

**‘Great inhumanity’: Scandal, child punishment and policy making in the
early years of the New Poor Law workhouse system**

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ABSTRACT

New Poor Law scandals have usually been examined either to demonstrate the cruelty of the workhouse regime or to illustrate the failings or brutality of union staff. Recent research has used these and similar moments of crisis to explore the relationship between local and central levels of welfare administration (the Boards of Guardians in unions across England and Wales and the Poor Law Commission in Somerset House in London) and how scandals in particular were pivotal in the development of further policies. This article examines both the inter-local and local-centre tensions and policy consequences of the Droxford Union and Fareham Union scandal (1836-37) which exposed the severity of workhouse punishments towards three young children. The paper illustrates the complexities of union co-operation and, as a result of the escalation of public knowledge into the cruelties and investigations thereafter, how the vested interests of individuals within a system manifested themselves in particular (in)actions and viewpoints. While the Commission was a reactive and flexible welfare authority, producing new policies and procedures in the aftermath of crises, the policies developed after this particular scandal made union staff, rather than the welfare system as a whole, individually responsible for the maltreatment and neglect of the poor.

1. Introduction

Within the New Poor Law Union workhouse, inmates depended on the poor law for their *complete* subsistence: a roof, a bed, food, work and, for the young, an education. This was a ‘total institution’; the rules, routines and constant surveillance within the workhouse infiltrated into every part of the paupers’ lives.¹ That the Poor Law Amendment Act (1834) which fashioned the Victorian workhouse system throughout England and Wales was a controversial piece of legislation is widely accepted by historians. The long-held rights of the poor, formalised

in Elizabethan Acts, to receive relief outside of a workhouse were weakened. A new centralised national body – the Poor Law Commission – based at Somerset House in London - organised parishes into unions, directed them to build new workhouses and oversaw the implementation of relief practices. Resistance to the implementation of the Act was most notable in the north of England and Wales, although recent research has revealed smaller pockets of resistance throughout the south of England too, especially where older workhouse systems were maintained and defended.² Local acts of resistance were part of a large, national, anti-New Poor Law movement, made up of a web of people from a wide spectrum of society, including MPs, landowners, clergymen, magistrates, medical men, ratepayers and women, men and children of the labouring class. Key to this movement was the print media, which always reported with urgency cases of neglect and malpractice in the new system, whether true, exaggerated or ultimately false. Roberts' analysis of reports in the anti-New Poor Law newspaper *The Times* between 1837 and 1842 uncovered 32 accounts of unreasonable punishments, 24 cases of inadequate diets, 16 wife and husband separations, 14 cases of overcrowding, 10 cases of diseased conditions and 7 workhouse murders. Outdoor relief was also under scrutiny, as 42 cases of inadequate outdoor relief to the aged and infirm were reported, alongside 33 emergency relief requests being refused. Roberts argues that these catalogues of abuse demonstrate the effectiveness of the anti-New Poor Law movement in bringing cases of maltreatment to a wider public attention.³ This interpretation received a reply from Henriques who believed the reports revealed 'a climate of opinion in which abuses were more likely to occur' towards the poor.⁴ The core principle of the new deterrent workhouse system was 'less eligibility', the policy that conditions inside the workhouse would be no better than those experienced by an independent labouring class person on the outside of its walls. For instance, people were to be divided up according to sex and age akin to a prison, and food and work were designed to be dull and monotonous. The system legitimised a view that the poor deserved only a bare existence, but at times the principle was pushed to extremes. As Peter Gurney recently stressed, scandals were 'an inevitable result of a system that depended on fine moral judgements' about what the poor should and should not have.⁵

Scandals were pivotal in the development of New Poor Law policies. This was a point I made in a chapter of my recent monograph *Pauper Policies*. The Bridgwater Scandal of 1836-7, for instance, where several poor were neglected in their need for medical assistance, leading to further illness and the death of a young boy, fed into debates on medical relief, and

ultimately the release of the General Medical Order in 1842, a ground-breaking piece of legislation in the history of access to healthcare. Not only was it the first acknowledgement of the state's responsibility to provide medical attendance to the poorest, but it also set out an agreement between the medical officers and the Unions which ensured standards of pay and conditions for their work.⁶ The Andover Scandal, where inmates were abused and found to be gnawing at bones they were meant to crush, was infamous for evoking a 'grim symbolic feature' of life within the workhouse and put a final nail in the coffin of the Commission in 1847.⁷ But as I reveal in this new research, this also made the Commission pay more attention to workhouse work in the final years of its operation, banning bone grinding in workhouses in 1846.⁸ Although during these scandals, children died and were harmed from lack of medical attendance and suffered from injury as a result of unsuitable work, the scandals were not directly concerned with children's welfare per se. Each scandal also prioritised the voices of the adult poor, those able at times to speak about their experiences, and resulted in blanket policies which applied to adults and children alike. However, from workhouse population analyses we know that between one third and 45 per cent of workhouse inmates were under 15; the Commission themselves in 1839 thought half of all inmates were under 16 years old.⁹ Unlike their adult counterparts, they were considered to be vulnerable and 'blameless' for their poverty.¹⁰ It is imperative, therefore, to consider whether scandals which involved children more centrally resulted in any change in the policies which impacted on their welfare. If children's experiences were influential in the development of policies, then who listened, and why?

To explore these questions, this paper examines an early New Poor Law scandal which evolved in rural Hampshire from the maltreatment of three children in the Fareham Union who were considered refractory in their behaviour. Their punishments led to changes in workhouse punishment regulations. How this came about is of particular interest here. Indeed, the Commission did not separate children from adults in their initial policies, simply stating the 26th of their Workhouse Rules that the refractory inmate 'shall be placed in apartments provided for such offenders, or shall otherwise be distinguished in dress, and placed upon such diet as the board of guardians shall prescribe'. Rule 27 stated that masters were allowed to confine the refractory inmate for up to 24 hours, clearly in more serious cases, so they could be 'carried before a justice of the peace, to be dealt with according to law.'¹¹ The New Poor Law ran concurrently with a change in attitudes towards children in society; philanthropic reformers and parliamentarians started to question the 'legal violence' to which children had long been

subjected.¹² By 1841 a new Order of Workhouse Rules were released, clearly drawing up separate permitted punishments for children. This paper focuses more immediately on how one scandal fed into those new policies, and the vested interests of different people in the welfare system in shaping new child punishment policies.

Following the work of Stewart and King on rural Wales, McCord on Tyneside, Wells on Hampshire, and Newman on Salisbury, amongst others, this paper starts with an exploration of the local-centre relationship of this scandal.¹³ The children were admitted to the Fareham workhouse from the neighbouring union of Droxford, an arrangement permitted by the Assistant Commissioner, Colonel Charles Ashe A'Court. This had put children in a liminal position, and responsibility for their care was circumvented by a range of union staff. As such, this section also reveals the inter-union relationship(s) of two unions and their staff who, at least initially, tried to work together. This theme continues into in the next section, which examines the investigation into the scandal and the blame individuals within the scandal placed on each other, as well the process of scapegoating undertaken by the Commission. Section four examines the development of opinions around the case, and the methods by which children could or should be punished. A penultimate section examines the Commission's new child punishment regulations and how, in the creation and implementation of these, the Commission shifted the responsibility for the maltreatment of children to individual union staff from the Poor Law system as a whole. A conclusion examines the themes this scandal raises and the implications of this for our understanding of the workings of the New Poor Law.

2. A neighbourly relationship?

The Droxford and Fareham Unions were in the heart of the southern English countryside in Hampshire, a county in which the Royal Commission on the Poor Laws (1832) most wanted to eliminate the 'indiscriminate' provision of outdoor relief. The Chairman of the Board of Guardians at Fareham, just 14 months after the establishment of the Union, reported to A'Court that 'the moral improvement of the labouring classes exceeds my expectation. They now find that their existence mainly depends upon their own exertions.' The decrease in the poor rates, from lower applications for relief, satisfied the Guardians, as they said: the new system was 'working remarkably well.'¹⁴ While Fareham had opened their Union workhouse in May 1836 based on the 'cruciform' or 'square' plan, emulating the Commission's sanctioned

plans by architect Samuel Kempthorne, their neighbours at Droxford lagged behind.¹⁵ As Droxford Guardians continued to develop their plans, and the Fareham Union Guardians were close to finishing theirs, the Fareham Guardians asked the Droxford Guardians whether they would like to send their paupers to the Fareham Workhouse.¹⁶ This idea was developed independently of the Commission or A'Court. Their own workhouse was 'considerably larger than the Average number of Paupers' they had to accommodate, a problem A'Court seemed keen to prevent in Droxford.¹⁷ The benefits of this arrangement were obvious; to help offset the expense of building and maintaining the workhouse for the Fareham Union and for the Droxford Union the placing of paupers within a workhouse mitigated the immediate need for the Droxford Union to build their own workhouse.¹⁸ Droxford responded positively.¹⁹ It was an arrangement commonly entered into under the old poor law system, and was a practice which continued between many unions during the early years of the New Poor Law.²⁰ At the same time as this agreement, the Fareham Guardians also asked whether Droxford would consider uniting the two Unions permanently. This was also not an unusual request at the time.²¹ Nevertheless, A'Court's view was that this was 'very objectionable' as the centre, at Fareham, would be a 'serious distance' from many of the parishes.²² Only a temporary arrangement would be permitted.²³

