opposition was led by Richard Clayton, Henry Darlington and John Gee whose resistance centred on arguments that: few trades people in Wigan were in as lucky a position to make provision for their own retirement as was Mr Bolton; if superannuation was granted in his case, it would come to be an expectation of all officers; how could such a pension be justified at a time when they were being criticised for ‘lavish’ outdoor relief expenditure, and whilst it might only be a township charge at present, the possibility of future legislation creating a uniform poor rate would spread the cost of such grants across all townships.¹³³ At the vote, the latter amendment carried the day by 15 votes to 14. All six Wigan guardians except Woods and Benson supported the pension request, but ultimately a single vote at a board meeting had been the mechanism denying superannuation to an officer who had given thirty-six years continuous service.¹³⁴

In June 1894 E.H. Ambrose’s predecessor as workhouse master, John Lowe, died after 26 years service. Lowe’s wife Alice, the workhouse matron who had held that office throughout that time, wrote to the guardians explaining that she’d like to be allowed to

¹³⁰ Ibid: 17th October 1890.

¹³¹ *Wigan Examiner*, 25th October 1890.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid. Even the *Wigan Examiner* thought this decision was ‘unfair and unjust’. Although the proposed superannuation was too high for its tastes, there seemed widespread recognition that Mr Bolton deserved a pension of some sort.

continue at the workhouse for a short time, but her health would not allow her to continue as matron on a permanent basis.¹³⁵ Like John Bolton before her, Mrs Lowe, with more than 20 years service and in ill health, clearly fulfilled the legal requirements to be considered for superannuation. In September 1894, as the end of her three months' interim tenure approached, the question of her superannuation came before the board. In favour of a pension and pointing to Mrs Lowe's carrying out her duties 'with the greatest care, energy and efficiency', James Fletcher Morris and Thomas Southworth moved that she be granted a superannuation allowance for her natural life, with LGB sanction, to take effect at the end of that half year.¹³⁶ In counter, Henry Darlington and John Harrison Prescott argued that the matron was entitled: 'to some small allowance in recognition of her length of service and that she be granted a sum equal to 12 months salary and emoluments, as a total discharge of any obligation we may feel due to her'.¹³⁷ By a vote of 10-6, the motion for superannuation was carried. However, perhaps because of the closeness of the vote, Morris and Southworth proposed that a committee should be appointed to consider the question.¹³⁸ When this committee reported back at the next board meeting, two alternative proposals of superannuation allowance were placed on the table: Morris and Daniel Dix proposed a grant of £42 p.a. for life, whilst J.H. Prescott and Joseph Winstanley suggested that £25 p.a. was sufficient. Possibly due to the sensitivity of the issue with local ratepayers only nine guardians cast a vote, with the £42 p.a. option winning by a margin of 6-3.¹³⁹ In this regard, a letter from a Mr J.R. Robinson, Secretary to the Wigan and District Trades and Labour Council was read to the guardians on 30th November 1894, whose organisation sought to 'respectfully protest' against the actions of those guardians who had voted for the superannuation grant of £42 p.a. to Mrs Lowe, and asked for the resolution that agreed it to be rescinded.¹⁴⁰ An extensive debate ensued, with the guardians being divided amongst those who felt they had a moral obligation to Mrs Lowe and those who were determined not to grant

¹³⁵ G/Wi 8a, 16/310: Board meeting, 29th June 1894. Mrs Lowe's request was granted and she was reappointed for three months.

¹³⁶ G/Wi 8a, 16/358: Board meeting, 7th September 1894.

¹³⁷ Ibid.

¹³⁸ Ibid. The motion to set up a six man committee was carried unanimously, and it sat on 14th September 1894: Volume of Minutes of Various Committees and Sub-Committees.

¹³⁹ G/Wi 8a, 16/365: Board meeting 21st September 1894.

