


**The political space of  
Chancery Lane,  
c.1760-1815**

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The following work is solely that of the candidate, signed: 

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### **Abstract**

This is a study of Chancery Lane from the accession of George III in 1760 until the end of the Napoleonic wars in 1815, a time of explosive growth in London and rapid change to the society, economy and politics of Britain. The aim of this thesis is to explain the relationship between space and political activity in part of London, connecting local and national issues and adding to our understanding of the political geography of the capital. The locality around Chancery Lane is an important focus for study because it is an area of transition between the oft-studied centres of Westminster and the City, spanning the border between the two and falling into an exceptional number of different parochial jurisdictions. It is an area that has received little attention from historians, although it reveals much about the political dynamics of the metropolis. Chancery Lane was an interstice within the city, a position which profoundly influenced community politics and daily life.

Using a broad range of source material, including newspapers, parochial records, histories, maps and guides of London, satires, poetry, prints and the records of Lincoln's Inn, this thesis examines political culture, built environment, policing, crime, prostitution, social policy and political associations in the area around Chancery Lane. Chancery Lane was at the heart of 'legal London' and lawyers played an important role in local politics. This thesis furthers our relatively poor understanding of the social and political history of lawyers, and in particular the ways in which their developing professional status shaped their interaction with the local community. Chancery Lane was liminal in the standard bipolar conceptualisation of London and it is discussed how local people responded to the challenges that presented, in terms of their preoccupation with respectability, independence and urban improvement.

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Place of publication is London unless otherwise stated.

Spellings in all quoted material have been left as they were in the original.

**Abbreviations:**

BL	British Library
BM	British Museum
LMA	London Metropolitan Archives
WAL	Westminster Archives, London
LIA	Lincoln's Inn Archives

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## Introduction

**Figure 1:** Detail from Carrington Bowles, *Bowles' Reduced new pocket plan of the cities of London and Westminster, with the borough of Southwark, exhibiting the new buildings to the year 1775* (1775). Courtesy of mapco.net.



The magazine of literary and antiquarian ephemera, *Notes and Queries*, moved its office from Took's Court, just to the east of Chancery Lane, to Bream's Buildings which fronts onto the Lane itself, in 1892. The occasion presented an opportunity to write a short history of the area, and the old thoroughfare of Chancery Lane was summarised thus: '[c]onnecting as it does two of the main arteries leading from the western suburbs into the City, and cutting

through the very heart of the area occupied by the inns of court, and by persons whose daily occupation lies in and around those institutions, its importance must be self-evident'.<sup>1</sup> The characteristics picked out as definitive for the standing of Chancery Lane's history were its position within the broader landscape of London and its strong association with the legal profession. Its importance may seem self-evident, but it is not an area of London that is very well understood. Chancery Lane was in a borderland between the cities of Westminster and London, both of which have received a lot of attention from historians, particularly of the long eighteenth century.<sup>2</sup> The clash between their unique political cultures helped to shape the metropolis as a whole and yet the political community in Chancery Lane was not directly controlled by either. The area has been described as 'legal London', but a history of the legal profession could not, on its own, do justice to the bustling and chaotic urban environment which characterised life outside the Inns of Court and various offices situated here. Chancery Lane needs to be understood within the context of a fast-changing London, its identity the product of its relationships with the adjacent areas of Westminster and the City.

A case study of this area is significant because its position in London gives us a new understanding of the importance of local conditions and specific geographical location in describing and explaining the political patchwork of the capital. Studying Chancery Lane provides a very different perspective to that of Sheppard's *Local government in St Marylebone*, probably the most comprehensive study of a local area in London in the eighteenth century.<sup>3</sup> Sheppard's work is defined by the border between city and country and the ways in which the local community negotiated its changing relationship with London, in light of the urbanisation of what started as a very rural parish. Chancery Lane had long been within a built-up area and was negotiating its place on an existing political and economic borderline. Sheppard details the importance of the landholdings of aristocratic families in Marylebone, while the very different institutions of the legal profession were paramount to

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<sup>1</sup> George Clinch, 'Took's Court and its neighbourhood, old Chancery Lane', *Notes and Queries*, 1 (1892), p.261.