Although the Commission sanctioned the arrangement between the Unions in the April of 1836,²⁴ in the following month the Clerk to the Fareham Union wrote to the Commission explaining that whilst they agreed to receive only 'healthy' paupers into their workhouse, the Droxford Union instead stated they agreed that 'able bodied' paupers would be sent. This suggested that Droxford Guardians wanted to be able to send those who were possibly in poor health but still able, to some extent, to work. The terms, 'far from being synonymous', needed to be clarified, according to the Fareham Guardians.²⁵ Only by contacting the Commissioners did the Droxford Guardians finally concede that only 'healthy' paupers could be sent to the Fareham workhouse.²⁶ But it was not until mid-July that the Droxford and Fareham Guardians finally agreed upon a set of regulations, including that Droxford was charged the same price per person, per day, as parishes within the Fareham Union.²⁷ Droxford Guardians suggested they should produce medical certificates for all paupers sent to the Fareham workhouse, as proof that their health was satisfactory.²⁸ Fareham agreed.²⁹ The production of a certificate was beneficial for both Unions and removed ambiguity. Fareham was safeguarding against the risk of extra expense and time incurred treating the unwell, and Droxford could reasonably

expect that their paupers would return home in at least the same condition as they left. In late September 1836, the first Droxford Union paupers entered the Fareham workhouse, but they were returned shortly afterwards.³⁰ The Fareham Union complained that they had no medical certificates. According to the Fareham Guardians four male paupers had the 'itch' and they sent back two 'insane' female paupers, 'one decidedly dangerous'.³¹ From then on, the Droxford Union had promised again to send only paupers with medical certificates.³²

In the winter of 1836, three boys were sent to the Fareham Union workhouse: William Warren, aged 4 years, Robert Withers, also aged 4, and Jonathan Cooke, aged 5.³³ They were illegitimate and Withers and Cooke were also orphaned. It is at this point this paper turns to the evidence gathered by the Parliamentary Select Committee of 1837, and occasionally the smaller local enquiry at Fareham Union, to piece together the care and condition of the three boys. As outlined further in the next section, both of these enquires interviewed individuals involved in the maltreatment and care of the children, but while the Select Committee was a formal, length enquiry, instigated sometime after the maltreatment of the children, the local investigation was more immediate, and less thorough, to provide an initial account for the Commission. The children initially entered the Bishop's Waltham workhouse within the Droxford Union in the autumn of 1836, a workhouse allocated for the accommodation of children aged under 13 years in April of the same year.³⁴ As was common practice throughout England and Wales – unions could use old parish workhouses subject to the rules of classification by sex and age. Indeed, Harrison, the master, argued noted that while the boys were 'very healthy children, all of them' they arrived 'dirty in their habits'.³⁵ Harrison stressed that he had 'corrected' the children by assigning each child a 'bedfellow', a slightly older pauper, who the child woke up before visiting the privy. After one week of this treatment there was, according to him, 'no [further] foulness'.³⁶

The boys' 'dirty habits' had either resumed or continued in the Fareham Workhouse, where their care worsened. Thomas Bourne and his wife were experienced workhouse managers having previously held the roles of master and matron in the parish workhouses of Fareham and Titchfield.³⁷ Yet, in the Fareham workhouse and without the instruction of the medical officer,³⁸ the only person allowed to issue an alteration in diet, they 'extensively and repeatedly' reduced the dietary of the three boys.³⁹ According to Thomas Bourne, 'to withhold part of the food from children for dirty habits' was the standard 'mode of disciplining' in schools.⁴⁰ Indeed, it was under the influence of the schoolmistress' directions that the boys

endured a meagre diet.⁴¹ The children were also beaten by Thomas Bourne with a rod 'For their filthy habits'.⁴² Fellow pauper, Henry Shawyer, witnessed Cooke being 'flogged' for being of 'weak intellect'.⁴³ Unsurprisingly, the boys' infant bodies were badly bruised and scarred.⁴⁴ Withers was particularly badly injured; he had one large red patch on 'the upper part of the thigh' which was caused by the swipe of a rod. The children told the workhouse nurse they had been beaten.⁴⁵

Harriet Crouch, the Fareham Union schoolmistress, tried to cope with the children through both supervision and punishments.⁴⁶ She placed the boys under the 'special and separate charge of an older Girl, who took them out on the calls of nature from the School from time to time'. On coming back into the school room, however, the boys 'frequently immediately after would wet or dirty themselves.'⁴⁷ She made the children wear fools' caps with the word 'Dirty' on them.⁴⁸ Crouch also brought a set of ankle stocks into the classroom 'from her former private school'.⁴⁹ This was authorised by Bourne.⁵⁰ It was within these stocks, lined with green baize to prevent their ankles from chafing, that children were constrained for significant periods of time. Bourne said he saw children sat or standing in these stocks, but did not know the exact length of time first-hand, and was only able to say he was 'told' children were in them 'from meal to meal'.⁵¹ Crouch also whipped Withers, and possibly Cooke too, with what she described as a 'twig birch'; she also heard the girl in charge of Cooke, Susan Axford, 'slap him' although subsequently 'forbade her doing so.'⁵²

On 7 February 1837, midway through the usual weekly meeting of the Droxford Union Board of Guardians at the White Horse Inn, the Clerk read a letter from the Fareham Union which noted that the medical officer of the Fareham Union workhouse, John Blatherwick, 'certified that three boys...belonging to this Union were incontinent of urine, and that they were in that state when sent there'.⁵³ The Fareham Guardians had heard from master Bourne how the children had 'constant trouble to obtain anything approaching to cleanliness', and wanted them removed back into the care of the Droxford Union.⁵⁴ A letter was sent to the Droxford Guardians asking the boys to be sent for and therefore 'discharged from this House' but they did not reply, ignoring the fact that they had, once again, gone against the agreement and sent unwell people to the Fareham Workhouse.⁵⁵ The Fareham Guardians' next letter asked them to 'remove the dirty Boys of their Union'.⁵⁶ The Fareham Union lost their patience and, on the same day as their letter 10 February 1837, pre-emptively arranged for the children to be moved back to Bishop's Waltham workhouse.⁵⁷ Carried in a covered cart ('an act of

kindness' according to Bourne), the children were moved seven miles and left outside the workhouse, in the cold, in fustian dresses without coats.⁵⁸ The children were found by the parish Reverend, William Brock, who questioned the driver before he left and accompanied the children into the workhouse.⁵⁹

Harrison found the children propped up 'against the wall in a passage', but did not mention the presence of Brock.⁶⁰ He thought they were 'in a very reduced state', and 'so weak that they were not able to walk between the front door and the room that I wished them to go to.'⁶¹ After having been lifted upstairs to bed by fellow paupers the children were fed, but they did not eat much of the food and Warren started to throw-up 'violently'.⁶² Harrison, concerned, immediately sent for the workhouse medical man, Louis James Lovekin, to attend the children, yet as he was not in the parish he did not arrive until two and a half hours later.⁶³ In his panic, Harrison left the workhouse to find some of the Guardians, the likelihood of which was high on a market night.⁶⁴ 'I was apprehensive for the children', he claimed, 'I wished somebody to see them'.⁶⁵ Whilst Harrison managed to find two Guardians, before they arrived back at the workhouse the medical man had already been and gone. On the following morning Harrison visited the children who were lying in bed. He states how they were 'taking no notice of any thing' and had barely swallowed any food.⁶⁶ They all had 'the itch' too.⁶⁷ Harrison claimed they were in a 'filthy state', and he had never seen 'anybody's bowels in such a state as they all three were.'⁶⁸

The Droxford Guardians clearly disliked the terms upon which they agreed to send their poor to the Fareham Union workhouse. The lack of medical certificates was a demonstration of this, as was the sending of the three unwell children. This arrangement was under the distant supervision of the Commission and A'Court, but it required the communication and cooperation of two unions, and their staff, at the local level in order to function. The fractious Droxford Guardians ignored repeated requests to collect the children, leading to a frustrated set of Guardians at Fareham abandoning unwell children with force rather than care. Of the two tense unions, it was the Droxford Guardians who demanded that the Fareham Guardians 'will cause an immediate and strict enquiry' into the children's treatment in the Fareham workhouse.⁶⁹ Fareham Union questioned five people about the young boys' time in the workhouse, including Blatherwick, Bourne, Crouch and two fellow paupers. This was a brief local enquiry, offering little more than a rough outline of how the boys had been treated. Consequently, the Droxford Guardians demanded the opinion of the medical officer for the

Bishop's Waltham poorhouse, Lovekin, at the next board meeting.⁷⁰ Lovekin stated 'they were haggard and [the] very pictures of distress' and noted that 'none of them could walk – not even stand without assistance.' He was genuinely 'shocked' by the state of their appearance. Cooke's health was particularly bad and Lovekin believed his mistreatment under the care of the Fareham Union had 'endangered' his life.⁷¹

3. Investigations, blame and scapegoating

The wider public knew of the case at the end of February 1837. The Tory MP for Berkshire, John Walter, stood in the House of Commons on the 24th of that month to announce a variety of abuses and cruelties which had occurred in the new welfare system. The information he received and would duly read to the House 'respecting the Union of Droxford' acted as further fuel for his anti-New Poor Law cause. At first the statement portrayed the general distress within the Union caused by the decisions of the Guardians, such as the reduction of the Relieving Officers from three to one, and how his and the Medical Officer's infrequent attendance of the poor in large parishes such as Hambledon caused distress amongst the poor.⁷² The statement ended with a brief description of the three children, transported in a cart over seven miles, and arriving at Bishop's Waltham unable to stand. He noted that "'two have marks on their bodies of having been severely beaten'", and "'there appears no disease in the children, but prostration of strength from want of food'" - "'they look beyond description wretched'"⁷³ The author of the statement may have revealed his identity, a church man: "'I can mention the names of several clergymen in this neighbourhood who, though at first decidedly in favour of the Poor-law Act have declared to me, that many families in their parishes have been reduced to the greatest state of destitution'"⁷⁴ The Reverend William Brock was very interested in the condition and removal of the children and, as Lovekin noted, he asked 'an old Man who was sent to me from the Poorhouse...a great many questions.'⁷⁵ However, while Brock may have gathered some of the evidence about the children, it was the magistrate and ex-officio Guardian of Hambledon, Mr Butler, who pressed for this piece to be written, but not by himself as this would potentially risk his professional reputation in representing and acting according to law. It was in fact written by his son, Reverend Stephen Butler, the curate of the neighbouring parish of Soberton.⁷⁶ While not a frequent attendee of the Board meetings,

in his role as magistrate Butler had met with and relieved the poor in distress, as had both the Reverends Brock and Butler.⁷⁷