¹⁴⁰ G/Wi 8a, 16/421: Board meeting 30th November 1894.

pensions under any circumstances. For the defence, it was suggested that the Matron had been led to believe she would be superannuated when she took the post and had since the death of her husband taken a house on that basis; she had given thirty years' service in a difficult environment and deserved to be rewarded; her salary and proposed pension were far lower than in the case of Mr Bolton. Henry Darlington, who again led the opposition, stated that the Bolton case had been important in establishing a precedent of no superannuation which needed to be maintained. The one working class guardian then on the board, Joseph Winstanley of Pemberton, argued that there were 'tens of thousands of more deserving cases than Mrs Lowe's'.¹⁴¹ It also needs to be noted that this debate occurred a few days before the guardians' elections under the reformed franchise, a fact alluded to in the debate, so some guardians appear to have been keen to have their fiscal caution on record for the voters. Nevertheless, Mrs Lowe's supporters won the day by a vote of 12-8 and in December 1894 an LGB letter sanctioned the superannuation grant.¹⁴²

Shortly after Alice Lowe's case was settled, another long-serving workhouse employee, Jane Jones, nurse at the male hospital for 36 years retired due to ill health in early 1895. The 1881 Census of the workhouse noted that she was then 60, and so was in her 70's when she applied for superannuation.¹⁴³ Her cause was championed by guardian Annie Phillips who in April 1895 succeeded in securing for Miss Jones a pension of £26 p.a. by a vote of 15-4. Mrs Phillips showed considerable skill in winning support from the board by simultaneously adopting the moral high ground and appealing to the guardians' parsimony. Phillips argued that under the LGB rules, Nurse Jones's 36 years' service entitled her to an allowance of £45 p.a., however:

'In order, if possible to avoid a division, she proposed very little more than half of that amount. At the time of her appointment Nurse Jones received but a very small salary for one of her abilities and education, on the understanding that she should receive a pension when unable to work. Her

¹⁴¹ *Wigan Examiner*, 5th December 1894.

¹⁴² G/Wi 8a, 16433: Board meeting 14th December 1894. Although more guardians voted than occasion when the superannuation was first granted to Mrs Lowe, there were also four abstentions amongst those present, including Mayor Daniel Dix: the imminence of elections may again also have been a factor. The full debate recorded in the *Examiner* of 5th December 1894 is immensely detailed and it has only been possible for reasons of space to briefly summarise it here.

¹⁴³ 1881 Census, Residents of Union Workhouse, Frog Lane, Wigan, Lancashire: www.workhouses.org.uk/

present bad health had been caused by blood poisoning, brought on, in the discharge of her duties, and her constitution had undoubtedly been seriously undermined by her illness. During the whole time of her long and devoted service to the poor...not a single complaint had ever been brought against her.’¹⁴⁴

Nurse Jones’s salary shortly before her retirement was £28 per year¹⁴⁵, not much more than half the maximum yearly superannuation that the guardians could legally grant her. Mrs Phillips went on to note that Jones was still keen, but unable, to work and her health was not likely to improve, and thus urged the board to grant her ‘this modest allowance...feeling sure that no right minded person would object to doing what was only an act of justice to an old and valued servant.’¹⁴⁶ Perhaps crucially, Phillips had already persuaded leading opponent of superannuation Henry Darlington to second her motion.¹⁴⁷ Darlington openly acknowledged the apparent inconsistency in his position on this occasion, but ‘he thought it would be a great mistake for any man who believed in a principle, to have his mind so obstinately fixed as not to see there might be exceptions to a general rule (Hear, hear).’¹⁴⁸ He commented that there were ‘no objectionable features’ about the proposed allowance and that:

‘Nurse Jones’s salary had been so small that they could not expect her to have made any substantial provision for old age, and no one could deny that the office of nurse in such an institution as that was trying alike to temper and constitution...it would be a disgrace to the board if they were to refuse the pension.’¹⁴⁹

Thus, it would appear that to Darlington, Nurse Jones’ poverty made her a qualitatively different case than Mr Bolton and Mrs Lowe, who he had opposed so vociferously. Leading the opposition instead was Joseph Winstanley, one of the Pemberton guardians

¹⁴⁴ *Wigan Observer*, 10th April 1895.

¹⁴⁵ G/Wi 13, Abstract of Expenditure: half-year ended Michaelmas 1894.

¹⁴⁶ *Wigan Observer*, 10th April 1895.