<sup>2</sup> Particularly work by Charles E. Harvey, Edmund M. Green and Penelope Jane Corfield, *The Westminster historical database: voters, social structure and electoral behaviour* (Bristol, 1998) and subsequent articles by the same. Recent studies include Jeremy Boulton and Leonard D. Schwarz, "'The comforts of a private fireside': the workhouse, the elderly and the poor law in Georgian Westminster: St Martin-in-the-fields, 1725-1824" in Joanne McEwan and Pamela Sharpe (eds.), *Accommodating poverty: the housing and living arrangements of the English poor, c.1600-1850* (Basingstoke, 2011) and Heather Shore, "'The Reckoning": disorderly women, informing constables and the Westminster justices, 1727-33', *Social History*, 34, 4 (2009), pp.409-27. The City figures strongly in George Rudé, *Wilkes and Liberty* (1983), but for more recent examples see for instance Mark Latham, 'From oligarchy to a 'rate payer's democracy': the evolution of the Corporation of London, 1680s-1750s', *Urban History*, 39, 2 (2012), pp.225-245 and Drew D. Gray, *Crime, prosecution and social relations: the summary courts of the City of London in the late eighteenth century* (Basingstoke, 2009).

<sup>3</sup> F. H. W. Sheppard, *Local government in St Marylebone, 1688-1835* (1958).

Chancery Lane's development. The present study runs from the accession of George III in 1760 until the end of the Napoleonic wars in 1815, a key time in defining Britain as a nation.<sup>4</sup> It is a period in which the explosion of building in London, the emergence of working class political movements and the increasing influence of political associations provide a constellation of reasons to look at London politics beyond Westminster and the City.<sup>5</sup>

The people who inhabited Chancery Lane in the eighteenth century, who lived, worked or simply passed through, the judges, workhouse inmates, shopkeepers and prostitutes, were all part of what made it unique. This is a history of a street which crossed the border of multiple jurisdictions. The study examines how locals attempted to use and control this space as individuals and members of political associations, through the many overlapping local institutions such as the three parishes it lay in and by engaging with London politics, both 'high' and 'low'.<sup>6</sup> Parliament was also important in framing legislation which was sometimes very localised.<sup>7</sup> The aim is to show that local politics in eighteenth-century London was intimately connected with the particular conditions of the local urban environment.

Communities were shaped by their own political, social, economic and topographical make up. But in Chancery Lane, all of these factors were part of a network of influences that spread across London. 'Spatial politics' has previously been invoked to mean the breaking down of statistics (such as electoral data) by geographical area, an analytical method that goes back at least as far as Rudé's work of the early 1960s.<sup>8</sup> However, the political space of Chancery Lane needs more explanation than can be derived from voting patterns or from descriptions of the workings of local government. It has to be placed within a political geography of the metropolis. To do this requires a sense of space as a material setting for particular political relations. We must simultaneously take a cultural approach to the urban environment, which can be read as a series of symbols as well as a physical distribution of voters, job types or wealth. This introduction will thus describe the area under study, that is to say the physical structure of roads and buildings, and the people that made up the local community. It will

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<sup>4</sup> Linda Colley, *Britons: forging the nation 1707-1837* (Yale, 1992), p.1.

<sup>5</sup> For building see Jerry White, *London in the eighteenth century, a great and monstrous thing* (2012), pp.68-76; for politics, E. P. Thompson, *The making of the English working class* (1991); and for associations, Peter Clark, *British clubs and societies, 1580-1800* (Oxford, 2000), pp.468-9.

<sup>6</sup> For the importance of taking into account all these factors to explain eighteenth century British society see introduction in Joanna Innes, *Inferior politics: social problems and social policies in eighteenth-century Britain* (Oxford, 2009).

<sup>7</sup> *Ibid*, pp.2-5.