As Newell states: 'scandals cannot occur unless breaches are publicised'.⁷⁸ Indeed, here Walter's speech was swiftly printed up in the national newspaper he founded and edited, *The Times*.⁷⁹ The article was quickly grasped by the Commission who prepared an urgent letter to A'Court, but in his reply A'Court denied any knowledge of any problems with the children at Fareham. He also suspiciously went overboard writing that the Fareham workhouse food was 'abundant' and that he 'never saw a more healthy lot of children there are there conjugated'.⁸⁰ The letter from Somerset House, however, spurred A'Court into action. His task was to take evidence and investigate the claims of the allegations. In Hampshire A'Court placed some blame on Bourne and Crouch, but they were not dismissed. Bourne 'has greatly exceeded his authority, and has neglected his duty, in sanctioning such an extent of punishment without the cognizance and previous approval of the Guardians' and Crouch had caused 'great inhumanity' to the children. However, as Shahar has noted, albeit in a family environment, particular physical or emotional needs could make 'almost intolerable demands', and therefore 'emotional demands on the parent'.⁸¹ The demands of these children were substantial, and A'Court believed the behaviour of staff towards the children to be deviations away from their usual standards of care. For instance, good overall character testimonies of Bourne and the matron had clearly been sought from the 'assembled Paupers in the Workhouse', A'Court himself acknowledging their 'general kindness, [and] humanity'.⁸² The Guardians were not to blame either. 'In consequence of the late painful enquiry' the Guardians had received accusations about their conduct, which A'Court did not think they deserved.⁸³ A'Court's blame was to rest solely on the Fareham workhouse medical officer, Blatherwick, who he believed failed to recognise that the children were so unwell.⁸⁴ His services must be 'dispensed with' A'Court argued, 'He clearly has neglected his duty'.⁸⁵ In his evidence to the Committee, A'Court claimed Blatherwick had made a number of omissions, claiming he:

...knew them to be in a filthy state, but made no inquiry as to the cause of their infirmities; never asked as to their diet, or general health, and never afforded them any professional assistance whatever...⁸⁶

In the meantime, the newspapers reported the proceedings of the House of Commons, specifically the desire for the Select Committee on the Operation of the Poor Laws of 1837 to include an investigation into the relief administration practices of the Fareham and Droxford Unions.⁸⁷ Indeed, the Committee was already underway, and would run from 1837 to 1838, owing to imminent expiration of the Commission, and a general election of 1837 where the Whigs lost 23 seats. According to Brundage, 'ardent Tories made poor law opposition a rallying cry', but had to accept the compromise of 'favourable' Select Committee investigations, hinting at improvements to be made, because in general 'the lopsided parliamentary majorities' desired a continuation of the Commission's work.⁸⁸ The Select Committee consisted of a majority of pro-New Poor Law MPs and several anti, including Walter. By 6 March the Select Committee was organised, and witnesses were called to give evidence on the Droxford-Fareham case between 10 April and 10 May. As Wells notes, some witnesses were called twice or, in the case of Harrison, three times 'usually to challenge subsequent claims of later witnesses'. This gave the Committee's hearings a somewhat 'convoluting' and 'repetitive element', but one where of the 6896 questions asked of the witnesses, Walter and his allies managed to ask almost two thirds.⁸⁹

A'Court found his scapegoat very soon after news of the cruelties reached him, Blatherwick the Fareham workhouse medical officer. As Kim Price has detailed, this practice of scapegoating was commonly used by the Commission to deescalate scandals. Easily dismissible, fairly independent and part-time employees took the blame for both genuine and false cases of malpractice.⁹⁰ A'Court held this line, even when the early Fareham and Droxford investigations, and the Select Committee interviews, revealed other people may have been culpable. Crouch, for instance, did not notify the Board of Guardians of her modes of punishment, supporting the Guardians' claim that they did not know of the punishments.⁹¹ Also, the stocks which Crouch brought in from her private school were unreported to the Guardians by the workhouse visiting committee, a group of selected guardians and ex officio guardians whose duty it was to notice irregularities and suggest improvements.⁹² But those involved in the scandal tried to place the blame elsewhere. For instance, Henry Shawyer, a bedfellow to Cooke in the Fareham workhouse said that he had slept next to him for two weeks and 'found him on one occasion dirty, and repeatedly wet'.⁹³ So the corrective work carried out by Harrison was either undone or had never been effective.⁹⁴ And Harrison himself also tried to place the blame on Lovekin, who apparently visited the children some time after their return

to the Droxford workhouse. According to the matron he claimed 'that there was no particular complaint about them that he could find',⁹⁵ consequently the boys were not administered any medicines.⁹⁶ This contradicts the evidence Lovekin himself gave, within the initial union and Select Committee investigations. Although we are not sure where the truth sits in this instance, it does illustrate once again the desire of those involved in scandals to place the blame with medical officers rather than core union staff.

Interest in the case was also growing within the House of Lords. The Fareham Guardians panicked and agreed on a series of workhouse rules, probably under the direction of A'Court. They agreed that a diminution in food could not be used as a form of punishment without 'special authority'. The master should also keep a better record of punishments. While separate punishment books were not compulsory, the Guardians asked the master to start one immediately.⁹⁷ Later in that month, the negligent visiting committee notified the Board they had established several 'Rules of Workhouse management'. As well as containing some sparse details about exercise and employment for the paupers of the workhouse, the majority of the rules were concerned with punishments and rewards rather than standards of treatment. From these rules it is clear that children were not be punished with a reduction in their diet.⁹⁸ Boys were punished only by 'whipping them with a Birch Rod not exceeding four stripes', and every case of such punishment had subsequently to be reported to the Board. Crouch effectively lost all powers of punishment under these stipulations, as now her only task was to 'observe, that the school children are healthy, clean in their persons and clothing, and orderly in their behaviour'.⁹⁹ This fast, local policy creation suggested that the Guardians feared the scrutiny of the Commission.

The swift actions of the central and local welfare authorities were praised in the Committee's final report on the investigations, published in the summer of 1837. They did not pinpoint the blame as A'Court had, instead stating '[t]he master of the workhouse, the schoolmistress, and the medical officer, appear to have been in different degrees to blame' and were 'severely censured' by the Fareham Guardians and Commissioners.¹⁰⁰ Which medical officer they referred to is unclear, although this was probably Blatherwick who was under the charge of the Fareham Guardians. The purpose of the Committee's report, though, was to think about the longer-term outcomes of their investigations. The 'children were treated with great neglect and inhumanity, their food improperly reduced, and their health for a time impaired.'¹⁰¹ They noted, 'that in no case should children have any reduction made in the amount of their

food, by way of punishment.¹⁰² Of course, a number of other recommendations came up, as other cases were looked into. One pointed to the benefits of books for visitors to make comments as seemingly a ‘useful check on mismanagement’.¹⁰³ Regardless of the abuses they investigated, though, they put the new system, the workhouses, and their management, in a good light: ‘the operation of the new Poor Law is satisfactory, and that it ought to be maintained’.¹⁰⁴ The voice of Walter and other anti-New Poor Law Committee members was suppressed.

4. Opinions

Policy-making in the aftermath of the scandal started with a letter from one Poor Law Commissioner, Thomas Frankland Lewis, to the other Commissioners John George Shaw Lefevre and George Nicholls. Within it he drew their attention to the report and the suggestions within it made, as requested by the Home Secretary, Lord John Russell. Interestingly he states ‘I did not understand him to mean that anything was recommended to be done by us’.¹⁰⁵ Yet, regardless of Frankland Lewis’ disinclination, within three days the Commission acknowledged Russell’s report and took into ‘consideration the steps to be taken thereon.’¹⁰⁶ Indeed, an annotated copy of the report demonstrates the Commission’s attention to detail in highlighting key sections which suggest the creation of new, or the alteration of old, policies.¹⁰⁷ As was customary, the Commission drew upon their best source of knowledge on the practical operation of the New Poor Laws: the Assistant Commissioners. The Commission wrote in their Circular Letter, ‘you will report to them such facts and observations as you may have to offer’.¹⁰⁸ The first point to consider referred directly to the treatment of the Droxford boys in the Fareham workhouse: the punishment of children by the reduction in their food. The other highlighted points derived from the other cases under the Select Committee investigation. One topic of inquiry, about the number, qualifications, appointment processes and remuneration of medical officers, were all issues which the simmering Bridgwater Scandal would very soon bring to the fore.¹⁰⁹ The Home Office was keen to hear what the Commission proposed to change in light of Russell’s Report, sending two letters, the first of which appears to have been lost, maybe even thrown away.¹¹⁰ Edwin Chadwick, the Commission’s secretary, proudly sent copies of the circular letter to the Assistant Commissioners to the Home Office, demonstrating something had been done.¹¹¹

The delayed response of the Commission, of almost a week, gave them time to draft the circular carefully. The Assistant Commissioners were asked to consider: 'As to the expediency of adopting a Regulation for the purpose of preventing Children in Workhouses from being punished by a reduction of their Diet.'¹¹² However, this was not what the clerk initially wrote. The original query posed was 'Whether in any and what cases other than the one cited in the Evidence before the Committee it has come to your knowledge that Children have had by way of punishment, a reduction made in their diet without the sanction of the Guardians?' A thick black line was drawn vertically through this draft by one of the Commissioners.¹¹³ The explicit link to the Droxford-Fareham Scandal was removed probably in a bid to deescalate the attention surrounding this particular case. Unearthing further maltreatments by way of asking the Assistant Commissioners for accounts of similar cases was also thought not to be a wise step; they did not want to gather more fuel for a fire that they hoped was diminishing.