¹⁴⁷ *Ibid.* Darlington had voted against pensions for both John Bolton and Alice Lowe in the cases already discussed.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

who had voted against Mrs Lowe's pension alongside Darlington. Winstanley essentially accused supporters of superannuation grants to union officers of hypocrisy:

'In whatever direction they might go they would find that people were against pensions, and he asked what were the actions and practices of all owners of works in this district, and even some who sat round that table?...Instead of the owners of works pensioning aged persons, it was generally the case that when a person reached about sixty years of age he was sent about his business...and what they did not do with their own money they had no right to do with other people's money.'¹⁵⁰

Unlike Winstanley, the other Pemberton guardian Richard Clayton declared that his intended opposition to the allowance had been dropped when the discussion made clear Nurse Jones's length of service and her low salary. Hindley guardian Samuel Hill asked if the pension was denied, would Nurse Jones be compelled to seek relief from the guardians – the Chairman confirmed this, with Mrs Philips adding that the nurse had no money at all, whilst Daniel Dix said he understood that she had lost her money by lending it and was 'virtually penniless'.¹⁵¹

The strategy adopted by Annie Phillips in arguing for superannuation for Nurse Jones is further evidence that the prevailing culture on the board was generally one of marked reluctance in granting superannuation to its own employees. However, the extremely narrow vote against John Bolton's pension and the grant of superannuation to Alice Lowe indicates a complex picture where sentiment in favour of rewarding good service was also prominent. Nonetheless, after the passing of the Poor Law Officers' Superannuation Act 1896, the passions generated by superannuation at board level dissipated completely. The Act applied to all officers appointed after 29th September 1896, and to all appointed before that date who did not signify to the guardians their intention not to avail themselves of its provisions within three months of that date.¹⁵² The new system was

¹⁵⁰ Ibid. Winstanley's amendment opposing superannuation was seconded by Ince guardian Annie Johnson, so clearly there was no unanimity on gender lines in granting Nurse Jones a pension.

¹⁵¹ Ibid.

¹⁵² Dumsday, *op. cit.*, pp. 23-4. See also, PP: *A Bill to Provide Superannuation Allowances to Poor Law Officers and Servants, and for Contributions towards such Allowances by such Officers and Servants; and to make other relative provisions*, 14th February 1896.

contributions-based, with contributions varying on a scale from 2-3% of annual salary, wages and emoluments depending on length of service at the passing of the Act.¹⁵³ The guardians appointed a committee in January 1897 to establish which union officers wished to partake of the Act's provisions and who wanted to be excluded.¹⁵⁴ Thereafter, details of superannuation contributions and entitlements became a routine matter of record, rather than furious debate amongst the guardians. The permissive nature of the 1864 Act, however, had been a powder keg for poor law unions, and its impact in Wigan is further indicative of the importance of research at local level if the vast complexity of the late nineteenth century poor law is to be more fully understood.

¹⁵³ Ibid, p.26. For less than five years service, contributions were fixed at 2%; 2.5% for more than five and less than ten years; 3% for more than fifteen years.

¹⁵⁴ Volume of Minutes of Various Committees and Sub-Committees: 18th January 1897 and 12th March 1897.

Conclusion

Having explored in considerable depth the themes identified in the introduction to this thesis, it now remains to offer some concluding thoughts in answer to the series of questions posed at the outset. This will be approached by taking in turn those questions as they were ordered in the introduction. Firstly, what has been learned about the nature and importance of poor law electoral politics in a period of expanding poor law democracy? At national level, the ‘democratic deficit’ in poor law elections was a hangover from the 1834 Act that the 1878 Select Committee on the subject did little to rectify, with the unreformed franchise and voting paper system and all their inherent possibilities for corruption and intimidation continuing until substantial reform finally arrived in the legislation of 1894. In Wigan Union, the coming of poor law democracy manifested itself in a number of ways that reveal much of established local political and welfare cultures and practices. The Wigan board of guardians, whilst undoubtedly critical of the pre-1894 system and periodically expressing support for reform, was not a dominant campaigning voice within the North West region as it unequivocally was on some of the other issues examined in this thesis. The guardians were content to take a back-seat role, monitoring local and national developments but not prioritising electoral reform as an issue on which to test their mettle: as we have seen, Wigan was not one of the two-thirds of Lancashire unions which had pre-emptively adopted the triennial system of elections before the 1894 Act. Following the 1894 Act, there was ‘progressive’ change in the representation on the board but, reflecting what we know of the wider national picture, strong elements of continuity. The removal of the property qualification for candidates was accompanied by reassertion of the dominance of industrial, commercial and landed interests on the board. The working class ‘breakthrough’ extended only as far as the election of the miner Joseph Winstanley in Pemberton. More positively, in terms of gender representation the three women guardians elected in 1894, a number which increased in the 1898 elections did represent a genuine break with the past, though not in terms of social class. Nevertheless, despite some predictable hostility and sexist wisecracks emanating from some quarters, they quickly became respected

members of the board, played the leading role in improving facilities and conditions in the workhouse in the 1890s and were immensely popular with the electorate.