<sup>8</sup> Penelope J. Corfield, Edmund M. Green and Charles Harvey, 'Westminster Man: Charles James Fox and his electorate, 1780-1806', *Parliamentary History*, 20, 2 (2001), p.170. See for instance Rudé, *Wilkes and Liberty*, Chapter V: The Middlesex electors.



then provide an overview of the theoretical insights that I have brought to this study, by describing some of the ways in which spatial theory has been invoked by other historians of London in the long eighteenth century.

The article in *Notes and Queries* quotes Alexander Pope to provide literary colour, providing only the first line of these two:

Long Chanc'ry-lane retentive rolls the sound  
And courts to courts return it round<sup>9</sup>

Pope's accompanying note adds that this is '[t]he place where the offices of Chancery are kept: The long detention of Clients in that Court, and the difficulty of getting out, is humorously allegoriz'd in these lines.' It is immediately obvious from this that the topography of Chancery Lane has a complex relationship with the socio-economic activities carried on in the area and its reputation within wider society. Both the street and the Court of Chancery with which it was so strongly identified were often described not as 'important', but as avoidable evils. The ongoing tension between the increasingly rich and powerful legal profession, which was attempting to establish a respectable place in society and the enduring image of the dishonest, money grabbing lawyer<sup>10</sup> was made manifest in Chancery Lane. The name of the street and its associations were common knowledge to eighteenth century Londoners. Joseph Brasbridge, a silversmith, cutler and memoirist of Fleet Street described how his friend Mr Hawkins, a spatterdash maker of Chancery Lane, was generally known as 'Equity Hawkins', due to his place of residence.<sup>11</sup>

A secondary theme in this dissertation is the way in which lawyers tried to shape the area to their own ends (and the ways in which their efforts were thwarted), through their relationship with others in the community, and by using their concentration of local political and economic power. This was a time in which lawyers were beginning to self-regulate their profession. The history of Chancery Lane of course goes back much further than Pope. Bruce points us to the area's association with Lincoln's Inn and the office of Master of the Rolls

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<sup>9</sup> Alexander Pope, *The Dunciad: with notes variorum, and the prolegomena of Scriblerus* (1729), p.117.

<sup>10</sup> Penelope J. Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', [http://www.penelopejcorfield.co.uk/PDF%27s/CorfieldPdf12\\_Lawyers.pdf](http://www.penelopejcorfield.co.uk/PDF%27s/CorfieldPdf12_Lawyers.pdf), p.1. Also published in P. Chassaing and J-P. Genet (eds.), *Droit et société en France et Grande Bretagne: law and society in France and England* (Paris, 2003).

<sup>11</sup> Joseph Brasbridge, *The fruits of experience: or memoir of Joseph Brasbridge* (1824), p.60.

from around the mid-14<sup>th</sup> century on, from whence it can be viewed ‘as a stage for ecclesiastics and lawyers’ (not forgetting walk-on parts for ‘[p]reachers and poets, philosophers and politicians’).<sup>12</sup> It was known as ‘Neustrate’ in medieval times and ‘Chauncellors Lane’ until around the mid-sixteenth century, when variations of its modern name became prevalent. Bruce would have it that ‘of all the streets in London there is none which, for historic interest, impresses us more than does Chancery Lane when we consider the centuries throughout which it has been the scene of the labours of persons eminent in our history. How appropriate, therefore, that it should be the home of the National Archives.’<sup>13</sup> The National Archives have since moved on to Kew yet ‘the strong box of the empire’, according to its first deputy keeper, is one reason for Chancery Lane’s unique relationship with the nation’s past.<sup>14</sup>

Chancery Lane’s status as a repository for the nation’s records dates back to the thirteenth century. Noorthouck relates in his *History of London* from 1773 that

[t]he Rolls chapel, on the east side of Chancery-lane, was originally founded by king Henry III in the place where stood a Jew's house forfeited to that prince in the year 1233. In this chapel all such Jews and infidels as were converted to the Christian faith were ordained, and in the buildings belonging to it were appointed a sufficient maintenance: but on the banishment of the Jews, the house with its chapel were annexed by patent to the keeper of the Rolls of chancery.<sup>15</sup>

It was apparently still the case in 1798 that a small part of the salary of the Master of the Rolls was a reward for his efforts to convert the Jews to Christianity. The Master of the Rolls only ceased to be combined with the role of Keeper of the House of Converts in 1873, when George Jessel became the first practising Jew to hold this office.<sup>16</sup> These arcane responsibilities sat alongside the Master of the Rolls’ other traditional role as archivist of the ‘Rolls [that] contain all the records, as charters, patents, &c. since the beginning of the reign of Richard III.’<sup>17</sup> Chancery Lane has important associations with those twin pillars of British history, monarchy and Christianity.