The Assistants' responses varied and reinforced the view that union staff should continue to have some autonomy regarding the punishment of children. A Court, in a defensive tone, stated that reduction in diet for refractory children 'was most improperly introduced at Fareham; but, as I am informed no where else'.¹¹⁴ Robert Weale, Alfred Power and William Day also put their trust in the union staff, but did want their actions recorded. Weale wrote 'an Offence and Punishment Book is generally kept', a book seen by the Guardians and Visiting Committee.¹¹⁵ Day stated that any change in dietary needed to be 'ordered by the Medical Officer who will prescribe both its nature and duration', and 'where extreme punishment is resorted to a report should be laid before the Guardians'.¹¹⁶ Probably the strongest advocate for the independence of staff was Power who argued that a regulation would be 'depriving the Master of the power to stop a simple meal with reference to any class of inmates'.¹¹⁷ Two other Assistants, William John Gilbert and Thomas Wade, stated that some regulation was required, but again reinforced the independence of the union staff.¹¹⁸ Wade, for instance, wanted the Master to record more fully his punishments, but to continue to use *his* 'discretion' in each case.¹¹⁹ Many believed that an alteration, rather than a reduction, in diet was safe, and that was what Workhouse Rules 26 and 27 had implied. William Hawley Toovey Hawley, Assistant Commissioner of Sussex, believed that bread and water, instead of meat and soup worked well, and would avoid the 'emaciating' effects seen at Droxford.¹²⁰ According to Edmund Head, it

was only when this rule was 'injudiciously' applied 'it would be expedient to prohibit punishment of any pauper under 14 by such means.'¹²¹

There was a general concern for the health of children amongst the Assistants, and even those who did not want specific legislation believed some broad parameters could be conceived. Power gave an example: "The Master of the Workhouse shall not punish any of the inmates in such a manner as to risk consequences injurious to their bodily health."¹²² Day, in a similar mode, wanted to prohibit any type of punishment 'either unnatural in its character, or inordinate in its extent'. There should be a ban on constrained postures, the use of stocks and any 'attempt to operate upon their fears or the imagination as by solitary or dark confinement'.¹²³ Day's response is interesting because, while favouring the independence of the union staff to know best, he criticised workhouse schools for producing ill-behaved children. Should a 'proper system of education' be in place, he added, 'corporal punishment need not and ought not to be resorted to'.¹²⁴

This was also the line which former medic James Phillip Kay took in his response.¹²⁵ Celebrated for his work establishing the national school system of education in Victorian Britain, Kay initially acted as an Assistant Commissioner in the East of England where he took a particular interest in the education of children in workhouses. Better schooling systems, such as those he was trialling in his district, would do away with the need for any punishment 'except in extreme cases'. As such, he thought there was little need for the regulation suggested.¹²⁶ Kay advocated a fixed routine of activities – including lessons of an academic and practical nature, such as music and exercise – to forge discipline and moral virtue.¹²⁷ In the following year, a report outlining this system was published by the Commission, the same year Kay was appointed the Assistant Commissioner for the Central London Metropolitan District and the Secretary of the new Committee of Council on Education.¹²⁸ In his second report, in 1839, he maintained this position, arguing that with the right regime 'corporeal punishment should at an early period fall into disuse' and if it was resorted to, clearly the teacher was ineffectual at their job.¹²⁹ That the individual schoolmistress or schoolmaster was responsible for severe punishments, rather than it being the consequence of schools within a workhouse system, based on deterrence and less eligibility, was a perspective which influenced the Commission's ultimate policy-making.

5. Shifting responsibilities

The general opinion of the Assistant Commissioners *not* to produce any regulations on child punishments prevailed. Instead a period of 'soft' policy-making ensued whereby the Commission asked unions to review their regulations, giving them autonomy but at the same time intervening on matters of interpretation. This was the approach used in the aftermath of the medical relief scandal at Bridgwater. Aware of the scandal, and the great attention being paid to medical relief arrangements across England and Wales by the government, the Commission and their Assistants, the hope was that Unions themselves would resolve and prevent their own medical relief problems.¹³⁰ This pattern was repeated in the aftermath of the Droxford-Fareham Scandal. When the South Stoneham Guardians near Southampton asked the Commission whether 'personal correction' could be inflicted on the refractory workhouse boys, for instance, the Commission's response was firm but not dictatorial. It was not necessary to inflict corporeal punishment regularly and reliance on the method indicated the impotence of the master (who was also the schoolmaster). It was the role of the Guardians, they wrote, to 'lay down directions for the master as to the occasions and mode of corporeal punishment as applicable to the Boys'.¹³¹ Guardians also formed sets of rules, and again the Commission again issued corrective advice. Not seeming to have learned from the scandal in which they had been involved, the Droxford Union produced a 'byelaws' booklet in early 1837 which stipulated that any pauper *could* be punished by a reduction in the 'quantity of provisions'.¹³² The Commissioners replied that only 'quality rather than the quantity of food' should be reduced.¹³³

The Assistant Commissioner Edward Carleton Tufnell mentioned the continuing abuse of children in his report on the education of pauper children for the Commission's special continuance report in 1840.¹³⁴ He wrote 'I have reason to believe great cruelties are practised at times, on the children, which probably do not always come to light'. He explained that schoolmasters who had previously worked in village schools were the cruellest, noting how one had tied his handkerchief around the jaws of those about to be punished, to muffle their screams.¹³⁵ The report showed no desire to develop policies to prevent the abuse, per se, but rather to promote the formation of 'District Schools' for the education of children from multiple unions.¹³⁶ At the same time, Guardians and Assistant Commissioners continued to notify the Commission with cases of the harsh punishment of children, particularly by matrons, masters, schoolmistresses or schoolmasters. In a ledger kept by the Commission to record a sample of

this correspondence received in the year 1840 cases of 'undue severity' were reported in the unions of Eastry and Medway (Kent), Morpeth (Northumberland), Shipston-on-Stour (Worcestershire) and South Molton (Devon).¹³⁷

Unions were seemingly unable to make sufficient changes to their local practices and policies, resulting in the passage of blanket and compulsory national policies. Again, this was also the case in the aftermath of the Bridgwater Scandal.¹³⁸ Released in January 1841, the Commission produced a raft of rules on the topic of 'Workhouse Discipline', as part of a broad set of 'General Workhouse Regulations'. The circular letter which accompanied the regulations put forward the case for a clear Order, a legally binding set of policies, on the punishments of all inmates. As they stated:

Up to the present time, it has been left to different Boards of Guardians to make detailed regulations, in pursuance of the rules of the Commissioners, according to the circumstances of each Union, and to the general and specific orders with respect to the confinement or alteration of diet to which paupers might be subjected.¹³⁹

As they wrote, though, many Boards of Guardians were unable to give specific directions to their Union staff, and being careful not to name any particular cases of cruelties, 'it is to be regretted that in several instances, and especially in some recent cases' some workhouse masters 'abused the discretion left to them'.¹⁴⁰

A thorough list of inmate offences and adult punishments were given in the order. By way of clearing up any ambiguity around the Workhouse Rules 26 and 27, as noted earlier, the Commission stated it was also lawful to alter the inmates' food by way of punishment, removing all except an allowance of bread or potatoes, but crucially still feeding the inmate.¹⁴¹ As Crowther noted, withdrawing 'privileges' was to become a primary method of discipline for both adults and children by the end of the nineteenth century, including luxury foods such as tea and permission to leave the workhouse in the daytime.¹⁴² Child punishments were also outlined: No corporal punishment was to be inflicted on any female child whatsoever, and no punishment on any male child 14 years old or over. Younger male children could receive punishments from the schoolmaster or master of the workhouse with a 'rod or instrument' which 'shall have been seen and approved of by the Board of Guardians, or the visiting

committee.’ The differentiation between punishments for boys and girls was made based on an idea that the latter needed understanding ‘by gentle means’, reinforcing the gender assumptions of the time about the weakness or fragility of young women.¹⁴³ A six-hour break, between the offence and the punishment of male children would have to be adhered to, to prevent severe punishments in frustration. Indeed, they stated ‘Warmth of temper and passionate conduct generally betray a consciousness of want of firmness.’ Another article suggested that the schoolmaster and, if possible, the master should be present during a punishment. And another stipulated that no child under 12 years was to be ‘confined in a dark room, or during the night.’¹⁴⁴ These were complemented with strict rules around the recording of punishments, with an article stipulating that all corporeal punishments on children be entered by the workhouse master into a book, and another directing the book to be inspected by the Board of Guardians at every meeting and the entries read out by the Clerk. Each punishment and the opinions of the Guardians on this had to be recorded in their minute book, and if the Guardians deem ‘the master or other officer has in any case acted illegally or improperly’ the details should be presented to the Commission. Punished children above the age of seven would also have the chance to talk of any undue charge and punishment in front of the Guardians or the next visiting committee.¹⁴⁵

These specific regulations, and the general sentiment of the regulations as a whole, directly and deliberately placed the responsibility for the punishment of children, as well as adult inmates, on individuals within the union. Rather than the union or Poor Law Commission, and therefore or the welfare system as a whole, shouldering blame for the severe treatment of inmates, it was down to the skill and responsibility of staff, such as schoolmistresses and schoolmasters. Reflecting on their reforms to child punishments, the Commissioners paraphrased Kay’s and Tufnell’s words: ‘good temper, joined to firmness and self-command, will enable a skilful teacher to manage children with little or no corporal punishment.’ The Commission also referred to the experimental District School at Norwood where ‘the use of corporal punishment has been almost entirely discontinued.’¹⁴⁶ With the latter point the Commission did not necessarily advocate a change in the pauper education system, but instead used it to highlight how skilled teachers reduced the use of punishments.