In terms of the contests themselves, in one sense the Wigan experience reflects what is more widely known about elections in urban unions, particularly in Lancashire and Yorkshire, in that in those counties and in urban areas in general they were more frequently contested than elsewhere. This clearly reflects the existence of a vigorous party political battle in Wigan Union between the Conservatives and the Liberals. However, this general observation masks the fact that it was only in the borough of Wigan itself that this battle was frequently enacted and clearly discernible. In many of the more rural townships in the union elections took place occasionally if at all during the period 1880-1894, a fact which, somewhat surprisingly, was also found to apply to the increasingly populated and urbanised townships such as Ince, Hindley and Ashton, clustered around the borough on the Wigan coalfield. Thus, a cautious approach to electoral reform, and infrequent electoral contests in most townships contrasting with the heated party contest in the borough itself were the defining features of poor law politics in the union. This scenario requires us to address the most important electoral question posed in the introduction: how prominent an issue was poor law administration itself within those contests, and what does this tell us about local and regional approaches to poor law policy?

As chapter one made clear, the party political battle was emphatically not an ideological contest about relief policy. The two local party machines clearly regarded the poor law as another arena to test their respective strengths in preparation for parliamentary elections, indicated by the prominence of non-poor law issues such as Irish Home Rule. On balance, the Conservative machine was more finely tuned than its spluttering Liberal counterpart, and its ascendancy on the board reflected the wider political, social and economic dominance enjoyed by the Conservative Party in the Wigan area and other parts of Lancashire in the years preceding the rise of Labour. Neither party fought poor law campaigns that overtly focused on relief policy. The Liberals' prime concern in fighting elections rested on their desire to ensure that Liberal opinion and interests in the

borough were fairly represented on the board of guardians, rather than pursuing any clear reform agenda. Both sides accused the other of forcing costly and ‘unnecessary’ elections and it is this point in particular that illustrates that there was an established local culture of relief policy and practice that neither party actively sought to undermine. When the *Examiner* complained in 1882 that ‘we question the wisdom of any political party in working to disturb a condition of things which has hitherto worked so well for the common good’, it was articulating local Tory views of the importance of maintaining that established culture.¹ The crucial and most controversial aspect of that relief culture in the late nineteenth century was the outdoor relief policy of the guardians. However, the most striking thing to emerge from analysis of poor law election campaigns in Wigan Union is how little explicit reference was made to outdoor relief policy, either in terms of policy specifics or as a general bone of contention. There seems to have been a general assumption that the population was aware of what established outdoor relief practice was, in terms of eligibility criteria and financial support offered, and that that practice was not under any serious challenge and therefore was not the focal point of electoral contests. It was this widespread awareness of the stability and acceptability, if not generosity, of local relief policy that could well explain the aforementioned scarcity of electoral contests in the increasingly urbanised and populous Ince, Hindley and Ashton townships which were represented largely unchallenged by the same Tory coal owners and colliery managers for much of this period. There was no electoral advantage to be gained in pursuing a ‘Crusading’ anti-outdoor relief agenda in Wigan Union, so what in other respects was the most contentious issue of the period was not a material factor in determining the outcomes of local poor law elections.