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<sup>12</sup> A. K. Bruce, *Chancery Lane and its memories* (1949), pp.10-12; quotes from p.23.

<sup>13</sup> *Ibid.*, p.7.

<sup>14</sup> Adrian Lawes, *Chancery Lane 1377-1977: ‘the strong box of the empire’* (1996), p.19.

<sup>15</sup> John Noorthouck, *A new history of London: Including Westminster and Southwark*, Book 5, Ch. 2: ‘The suburbs of the City’, (1773), pp. 747-768. URL: <http://www.british-history.ac.uk/report.aspx?compid=46779&strquery=>, accessed on 25 May 2011.

<sup>16</sup> Lawes, *Chancery Lane 1377-1977*, p.8.

<sup>17</sup> Noorthouck, *A new history of London*, Book 5, Ch. 2, pp. 747-768.

We can begin our exploration of the physical space of Chancery Lane in the eighteenth century by following William Maitland on a tour of the main strip and its offshoots in 1756, just before the period under examination here. Chancery Lane itself was ‘a Street of a very great Resort, and well inhabited by Tradesmen in the Part next *Fleet-street*, and in that Part next *Holborn* (into which it falls) by Lawyers, and those depending on them’.<sup>18</sup> The street was increasingly divided during this period as legal offices were concentrated in the northern end. Their separation from the southern end of mostly tradesmen was indicative of the different social and political influences and aspirations felt by inhabitants. The lawyers were pulled westwards by the lure of advancement via offices in the control of King and Parliament. Once they had gained greater wealth, lawyers were drawn physically west, preferring to live in Bedford Square and Bloomsbury, ‘the favourite suburb of the Inns of Court’.<sup>19</sup> The most highly regarded of legal luminaries in this period, Lord Mansfield, had his chambers in Serjeant’s Inn but lived in Bloomsbury Square. Meanwhile the tradesmen, unless they became exceedingly prosperous, would find their greatest opportunities emanating eastwards from the City through membership of livery companies and participation in City politics.

The dominance of lawyers at the northern end of Chancery Lane was emphasised by a litany of legal and public offices to be found there: ‘in this Lane is *Lincoln’s-Inn*, *Serjeants-Inn*, the *Rolls*, the *Examiners Office* within the *Rolls-yard*, the *Six Clerks Office*, (to which belonged twelve Masters in *Chancery*, and six Clerks); *Symonds-Inn*, where the Register’s Office for the Court of *Chancery* is kept; the *Cursitors Office*; the *Office for the Masters in Chancery &c.* All which Places are out of the City Liberty except *Serjeants-Inn* which is an antient building.’<sup>20</sup> Symond’s or Simmond’s Inn ‘is neither an Inn of Court, nor of Chancery, but serves to accommodate divers Masters of Chancery, Solicitors and Attornies.’<sup>21</sup> It is significant that the lawyers seem to have been keen to keep their offices, particularly the extra-parochial Lincoln’s Inn, out of the jurisdiction of the City, and that their own jurisdiction kept the City’s at bay. Even though, individually, many lawyers looked to the Court and Parliament for their advancement, as a group they were much more concerned for their independence from any outside interference, as evidenced by their efforts at self-regulation during this period.

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<sup>18</sup> William Maitland, *The history of London from its foundation to the present time*, vol. II of II (1756), p.964.

<sup>19</sup> White, *London in the eighteenth century*, p.72.

<sup>20</sup> Maitland, *The history of London*, vol. II, p.964.

<sup>21</sup> *Ibid.*, p.1279.