The Commission’s Orders were legal treatises, and each and every Union had to act in accordance with them. Yet the letters received by the Commission indicate that unions struggled to understand and apply the new rules. The Kidderminster Union (Worcestershire)

asked whether they could hit children's hands with rods, and the Abingdon Union (Oxfordshire), finding their female children 'exceedingly refractory and ungovernable' in the workhouse school, asked if the schoolmistress could use some mode of corporeal punishment to control their behaviour.¹⁴⁷ In the first case, the Commission responded that this was an 'infringement of the rules', and in the latter that it was the individual responsibility of the schoolmistress to acquire decorum without resorting to such punishment.¹⁴⁸ Unions also struggled to understand how to record permitted punishments, the method by which masters and other union employees would now be held individually accountable for their actions. The Weardale Union (County Durham) wondered whether the punishment book was just for recording the inflictions of the Master or those ordered by the Guardians. The book was for both, the Commission stated, and the Clerk should initial the record in cases where the Guardians ordered the punishment.¹⁴⁹

The release of policies protected the Commission when severe punishments were unduly meted out. In the Berwick-upon-Tweed Union (Northumberland) the master of the workhouse, George Logan, hit children across the back of their hands with a cane. In his resignation letter to the Commission, albeit a letter of forced resignation, Logan detailed how he had been told he had been 'punishing the children contrary to the provisions of the "General Workhouse Rules"'. In a vexed state, he wrote 'Now, I would ask, why was I not furnished with a Copy of these rules?'. He then provided an example of another illegal corporeal punishment, which he claimed the Guardians made him undertake on three young boys.¹⁵⁰ The release of policies protected the Commission, and even the Guardians in this case, and punishments were now the responsibility of individual staff. This is demonstrated in a court case at the end of 1844, where a schoolmistress in the Bethnal Green Workhouse was tried and found guilty of striking Jane Kingston's hand several times. The ten-year old's mother, Jane Dowling and step-father William Dowling, took the case to a local Police Office, a move which infuriated the workhouse master who threatened to confine them in a workhouse cell.¹⁵¹ The case reached *The Times* and even generated a public meeting of 200 people.¹⁵² There was no sentence of imprisonment given by the Middlesex Sessions judge, only a tokenistic fine of five shillings.¹⁵³ Nevertheless, this was a warning from the Court to the schoolmistress and, by way of printing the case in an Official Circular, from the Commission to all Guardians and workhouse staff: that while all unauthorised punishments might not receive a heavy punishment in return, they would be looked into and individuals, rather than the system, would be to blame.

6. Conclusions

The Droxford-Fareham Scandal shares a number of similarities with other early New Poor Law scandals. It created tension between local and national welfare authorities, and highlights the power of a wilful union – the Boards of Guardians and union staff – and a complicit and even perhaps complacent Poor Law Commission. As Harling has argued, it would be ‘misleading to argue that...limited central intervention made no difference to poor-law administration’ in the early years of the New Poor Law. Indeed, the Commission ‘created a modicum of authority where previously it held none’.¹⁵⁴ We see this replicated here – in the intervention of A’Court in establishing an arrangement between the two unions for the accommodation of the Droxford poor and in the eventual passage and enforcement of the new workhouse rules from 1841. The Commission directed, through their assistants, the procedures they wanted unions to follow when the scandal reached both Commons and newspapers – depositions of inmates and union staff involved, the attendance of the assistants at Board meetings and the finding of an easily identifiable and dismissible scapegoat. Medical officers were the target of blame for apparently not noticing maltreatments, even in case where they claimed they had, adding another angle to the dismissal of medical officers studied by Price.¹⁵⁵ The Commission showed their ultimate powers in surprisingly quiet ways, though. This was illustrated in both the suppression of the scandal, and their careful wording of circulars, which were clearly designed to prevent similar cases of child abuse coming to light. Their initial reluctance, and then slow response to the report of the Select Committee, also shows the Commission in a powerful position. Their independence, notably challenged at the end of the Commission’s life in 1847, allowed them to develop policies slowly, ignoring the suffering which children and adult inmates may have endured in the meantime.

The placement of blame in this scandal illustrates both the inter-union tension and the vacuum of care which could develop – even for the most vulnerable poor traditionally thought to be in poverty through no fault of their own - under the New Poor Law. Contracting-out practices were at the root of this problem. During the Old Poor Law, such arrangements were common, but we lack the documents to explore the quality of care the vulnerable obtained in these circumstances. This New Poor Law scandal, though, shows us that when a financial arrangement such as this was made, responsibility for moved parishioners could be overlooked,

or more actively and strategically avoided altogether. We have instances of both in this scandal. The Droxford 'Guardians of the poor' experienced both a physical and personal distance from the poor sent away, so their welfare could easily go unnoticed. However, these Guardians' lack of interest and respect for the policies and procedures agreed upon with the Fareham Unions and developed in tandem with A'Court, demonstrates a more wilful disinclination to consider the health and therefore wellbeing of the poor they moved. Evidently, the most demanding, in terms of care, and therefore the most vulnerable of inmates, were deliberately placed into this gap of responsibility. And because the children did not 'belong' to any parish of the Fareham Union, they did not 'belong' within that institution, and their needs in the eyes of Fareham workhouse staff were peripheral to that of the majority of workhouse inmates. We get a sense of the low priority child welfare took through the detail of the scandal: not raising concerns about their health, constraining them within stocks, and moving them in the winter in thin dresses, as well as restricting their diet, are all decisions which demonstrate the place of these children assumed in the minds of the Fareham master, matron, medical officer, visiting committee and the schoolmistress in the day-to-day running of a workhouse. How many times this gap of responsibility opened up during the poor laws, and how many times vulnerable inmates faced maltreatment, neglect and abuse within it, is yet to be the subject of significant research.

What is noticeably different about this scandal, compared to the early New Poor Law scandals at Bridgwater and Andover, for instance, is the lack of support for those maltreated within the system. In the case of the Bridgwater Scandal, the medical scandal impacted upon the pay and conditions of medical officers, and was taken up by key national medical groups, and with the support of MPs there was significant pressure for medical relief policy development. The bone-crushing ban was only accelerated by the Andover Scandal. In previous years, there was a growing campaign amongst Chartist and anti-New Poor Law MPs, to ban the work practice due to the severe health impacts it had on inmates. There was no particular interest group outside of the formal welfare and governmental structures campaigning for the needs of these 'little helpless children', as A'Court described them, and limited support within them.¹⁵⁶ We saw in the case of Jane Kingston how family could, at times, bring cases to justice. But without kinship, who was going to care? No pamphlets were produced on the treatment of the three children, no pressure groups took up the case and lobbied for reform, and even Baxter's infamous anti-New Poor Law publication, *The Book of the Bastilles*, a compendium of

abuses and neglects from national and local newspapers, omitted the case.¹⁵⁷ Kay was an exception as he had particular interests in pauper education, but interests which the Commission encouraged him to pursue. He was on the Committee of Council on Education, and both he and Tufnell were periodically asked to make special reports on the topic, all before they started experimenting with new education systems. The lack of interest in the welfare of children could have something to do with the timing of this scandal. It arose in the late 1830s, at a time when there was no significant concern or, as Butler and Drakeford put it, 'policy strain' within government or the Commission surrounding the welfare of children.¹⁵⁸ In the 1840s, the Commission was more receptive to criticisms of Kay and others, and also the Children's Employment Commission started to debate what children could be expected to do within the workplace. As such, there was a surge in interest in both the role and treatment of working class children both in terms of their education and employment. As Kirby states, the mid-nineteenth century was a 'crucial period of economic, social and epidemiological transition.'¹⁵⁹ There is little wonder that the Workhouse Rules, providing separate stipulations for the treatment for refractory children, were developed and enforced within this context, and not before.

These children's experiences did not reach official channels through their own voice. They reached the Commons, national newspapers, and then Somerset House, via clergymen and a magistrate. The relationships between the magistracy and the labouring poor has been well-researched, especially during the old poor laws, finding the magistrates in the role of both protectors and persecutors of the poor depending on the personality and politics of the individual.¹⁶⁰ The relationships between local clergy and local poor has yet to receive significant attention. How and why they were concerned with the conditions of the poorest, and the implications of the New Poor Law workhouse system, are yet to be explored. To what extent did they assume responsibility for the poorest, and on what other occasions did they act as a moral megaphone in their communities, bringing cases of maltreatment to the foreground?

As I have highlighted elsewhere, scandals 'acted as an important feedback mechanism, between policy implementation and policy-making, during the early years of the New Poor Law'.¹⁶¹ The anti-New Poor Law stance, amongst MPs and others, helped the system identify areas of policy strain, and the policies created in the shadow of scandals 'extended the powers' of the Commission and Boards of Guardians, ultimately ensuring their longevity.¹⁶² Indeed, the Commission made general policies in response to scandals, and the Guardians adapted to them,

at times reluctantly and often slowly. But such action gave validity – or at least an impression of this – to the new workhouse-based welfare system. This case study gives an insight into the context and creation of an extra layer of self-protection on the part of the Commission, however. The Workhouse Rules of 1841 made individual employees of the workhouse system, rather than the system itself, accountable for their excessive punishments. By setting parameters for acceptable modes of punishment, and enforcing a system of recording of these punishments, the Commission made the master, matron, schoolmistress, schoolmaster, porters, nurses and other union staff individually responsible for their actions. When they strayed beyond set parameters they either entered a place where they could be dismissed easily or a courtroom. In both contexts their conduct was questioned, not the legitimacy of the system as a whole. Then the die was cast. The Poor Law Board established centralised union staff ledgers which, as well as the name and salaries of staff, recorded when and how employees' roles came to an end in a bid to trace and control the whereabouts of dismissed staff.¹⁶³

Finally, there is a debate to be had amongst welfare historians about how effective these policies and practices were. The 1841 Rules may have, as Hulon suggests, led to more uniformity in punishment styles, yet bodily harm such as the 'pulling or 'clipping' of ears...survived long into the twentieth century'.¹⁶⁴ Indeed, debates around what forms of punishment were acceptable or unacceptable were very complex in the Victorian era. As Rowbotham has examined, for organisations *in loco parentis* these boundaries were shifting and corporeal punishment in particular of children was often made on moral grounds.¹⁶⁵ The continuance of bodily punishment is well-known, regardless of the 'official record' and stance of the Local Government Board in the 1870s, which claimed that the majority of unions across Britain implemented little or none whatsoever.¹⁶⁶ From new research on autobiographies and memoirs we learn that such severe punishments continued with regularity under the New Poor Law, leaving people with lasting, harrowing memories.¹⁶⁷

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ENDNOTES

¹ A. Crowther, *The workhouse system 1834-1929: the history of an English social institution* (London, 1981), 269; drawing on E. Goffman, *Asylums: essays on the social situation of mental patients and other inmates* (New York, 1961).