However, contentious was what Wigan Union’s outdoor relief policy certainly was, and therefore we must now answer the cluster of questions pertaining to the local impact of the ‘Crusade’ that was explored in such depth in two chapters of this thesis. On reflection, the guardians’ response to the ‘Crusade’ was, *prima facie*, confused. They willingly adopted the strictures of the ‘Manchester Rules’ on outdoor relief, yet spectacularly failed to enforce them in such a way as to reduce outdoor relief expenditure

¹ *Wigan Examiner*, 1st April 1882.

or the numbers of people to whom it was granted, and became the targets of sustained criticism from the LGB as a result. However, this superficial first impression masks a more complex reality uncovered by this thesis that necessitates a different interpretation. Rather than speaking of the ‘failure’ of the Wigan guardians to competently implement the ‘Manchester Rules’ and reduce relief expenditure, we need to acknowledge their political skill in resisting the pressures exerted against them by proponents of the ‘Crusade’ at national and local level and, in so doing, successfully defend and maintain an established local culture of relief administration throughout this period and into the early twentieth century. The reluctance of the two main political parties to undermine the ‘Wigan way’ of doing things is testament to the existence of such a well established local culture, as was Inspector J.J. Henley’s lament that the ‘tendency here was to give out door relief’ and Alfred Marshall’s approbatory allusion to the giving of relief ‘carefully, but readily’.²

The ‘Wigan way’ of doing things comprised a number of distinctive features that constituted a particular conception of the ‘deserving’ and the ‘undeserving’. Remember that the ‘Wigan way’ is not being posited as a model, but as shorthand for a distinctive approach adopted at sub-regional level. Firstly, the denial of outdoor relief to able-bodied men except through the occasional opening of the labour yards during periods of exceptional distress clearly fits in with the wider post-1834 national picture described by Karel Williams. The hard line taken by the Wigan guardians on desertion, whatever the impracticalities of such a draconian stance is further illustration of the board’s attachment to a strongly paternalistic, ‘male breadwinner’ model of welfare. The unspoken assumption seems to have been that able-bodied males of working age had sufficient alternative sources of welfare, such as the Lancashire and Cheshire Miners’ Permanent Relief Society, locally available to meet their needs. However, apart from able-bodied men of working age, the Wigan guardians refused to adhere to the orthodox ideology of the ‘Crusade’ outlined by Williams. Widows, children, older men and women, the ill and disabled were not the victims of a widespread purge of outdoor relief in Wigan and the

² *Wigan Observer*, 27th June 1888 (Henley); PP: *Royal Commission to consider Alterations in System of Poor Law Relief in case of Destitution occasioned by incapacity for Work resulting from Old-Age*; Minutes of evidence, Q. 10432-10433 (Marshall).

‘Crusade’, pursued with such zeal in a minority of ‘model’ unions, was conspicuous by its absence in Wigan. The modified version of the ‘Manchester Rules’ adopted by the Wigan guardians gave them the scope to avoid an unwanted clampdown on outdoor relief that would have undermined the ‘Wigan way’: sub-section (g), it will be remembered stated, that ‘in certain special cases, a recommendation that 2s. 6d. per head per week of the family, including the applicant for relief, be adopted as the allowance for outdoor relief.’³ This clause entailed sufficient ambiguity to allow the relieving officers and guardians to make small weekly allowances to those recognised in Wigan as the ‘deserving’ poor.

The guardians’ adoption of and adherence to the ‘Manchester Rules’ has thus been revealed to be tokenistic. Under pressure from Inspector R.B. Cane in the mid-1870’s, the Wigan board signed up to these restrictive regulations but the insertion of sub-section (g) was a shrewd Janus-faced political move that allowed the guardians to genuflect to the ‘Crusading’ altar whilst simultaneously lapsing from observance of its doctrinal tenets in practice. This strategy did not prevent the surge of criticism of Wigan’s outdoor relief policy that followed when the LGB noticed the marked discrepancy between the adoption of the rules and the bulging relief rolls, but it meant that the inspectorate had no other weapon than exhortation against the prevailing culture in the union. The guardians dutifully undertook a number of lengthy inquiries into the prevalence of outdoor relief in response to LGB complaints and internally expressed concerns emanating from some board members. However, on each occasion the board reported that the *status quo* could not be attributed to any systemic laxity on the part of the guardians. The reality was that in a union where coalmining was such a crucial feature of economic life, the impact of periodic disasters and the daily attrition of working life generated high levels of profound social, economic and medical need amongst the miners themselves and their dependents. Fully aware of this, the board, strongly represented as it was by coal owners and managers took the view that the casualties of mining could not be fairly blamed for their predicament, and maintained an outdoor relief policy that reflected that belief. Beyond the confines of the mining industry, the guardians’ outdoor relief policy reflected the

³ *Wigan Examiner*, 24th December 1875.