² M. Rose, 'The allowance system under the New Poor Law', *Economic History Review* 19 (1966), 607–20; N. Edsall, *The anti-poor law movement, 1834–44* (Manchester, 1971); J. Knott, *Popular opposition to the 1834 Poor Law* (London, 1986); F. Driver, *Power and pauperism: the workhouse system 1834–1884* (Cambridge, 1993), 112–30; D. Ashforth 'The urban poor law' in D. Fraser ed., *The New Poor Law in the nineteenth-century* (London, 1976), 128–46. For a concise summary incorporating new research on the south of England see C.J. Griffin, *Protest, politics and work in England* (Basingstoke, 2013), 34–41.

³ D. Roberts, 'How cruel was the Victorian poor law?', *Historical Journal* 6 (1963), 98–99.

⁴ Reading of Henriques by B. Harris, *The origins of the British welfare state: Social Welfare in England and Wales, 1800-1945* (Basingstoke, 2004), 50; U. Henriques, 'How cruel was the Victorian poor law?' *Historical Journal* 11 (1968), 365–71.

⁵ P. Gurney, *Wanting and Having: Popular Politics and Liberal Consumerism in England, 1830–70* (Manchester, 2015), 95.

⁶ Shave, *Pauper policies*, 197–247; Idem., "'Immediate death or a life of torture are the consequences of the system": The Bridgwater Scandal and policy change', in J. Reinartz and L. Schwarz eds., *Medicine and the workhouse* (Rochester, 2013), 164–91.

⁷ Quote from R. Wells, 'Andover antecedents? Hampshire New Poor Law scandals, 1834–1842', *Southern History* 24 (2002), 91, and imagery from Brundage, *English poor laws*, 88; also see I. Anstruther, *The scandal of the Andover Workhouse* (Stroud, 1984).

⁸ Shave, *Pauper Policies*, 227.

⁹ A. Hinde and F. Turnbull, 'The populations of two Hampshire workhouses 1851–1861', *Local Population Studies* 61 (1998), 41; N. Goose, 'Workhouse populations in the mid- nineteenth century: the case of Hertfordshire', *Local Population Studies* 62 (1999), 54; D.G. Jackson, 'Kent workhouse populations in 1881: a study based on the census enumerators' books', *Local Population Studies* 69 (2002), 57; D.G. Jackson, 'The Medway Union workhouse, 1876– 1881: a study based on the admission and discharge registers and the census enumerators' books', *Local Population Studies* 75 (2005), 17; 'Report on the Continuance of the Poor Law Commission, and on some Further Amendments of the Laws Relating to the Relief of the Poor' from the Poor Law Commissioners to the Marquis of Normanby, Her Majesty's Principal Secretary of State for the Home Department (31 December 1839), *Report of the Poor Law Commissioners to the Most Noble the Marquis of Normanby, Her Majesty's Principal Secretary of State for the Home Department on the Continuance of the Poor Law Commission, and Some*

Further Amendments of the Laws Relating to the Relief of the Poor. With Appendices. [herein: Report on the Continuance of the Poor Law Commission] (London, 1840), 56.

¹⁰ Crowther, *The workhouse system*, 201.

¹¹ Appendix A, Documents Issued by the Central Board, No. 9 Workhouse Rules / Orders and Regulations to be Observed in the Workhouse of ___ Union, *Annual Report of the Poor Law Commissioners for England and Wales* (London, 1835) [herein to be noted as *Annual Report* (year)], 99-100.

¹² Quote from H. Hendrick, *Child welfare: historical dimensions, contemporary debate* (Bristol, 2003), 44; for work on these topics see L. Hulonce, *Pauper children and poor law childhoods in England and Wales 1834-1910*, (self-published, 2016), 21; available on https://www.academia.edu/27951893/Book_Pauper_Children_and_Poor_Law_Childhoods_in_England_and_Wales_1834-1910 [last accessed 2 May 2018]; M. Moore, 'Social control or protection of the child? The debates on the Industrial Schools Acts, 1857-1894', *Journal of Family History* 33 (2008), 383; G.K. Behlmer, *Child abuse and moral reform in England, 1870-1908* (Stanford, 1982); E. Hopkins, *Childhood transformed, working-class children in Nineteenth-Century England* (Manchester, 1994); L. Jackson, *Child sexual abuse in Victorian England* (London, 2000).

¹³ J. Stewart and S. King, 'Death in Llantrisant: Henry Williams and the New Poor Law in Wales', *Rural History* 15 (2004), 69-87; N. McCord, 'The implementation of the 1834 Poor Law Amendment Act on Tyneside', *International Review of Social History* 14 (1969), 104-7; Wells, 'Andover antecedents?'; R. Newman, 'A 19th century workhouse scandal', *Sarum Chronicle* 14 (2014), 71-81.

¹⁴ Appendix B., General Report to the Central Board, from Assistant Commissioners &c., No. 7, Letter from Robert H. Stares to Colonel Charles Ashe A'Court, 1 May 1836 in Colonel Charles Ashe A'Court Report on Hants and Wilts, *Annual Report* (1836), 306

¹⁵ Fareham Union Minute Book, 13 May 1836, Hampshire Record Office [herein HRO] PL3/8, 199; Droxford Union Minute Book, 5 September 1837, HRO PL7/3/1, 342.

¹⁶ Fareham Union Minute Book, 1 January 1836, HRO PL3/8, 121.

¹⁷ Quote from Fareham Union Minute Book, 1 January 1836, HRO PL3/8, 121; A'Court (Bishop's Waltham) to PLC, 15 January 1836, TNA MH12/10751.

¹⁸ *Ibid.*; Letter copied in Droxford Union Clerk, H. C. Smith (Bishop's Waltham) [herein Smith] to PLC, 4 January 1836, TNA MH12/10751.

¹⁹ Droxford Union Minute Book, 19 February 1836, HRO PL3/7/1, 26.

²⁰ For examples see Shave, *Pauper Policies*, under old poor laws see 70-1, and under New Poor Law see 166.

²¹ For instance, the Cranborne and Wimborne Unions in Dorset united in October 1836; Shave, *Pauper Policies*, 166.

²² A'Court (Bishop's Waltham) to PLC, 15 January 1836 which contains the transcribed resolution of Droxford Guardians to unite the two unions made on 4 January 1836, TNA MH12/10751.

²³ PLC to A'Court, 19 January 1836 and PLC to Smith, 21 January 1836, TNA MH12/10751.

²⁴ The Fareham Union had these resolutions sanctioned by the Poor Law Commissioners in April, Fareham Union Minute Book, 15 April 1836, HRO PL3/8, 183; Fareham Union Clerk Benjamin P. Rubie (Fareham Union) [herein Rubie] to Chadwick, 15 April 1836, TNA MH12/10767, note on the bottom of letter from A'Court dated 17 April 1836 reads 'I think this arrangement is highly desirable'. Replies to both Smith and Rubie sanctioning these arrangements were sent on 21 April 1836, TNA MH12/10767; Fareham Union Minute Book, 22 April 1836, HRO PL3/8, 188.

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- ²⁵ Rubie to PLC, 2 May 1836, TNA MH12/10767.
- ²⁶ Rubie to PLC, 23 July 1836, TNA MH12/10767; Droxford Union Minute Book, 7 June 1836, HRO PL3/7/1, 87; 12 July 1836, HRO PL3/7/1, 111.
- ²⁷ Droxford Union Minute Book, 12 July 1836, HRO PL 3/7/1, 111-12.
- ²⁸ Droxford Union Minute Book, 20 September 1836, HRO PL 3/7/1, 142-43.
- ²⁹ Fareham Union Minute Book, 23 September 1836, HRO PL 3/8, 303.
- ³⁰ Fareham Union Minute Book, 23 September 1836, HRO PL 3/8, 303.
- ³¹ Fareham Union Minute Book, 17 October 1836, HRO PL 3/8, 326
- ³² Droxford Letter Book, Droxford Union (Smith) to the Fareham Union Board of Guardians, 26 October 1836, HRO PL3/7, 41.
- ³³ British Parliamentary Paper 1837 (225) Third Report from Select Committee on the Poor Law Amendment Act; with the Minutes of Evidence, and Appendix. Part 1. [herein BPP 1837, Third Report] Thomas Bourne, Q. 4326, 25.
- ³⁴ Droxford Union Minute Book, 26 April 1836, 65; HRO PL 3/7/1, 65; BPP 1837, Third Report, William Harrison, Q. 3781, 2.
- ³⁵ First quote, BPP 1837, Third Report, Harrison, Q. 3783, 2, second quote from Q. 3784, 2.
- ³⁶ BPP 1837, Third Report, Harrison, Q. 3786, 2.
- ³⁷ Fareham Union Minute Book, 20 May 1836, HRO PL3/8, 203.
- ³⁸ BPP 1837, Third Report, Bourne, Q. 4332-35, 25.
- ³⁹ British Parliamentary Paper 1837 (266) Sixth Report from Select Committee on the Poor Law Amendment Act; with the Minutes of Evidence, and Appendix. [herein BPP 1837, Sixth Report] A'Court Q. 8735, 19.
- ⁴⁰ BPP 1837, Third Report, Bourne, Q. 4336, 25.
- ⁴¹ BPP 1837, Third Report, Bourne, Q. 4337, 26.
- ⁴² BPP 1837, Third Report, Bourne, Q. 4423, 29.
- ⁴³ Fareham Union Minute Book, 17 February 1837, HRO PL3/8, 409; and Droxford Union Minute Book, 18 February 1837, HRO PL3/7/1, 229.
- ⁴⁴ Harrison noticed red marks on their bodies, BPP 1837, Third Report, Harrison, Q. 3795-6, 3.
- ⁴⁵ BPP 1837, Third Report, Reverend Stephen Butler (Clergyman for Soberton), Q. 5007-8, 49.
- ⁴⁶ Fareham Union Minute Book, 22 July 1836, HRO PL3/8, 260; appointed with her husband who serves as the workhouse porter in early August 1836, Fareham Union Minute Book, 5 August 1836, HRO PL3/8, 271 and 273.
- ⁴⁷ Observations compiled by the Fareham Guardians to relay to the Droxford Union, Fareham Union Minute Book, 17 February 1837, HRO PL3/8, 410; and Droxford Union Minute Book, 18 February 1837, HRO PL3/7/1, 229.
- ⁴⁸ BPP 1837, Sixth Report, A'Court, Q. 8734, 18.
- ⁴⁹ BPP 1837, Third Report, Bourne, Q. 4340-2, 26; BPP 1837, Sixth Report, Quote from A'Court, Q. 8734, 17; a sketch of the stocks on 18.
- ⁵⁰ BPP 1837, Sixth Report, evidence taken by A'Court at the workhouse on the 3 March 1837, printed in Appendix D, 39.
- ⁵¹ BPP 1837, Third Report, Bourne, about standing and sitting Q. 4351, 26; about the duration Q. 4352, 26.
- ⁵² BPP 1837, Sixth Report, evidence taken by A'Court at the workhouse on the 3 March 1837, printed in Appendix D, 40.
- ⁵³ Droxford Union Minute Book, 7 February 1837, HRO PL3/7/1, 216.
- ⁵⁴ Fareham Union Minute Book, 3 February 1837, HRO PL 3/8, 399.
- ⁵⁵ Fareham Union Minute Book, 3 February 1837, HRO PL 3/8, 399.
- ⁵⁶ Fareham Union Minute Book, 10 February 1837, HRO PL 3/8, 402.

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- ⁵⁷ BPP 1837, Sixth Report, A'Court, Q. 8734, 18.
- ⁵⁸ BPP 1837, Third Report, Bourne, Q. 4380 and 4381, 27; Harrison, Q. 3806-9, 3; detail about distance from BPP 1837, Sixth Report, A'Court, Q. 8734, 18.
- ⁵⁹ Wells, 'Andover antecedents?', 136.
- ⁶⁰ BPP 1837, Third Report, Harrison, Q. 3805, 3.
- ⁶¹ BPP 1837, Third Report, Harrison, Q. 3787 and 3789, 2.
- ⁶² BPP 1837, Third Report, Harrison, Q. 3811 and 3813, 3.
- ⁶³ BPP 1837, Third Report, Harrison, Q. 3791, 2.
- ⁶⁴ BPP 1837, Third Report, Harrison, Q. 3792, 2.
- ⁶⁵ BPP 1837, Third Report, Harrison, Q. 3817, 3.
- ⁶⁶ BPP 1837, Third Report, Harrison, Q. 3824 and 3827-9, 4.
- ⁶⁷ BPP 1837, Third Report, Harrison, Q. 3856, 5.
- ⁶⁸ BPP 1837, Third Report, Harrison, Q. 3832, 4.
- ⁶⁹ Droxford Union Minute Book, 14 February 1837, HRO PL3/7/1, 220.
- ⁷⁰ Droxford Union Minute Book, 21 February 1837, HRO PL 3/7/1, 223-24.
- ⁷¹ Droxford Union Minute Book, 28 February 1837, HRO PL 3/7/1, 230.
- ⁷² John Walter, House of Commons, 24 February 1837, Hansard, vol. 36, col. 999.
- ⁷³ John Walter, House of Commons, 24 February 1837, Hansard, vol. 36, col. 1000.
- ⁷⁴ John Walter, House of Commons, 24 February 1837, Hansard, vol. 36, col. 1000.
- ⁷⁵ Droxford Union Minute Book, 28 February 1837, HRO PL 3/7/1, 231-2.
- ⁷⁶ A'Court (Southampton) to PLC, 28 February 1837, TNA MH12/10751.
- ⁷⁷ BPP 1837, Third Report, Harrison, Q. 6114-7, 99.
- ⁷⁸ J.L. Newell, 'Introduction', in J. Garrard and J.L. Newell, *Scandals in past and contemporary politics* (Manchester, 2006), 7.
- ⁷⁹ *The Times* newspaper, 25 February 1837.
- ⁸⁰ A'Court (Southampton) to the PLC, 26 February 1837, TNA MH12/10751.
- ⁸¹ S. Shahar, *Childhood in the Middle Ages* (London, 1990), cited in P. Kirby, *Child workers and industrial health in Britain 1780-1850* (Woodbridge, 2013), 128.
- ⁸² Fareham Board of Guardians Minutes, 3 March 1837, TNA HRO PL3/8, 421.
- ⁸³ A'Court (Southampton) to PLC, 9 March 1837, TNA MH32/4; emphasis in original.
- ⁸⁴ A'Court (Southampton) to PLC, 4 March 1837, TNA MH32/4.
- ⁸⁵ A'Court (Southampton) to PLC, 9 March 1837, TNA MH32/4; emphasis in original.
- ⁸⁶ BPP 1837, Sixth Report, A'Court, Q. 8734, 18.
- ⁸⁷ *The Times*, 28 February 1837.
- ⁸⁸ Brundage, *The English poor laws*, 83-4.
- ⁸⁹ Wells, 'Andover antecedents?', 146-7.
- ⁹⁰ Assistant Poor Law Commissioners could sometimes lose their own positions in a search for a scapegoat, most notably Henry Parker from the Andover Scandal, and William Day in the aftermath of the Rebecca Riots; on the dismissal of medical officers see K. Price, *Medical negligence in Victorian Britain: the crisis of care under the English Poor Law, c.1834-1900* (London, 2015).
- ⁹¹ BPP 1837, Third Report, Bourne, Q. 4340-52, 26.
- ⁹² BPP 1837, Third Report, Bourne, Q. 4340-42, 26.
- ⁹³ Evidence of Henry Shawyer, Fareham Union Minute Book, 17 February 1837, HRO PL3/8, 410; Droxford Union Minute Book, 18 February 1837, HRO PL3/7/1, 229.
- ⁹⁴ BPP 1837, Third Report, Harrison, Q. 3786, 2.
- ⁹⁵ BPP 1837, Third Report, Harrison, Q. 3792, 2.
- ⁹⁶ BPP 1837, Third Report, Harrison, Q. 3793, 3.

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- ⁹⁷ Fareham Union Minute Book, 10 March 1837, HRO PL3/8, 425.
- ⁹⁸ Adult inmates could be punished by a reduction in their meal, as it stated that only the meat could be taken from a pauper's plate after their misbehaviour, for only up to two meat-containing meals in succession.
- ⁹⁹ All from Fareham Union Minute Book, 30 March 1837, HRO PL3/8, 444-45.
- ¹⁰⁰ BPP 1837 (481), *Report from Select Committee on the Poor Law Amendment Act*, [herein BPP 1837, Report] 8.
- ¹⁰¹ BPP 1837, Report, 8.
- ¹⁰² BPP 1837, Report, 8.
- ¹⁰³ BPP 1837, Report, 8.
- ¹⁰⁴ BPP 1837, Report 11.
- ¹⁰⁵ Thomas Frankland Lewis (Somerset House) to the other Poor Law Commissioners, 22 July 1837, Correspondence between the Home Office and the Poor Law Commission, TNA HO73/52/34 f. 224.
- ¹⁰⁶ Poor Law Commission Minute Book, 25 July 1837, TNA MH1/12, 198.
- ¹⁰⁷ Black hand-drawn lines in the margins of the document correlate to the topics the Commissioners ask the Assistant Poor Law Commissioners to consider, Report from Select Committee on the Poor Law Amendment Act, 5 July 1837, Appendices to Minutes (Vol. 1), TNA MH3/1.
- ¹⁰⁸ PLC Circular letter to all Assistant Poor Law Commissioners (Somerset House), 28 July 1837, TNA MH10/3.
- ¹⁰⁹ PLC Circular letter to all Assistant Poor Law Commissioners (Somerset House), 28 July 1837, TNA MH10/3; cf. *Shave Pauper Policies*, 196-217, *Shave, "Immediate Death or a Life of Torture Are the Consequences of the System"*, 164-91.
- ¹¹⁰ Letter sent 26 July received by the Commission on the 1 August, Edwin Chadwick (Somerset House) to the under-secretary of the Home Secretary S.M. Phillips Esq. (Whitehall), 3 August 1837, Correspondence between the Home Office and the Poor Law Commission, TNA HO73/52/37, f. 253.
- ¹¹¹ Minutes of the Poor Law Commission, 28 July 1837, TNA MH1/12, 221; Edwin Chadwick (Somerset House) to the under-secretary of the Home Secretary S.M. Phillips Esq. (Whitehall), 3 August 1837, Correspondence between the Home Office and the Poor Law Commission, TNA HO73/52/37, ff. 253-56; Two copies also sent the following week, Edwin Chadwick (Somerset House) to the under-secretary of the Home Secretary S.M. Phillips Esq. (Whitehall), 11 August 1837, Correspondence between the Home Office and the Poor Law Commission, TNA HO73/52/39 ff. 261-6.
- ¹¹² PLC Circular letter from Edwin Chadwick (Somerset House) to Assistant Poor Law Commissioners, 28 July 1837, TNA MH10/3.
- ¹¹³ PLC (Somerset House) to Assistant Poor Law Commissioners, draft letter, 27 July 1837, Appendices to Minutes (Vol. 1), TNA MH3/1; all three Commissioner's had placed their signature on the top left-hand corner of the page, but the editor of this section is unidentifiable.
- ¹¹⁴ A'Court (Knole) to PLC, 7 August 1837, TNA HO73/53/10, f. 82.
- ¹¹⁵ Robert Weale to PLC, 9 September 1837, TNA HO73/53/26, f. 234.
- ¹¹⁶ William Day (Salop) to PLC, 17 August 1837, TNA HO73/53/11, f. 90.
- ¹¹⁷ Alfred Power (Downing College, Cambridge) to PLC, 12 August 1837, TNA HO73/53/21, f. 202.
- ¹¹⁸ Colonel Thomas Wade to PLC, 9 August 1837, TNA HO73/53/24 f. 222.