Tory dominance of local economic, social and cultural life. The Tories, through their patronage of and leading involvement in so many social and cultural institutions, had succeeded in cultivating an image of obligation towards the working classes which was rewarded in the form of their electoral dominance. That sense of obligation might be legitimately viewed by the historian to be as tokenistic as the guardians' adherence to the 'Manchester Rules', in that the small doles offered to so many recipients could not possibly have significantly relieved their poverty or adequately met their social needs. But the poor law was never designed to relieve poverty as it would later be defined by social scientists and it is argued here that tokenistic or not, the Wigan guardians' policy nonetheless embodied a sense of obligation to the destitute that was completely lacking in the ideology of the 'Crusade'. The 'Wigan way' was clearly different to the prevailing welfare culture in nearby Lancashire unions such as Manchester, Salford and Ashton-under-Lyne, illustrating that there was no monolithic 'state of welfare' in late-Victorian Lancashire. The parsimony that Steve King identified as a defining feature of the 'old' poor law in the North and West certainly seems to have continued into the 1880's and beyond, in the form of low rates of pauperism and meagre grants of relief. But within that broad context considerable sub-regional variety also persisted into the later period. The Wigan guardians were not generous benefactors in a financial sense, but they stood out in Lancashire for their toleration of exceptionally high outdoor to indoor pauperism ratios and their marked reluctance to enforce the workhouse test, based on a strong and deeply entrenched local perception of who constituted the 'deserving' poor that was markedly at odds with the sentiments of the 'Crusade'.

Conversely, when we turn to the questions posed in relation to the treatment of the casual poor, the 'Wigan way' was far less sympathetic. It was found that towards the end of the period there was evidence of increasing recognition of the state of the economy, rather than individual 'character' deficiency as a cause of vagrancy. Alongside this, the 1890's saw attempts to improve the material conditions in the casual wards led by the lady guardians. Nevertheless, when considering the period as a whole, a harsh stringency was the predominant defining characteristic of both the rhetoric and the nature of 'service' provided through the casuals' accommodation arrangements. In a regional context, it was

noted that those arrangements in Wigan were amongst the most austere in a generally strict Lancashire milieu. What leniency there was in the system lay in the unwillingness to enforce the two nights' detention required by the LGB, which itself was a reflection of the parsimony of the guardians whose concern was, like so many boards throughout the country, to save money by turning out casuals after one night. The short-lived attempt to enforce two nights' detention in the late-1890s fell victim to that endemic frugality. In the introduction the assertion by some historians that vagrancy was of minor importance within the poor law, in terms of numbers relieved, was acknowledged and indeed has been subsequently confirmed in Wigan's case by this thesis. However, it is not correct to claim that vagrancy was of no importance *per se*. As we have seen, considerable time, effort and energy was expended within boards of guardians and between guardians and the LGB on how to remedy the 'problem' of vagrancy and therefore it can only be reasonably concluded that the issue held an ideological and symbolic importance that those small numbers belied. In Wigan, the treatment of casuals clearly delineated them as being outside those categories of people who had been customarily deemed deserving of support and thus protected to some extent from the scorched earth policies of the 'Crusade'. There was a conventional local understanding of to whom the small mercies of the 'Wigan way' extended that did not include the casual poor.

In addition to the casual poor, it was contended in the introduction that the ancient controversies generated by the laws of settlement and removal retained an importance in the late-nineteenth century way beyond the numbers of paupers actually removed and the associated financial expenditure in dealing with their cases. This has been confirmed in Wigan's case by this thesis, as we have seen that settlement and removal were highly emotive issues that led the guardians to take sustained and concerted political action in conjunction with other unions. It is that political action which was the primary focus of a further group of research questions posed in the introduction. The case studies of the disputes over the settlement and removal of Irish paupers and between the combined unions and the Leeds-Liverpool Canal Company illustrated in detail the ways in which resolute political action could be organised and sustained by groups of poor law unions making common cause. This view of the role of boards of guardians as political agents