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- ¹¹⁹ He suggested the punishment book was called 'Defaulter Book'; Col Thomas Wade to PLC, 9 August 1837, TNA HO73/53/24 f. 223-4.
- ¹²⁰ William Hawley Toovey Hawley (Chichester) to PLC, 9th September 1837, TNA HO73/53/16, f. 126-7.
- ¹²¹ Edmund Head (Kington) to PLC, 25 August 1837, TNA HO 73/53/17, ff. 170-1.
- ¹²² Alfred Power (Downing College, Cambridge) to PLC, 12 August 1837, TNA HO73/53/21, f. 202-3.
- ¹²³ William Day (Salop) to PLC, 17 August 1837, TNA HO73/53/11, f. 90.
- ¹²⁴ William Day (Salop) to PLC, 17 August 1837, TNA HO73/53/11, f. 90.
- ¹²⁵ After marriage to Janet Shuttleworth in 1842 his surname changed to Kay-Shuttleworth.
- ¹²⁶ James Phillip Kay (Croma) to PLC, 17 August 1837, TNA HO 73/53/18 f. 182.
- ¹²⁷ Driver, *Power and Pauperism*, 96.
- ¹²⁸ Appendix B, Reports and Communications to the Board, No. 3, Report on the Training of Pauper Children By J. Phillips Kay, Esq., M.D., Assistant Poor Law Commissioner, *Annual Report* (1838), 222-63.
- ¹²⁹ Appendix C, Communications Received by the Board, No. 1, Report on the Instruction of Pauper Children, by J.P. Kay, Esq. M.D., Assistant Commissioner, *Annual Report* (1839), 158.
- ¹³⁰ Shave, *Pauper Policies*, 212-13.
- ¹³¹ Patterson, Clerk (South Stoneham) to PLC, 10 May 1839, and PLC to Patterson, 28 May 1839, TNA MH12/11036;
- ¹³² Droxford Union Pamphlet sent to PLC, 13 February 1838, TNA MH12/10752, pamphlet page 10.
- ¹³³ Edwin Chadwick to Smith, 23 February 1838, TNA MH12/10752; emphasis in original.
- ¹³⁴ Changes in the organisation of schooling in 'Report on the Continuance of the Poor Law Commission', *Report on the Continuance of the Poor Law Commission* (London, 1840), 56-60.
- ¹³⁵ Appendix B. Reports of Assistant Commissioners and other Communications received by the Board. Number 1. 'Report on the Education of Pauper Children; by E.C. Tuffnell, Esq., Assistant Commissioner' (December 1839), *Report of the Poor Law Commissioners* (London, 1840), quote from 116, detail from 116-17.
- ¹³⁶ No mention of child punishments in Appendix B. Reports of Assistant Commissioners and other Communications received by the Board. Number 2. 'Report from E.C. Tuffnell Esq. suggesting certain Alterations of the Law', (Gravesend, 21 March 1839), *Report of the Poor Law Commissioners* (London, 1840), 127-36; changes in the organisation of schooling in 'Report on the Continuance of the Poor Law Commission', *Report of the Poor Law Commissioners* (London, 1840), 56-60.
- ¹³⁷ Subject indexes of correspondence (Poor Law Commission), 1840, TNA MH15/5.
- ¹³⁸ Shave, *Pauper policies*, 212-15.
- ¹³⁹ Appendix A. Orders, Instructional Circulars, and Minutes of the Commissioners, Number 3. 'Workhouse Discipline', Part II, 'Copy of Circular Letter to Boards of Guardians', from PLC to Boards of Guardians, January 1841, *Annual Report* (1841), 118.
- ¹⁴⁰ Appendix A. Orders, Instructional Circulars, and Minutes of the Commissioners, Number 3. 'Workhouse Discipline', Part II, 'Copy of Circular Letter to Boards of Guardians', from PLC to Boards of Guardians, January 1841, *Annual Report* (1841), 118.
- ¹⁴¹ Appendix A. Orders, Instructional Circulars, and Minutes of the Commissioners, Number 3. 'Workhouse Discipline', Part I, Section 2, article 3, *Annual Report* (1841), 115.
- ¹⁴² Crowther contends that 'by the end of the nineteenth-century there were more privileges to withdraw'; M.A. Crowther, *The Workhouse System 1834-1929: The History of an English Social Institution* (Cambridge, 1981), 44.

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- ¹⁴³ Appendix A. Orders, Instructional Circulars, and Minutes of the Commissioners, Number 3. 'Workhouse Discipline', Part II, Copy of Circular Letter to Boards of Guardians, January 1841, *Annual Report* (1841), 122; these were replicated in education and work more generally, for instance, M. Gomersall, *Working-Class Girls in Nineteenth-Century England: Life, Work and Schooling* (Basingstoke, 1997).
- ¹⁴⁴ Appendix A. Orders, Instructional Circulars, and Minutes of the Commissioners, Number 3. 'Workhouse Discipline', Part I, Section 3, articles 10-16, *Annual Report* (1841), 116.
- ¹⁴⁵ *Ibid.*, 117.
- ¹⁴⁶ Appendix A. Orders, Instructional Circulars, and Minutes of the Commissioners, Number 3. 'Workhouse Discipline', Part II, Copy of Circular Letter to Boards of Guardians, January 1841, *Annual Report* (1841), 122.
- ¹⁴⁷ Henry Saunders, Clerk (Kidderminster Union) to PLC, 6 August 1842, MH12/14017; Official Circulars of Public Documents and Information directed by the Poor Law Commissioners to be printed chiefly for the use of the Boards of Guardians and their officers (London) [herein Official Circulars], issue 25 January 1843, no. 22, 32.
- ¹⁴⁸ Draft reply, from PLC to Henry Saunders (Kidderminster Union), 10/11 August 1842, MH12/14017; Official Circulars of Public Documents and Information directed by the Poor Law Commissioners to be printed chiefly for the use of the Boards of Guardians and their officers (London) [herein Official Circulars], issue 25 January 1843, no. 22, 32.
- ¹⁴⁹ Official Circulars, issue 26 August 1843, no. 27, 128.
- ¹⁵⁰ George Logan (Berwick-Upon-Tweed) to the PLC, 4 July 1845, and reply PLC to George Logan (Berwick-Upon-Tweed), TNA MH12/8979.
- ¹⁵¹ Official Circulars, issue 31 December 1844, no. 42, 202-5.
- ¹⁵² S. Fowler, *Workhouse: the people, the places, the life behind doors* (Kew, 2007), 135.
- ¹⁵³ Official Circulars, issue 31 December 1844, no. 42, 204.
- ¹⁵⁴ P. Harling, 'The Power of Persuasion: Central Authority, Local Bureaucracy and the New Poor Law', *The English Historical Review*, 107 (1992) 31-2.
- ¹⁵⁵ Price, *Medical negligence*.
- ¹⁵⁶ A'Court (Southampton) to PLC, 4 March 1837, TNA MH32/4.
- ¹⁵⁷ It did include the Bridgwater case, for instance. G.R. Wythen Baxter, *The book of the bastilles, or the history of the working of the New Poor-Law* (London, 1841).
- ¹⁵⁸ I. Butler and M. Drakeford, *Scandal, social policy and social welfare*, revised second edition (Bristol, 2005), p. 238.
- ¹⁵⁹ Kirby, *Child workers*, 3.
- ¹⁶⁰ See, for instance P. Dunkley, 'Paternalism, the magistracy and poor relief in England, 1795-1834', *International Review of Social History* 24 (1979), 371-97; D. Eastwood, *Governing Rural England: Tradition and Transformation in Local Government 1780-1840* (Oxford, 2004), 133-65; S. Hindle, *On the Parish? The Micro-Politics of Poor Relief in Rural England c.1550-1750* (Oxford, 2004), p. 406; P. King, 'The rights of the poor and the polderole? of the law: The impact of pauper appeals to the summary court 1750-1834', in S. King ed., *Poverty and relief in England 1500-1800* (forthcoming).
- ¹⁶¹ Shave, *Pauper policies*, 260.
- ¹⁶² Shave, *Pauper policies*, 260.
- ¹⁶³ See the series TNA MH9
- ¹⁶⁴ Hulonce, *Pauper children*, 22.
- ¹⁶⁵ J. Rowbotham, 'When to spare the rod? Legal reactions and popular attitudes towards the (in)appropriate chastisement of children, 1850-1910', *Law, Crime and History* 1 (2017), 98-125.

¹⁶⁶ Hulonce, *Pauper children*, 22.

¹⁶⁷ Hulonce, *Pauper children*, 23, 43; A. Tomkins, “‘Hell with the lid off’? Re-evaluating the English workhouse from working-class autobiographies, 1834-1948’ (unpublished paper, 2017).