has received little attention in poor law historiography but it is clear from this thesis that there needs to be a greater appreciation of the very significant role they played as actors within the public domain. The poor law conferences were a useful locus of organisation and debate but boards regularly communicated with each other and held meetings beyond those formal events, with Henry Ackerley in Wigan and the Clerks of Rochdale and Burnley unions being pivotal figures in organisational, legal advisory and politically motivated capacities. Parliament was directly lobbied by union representatives and political contacts in both Commons and Lords were worked assiduously. Wigan union was a leading player in both of these campaigns and its range of powerful Tory connections were valuable allies in assisting that work. Aside from the collaborations with other unions, in the disputes with the railway companies that Wigan engaged in the usefulness of those leading Tory contacts was also evident. Nevertheless, although political allies were important, it was the energy and drive of the guardians themselves that was the most important factor to emerge from these case studies. Their motives were varied – the latent anti-Irish sentiment being the most unsavoury feature to emerge – but a definitive factor seems to have been a strong conception of the public good which the guardians had a duty to defend and, where possible, extend. Financial concerns were an obvious feature of this, as the board sought to expand its revenue base in line with the increasing rateable value of the union. However, the guardians also couched their arguments in terms of fairness and equity. There was considerable anger that the commercial interests the board fought against were not paying their ‘fair share’, combined with exasperation at what were at times perceived to be the duplicitous and evasive tactics used by business, behaviour which the guardians believed contrasted sharply with the probity of their own conduct, with Ackerley as their champion. With a keen eye on how their actions would be viewed locally, the guardians made great efforts to publicise in detail that the extra revenues they secured more than compensated the ratepayers for any expenses accrued in the legal costs of their campaigns, to which it should be added that individual guardians took on the considerable personal risk of surcharge in pursuing some of the actions studied here.

A concern for the public interest also comprised a concern with standards of public service, another relatively neglected issue in poor law literature and in this regard the thesis addressed a number of questions focused on the theme of punishment of inadequate or corrupt officials and superannuation and reward for those with long records of good service. In the cases investigated, the guardians exhibited diligence in their attempts to be rid of relieving officers in the form of the ineffectual George Brassington, the corrupt G.W. Smith and the workhouse master E.H. Ambrose, who they believed to be evasive and untrustworthy. The guardians appear to have acted fairly, rather than precipitately, in moving against these officers by holding numerous inquiries into their cases. However, what these cases demonstrate is how difficult it was for boards of guardians to remove unsatisfactory officers when those appointments were sanctioned by the LGB. Relieving officers and workhouse masters were the fulcrum of relief administration, but whatever professional judgements were arrived at by the guardians as to the suitability of the officers in their employ they could not act without Whitehall approval. The various defects of conduct, competence and character that these officials were charged with reflect wider developments within the context of the rise of professional society that boards of guardians need to be regarded as fully part of. It is argued here that boards of guardians need to be viewed as 'quasi-professional' bodies. That is, although the office of guardian itself was elected and unpaid, the guardians were often themselves professional men who employed salaried officials such as the clerk, who was indisputably a professional in a strictly defined sense, as was the medical officer of health, but also other key staff such as relieving officers, workhouse masters and nurses who all sought public recognition of their professional status in the late-nineteenth century, with varying degrees of success. Part of that quest for professional status centred on the issue of superannuation and in the introduction it was asked whether guardians were as scrupulous in rewarding the worthy long-serving officers who requested pensions as they were in attempting to dismiss those deemed unfit for office. The evidence uncovered reveals a mixed response which arguably provides further illustration of the prevailing local 'state of welfare' already discussed. The case studies explored in the thesis illustrated deep divisions and powerful tensions around the respective merits of rewarding service and the cost to the ratepayers, and on the whole it

was the latter perspective that won the day. Of particular interest are the reasons why some applicants were awarded superannuation and others were not. It will be recalled that John Bolton, the assistant overseer on a high salary was denied superannuation by a single vote whilst Alice Lowe, the recently widowed workhouse matron on a much lower salary was granted superannuation on a split vote that caused much local acrimony. In the wake of Mrs Lowe's award Guardian Annie Phillips succeeded in persuading the board to grant a small pension to Nurse Jane Jones whose salary was by far the lowest of the three officers. Whilst all three officers were over 60 years old, Bolton was a man and on a very good salary but it was the less affluent Lowe and the penurious Jones who were rewarded. This differentiated approach to superannuation grants mirrors to some extent the local consensus on 'deserving' and 'undeserving' categories of pauper: two older women, one widowed and one never married fitting the former category, with the even older but far better paid man who it was assumed could have comfortably provided for himself, belonging to the latter. The 1896 Poor Law Officers' Superannuation Act relieved the guardians of the responsibility for resolving these tensions thereafter.

Finally, the subject of central-location relations is a theme that runs throughout this dissertation and a number of questions were initially posed in this respect that clustered around the guardians' conception of their role within the public domain. The evidence analysed strongly suggests that the board rated its own knowledge, probity and expertise very highly. A clear sense emerges of a body that had a clear view of how the poor law should be administered at local level and that, in the main, it was the guardians not the LGB, its inspectorate or any other external agency who knew best. The 'Wigan way' of doing things was not confined to the administration of outdoor relief, but embodied an accumulation of custom and practice that influenced how the board reacted to the range of specific disputes investigated in this thesis. Relationships with central government and its representatives provide further illumination of how this took shape. The protracted process of dismissing the union officers noted earlier revealed a board of guardians that felt unduly constrained by having to conform to LGB requirements: appointment and dismissal of their own officials was a key area of policy that the guardians believed should be exclusively under local control. They believed themselves to be more than

competently qualified to unilaterally make such decisions. The simmering tensions that were never far from the surface are further illustrated by the clash with the auditor and the LGB over the mode of admitting casuals to the workhouse. The dispute that followed, as we have seen, had little to do with how this worked in practice. Rather, the guardians used it as a vehicle for testing the bounds of their own jurisdiction against that of the auditor and in so doing put the LGB very much on the back foot as it conducted a lengthy and detailed investigation of the merits of the case which eventually concluded in the auditor's favour, in somewhat disingenuous terms based on evidence that was not communicated to the guardians. That the guardians did not 'win' these individual disputes with the LGB is not really the point. More important is the conclusion that boards of guardians had their own particular conception of the public good which they had the knowledge, skill and determination to articulate when the need or opportunity arose. A key determinant of that knowledge and skill, it has to be acknowledged, lay in the person of the clerk. It also has to be said that in some of the cases investigated, particularly the battle with the auditor, that Henry Ackerley probably nurtured a grudge against Mr Jordison. However, allowing for any such personal motives in particular instances it cannot be denied that the clerk was both a stout defender of the board's interests and a pivotal figure in enabling the guardians to articulate their own conception of the public good. Ackerley and his counterparts in other unions knew more about the poor law than most guardians and arguably just as much as many staff at the LGB. If, as in Ackerley's case, they were long-serving, they provided not only vital legal advice but also a sense of permanence and security to the guardians and gave them the confidence to vigorously defend local perspectives. That sense of permanence was particularly pronounced in Wigan's case as Ackerley had succeeded his father William as clerk, and his own son Gordon worked with him as assistant clerk before eventually succeeding Henry himself. Henry Ackerley was also a borough alderman and a leading local Conservative figure, intimately connected with the Tory machine that dominated local politics. As such, he was a very powerful friend to the board and was the chief facilitator the guardians relied upon in all of the conflicts that have been examined in this thesis. In this period, there was no stronger or more capable individual defender of the 'Wigan way'.

In summary, the case of Wigan illustrates that boards of guardians, rather than being inconsequential, played a fundamental role in the shaping of the public domain in the late Victorian era in several important ways. In terms of social policy, the forces of reaction symbolised by the ‘Crusade’ presented local authorities with a challenge. How boards of guardians met that challenge really mattered. Their responses to it dictated how cultures of welfare would develop and be experienced and understood by elected representatives, their officers and local people in the community. In Wigan the guardians responded in a particular way that marked out a very distinctive position in the regional ‘state of welfare’ in Lancashire. Secondly, boards of guardians need to be recognised afresh as highly skilful, energetic and competent political agencies. They were willing and able to challenge powerful vested interests and were capable of engaging in sustained, coordinated and effective action that could influence national policy processes. Thirdly, in the context of central-local relations, they demonstrated themselves to have a clear sense of the importance of their own professional knowledge and expertise that placed significant challenges to the view from Whitehall. Finally, within the context of professionalism and public service, they had a clear and increasing commitment to rising standards of both personnel and service provided. With the benefit of hindsight, we might agree or otherwise with many of the things boards of guardians did, but historians must continue to recognise their vital importance in the development and implementation of British social policy.

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