Away from the legal world, Maitland pronounced on the quality of building in courts and alleys either side of Chancery Lane. Going from north to south, Cursitors Alley 'is a Place well built and inhabited, and stand well for Lodging, for those that come up to the Terms.'<sup>22</sup> The less salubrious White's Alley was 'an indifferent Place, with old Timber Houses.'<sup>23</sup> Garnering a more prosaic description, Crown Court was 'a square Place, but the Building old.'<sup>24</sup> Finally, Bell Yard 'may be rather termed a Street for its Fairness and good Buildings.'<sup>25</sup> Francis Place, a tailor and radical activist, had a very different memory of Bell Yard at around the same time, when he lived there as an apprentice. For Place, 'Bell Yard Temple Bar, was as perfect a sample of second rate tradesmens families as any place could be, and contained like all such places, at that time, much that was low vulgar and dissolute. It was inhabited by many men whose businesses were such as would have enabled them to bring their families up respectably and to put them out in the world with fair prospects of success, yet scarcely any one did half as much as he might have done in this way, and nearly all did the contrary.'<sup>26</sup> Place's narrative of the burgeoning respectability of working-class London may have made him unduly harsh on the area in which he lived as a youth, but it must also be said that the good buildings were not necessarily indicators of moral rectitude.

In fact the area around Chancery Lane showed much greater diversity of inhabitants than Place's comments might suggest and, including side roads and alleys, housed a typical mix of late eighteenth century Londoners. Who else was resident in the local area? One answer can be found from a by no means exhaustive list of occupations, encountered in newspaper articles from 1760-1815. These were as follows: apothecary, tailor, shoemaker, hairdresser, surgeon, baker, banker, spatterdash-maker, tallow chandler, fencing master, dancing master, actor, stationer, peruke-maker, pawnbroker, hatter, laundress, milliner, cabinetmaker, printer, stocking-maker, oilshop, land-surveyor, globe and mathematical instruments maker, cheesemonger, and robe and gownmaker. There were also watchmen and a corresponding 'black' economy of prostitutes, pickpockets, thieves and coin counterfeiters. The demographic in the area changed very little over the period. Population estimates for the Liberty of the Rolls (a quasi-parochial administrative unit that took in most of Chancery Lane) decreased very slightly from an estimated 2425 in the 1740s to the 2409 people

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<sup>22</sup> Ibid., p.965.

<sup>23</sup> Ibid., p.965.

<sup>24</sup> Ibid., p.964.

<sup>25</sup> Ibid., p.961.

<sup>26</sup> Francis Place (ed. Mary Thale), *The autobiography of Francis Place* (Cambridge, 1972), p.72.

counted in the 1801 census. In the other parishes in which Chancery Lane lay, population increased significantly in St Andrew's Holborn and decreased in Dunstan's in the West, but these changes almost certainly occurred further into the suburbs or the City respectively and the area around Chancery Lane maintained a steady number of people through the eighteenth century.<sup>27</sup>

Martin and Miller discuss the importance of scale in framing political studies as it 'clarifies the scope or extent of places, and in turn, a variety of social and political relations. One of the most common conceptualizations of scale is as jurisdictional hierarchy such as the nested relationships of city, county, state, national and transnational governance.'<sup>28</sup> By focussing this study on a street, the interaction of several parishes, the smallest unit of local governance, can be observed while simultaneously taking a wider view of Chancery Lane as a London, or even British street. There are three components to Chancery Lane's place in the urban environment that were crucial in shaping it as a community. Firstly, it lay in the middle of the metropolis (in the County of Middlesex for some purposes such as general elections) directly between Westminster and the City, and was bisected by the City border at its southern end (see figure 2). Secondly, its position on the fault lines of a number of parishes and other jurisdictional areas made it an exemplar of Porter's description of London as 'a crazy-paving of jurisdictions whose rationale lay in historical accident rather than efficiency'<sup>29</sup> (see figure 4). Finally it was at the heart of the area known as 'legal London', with Lincoln's Inn lying along much of the northwest of Chancery Lane and the other Inns of Court nearby to the north and south. It was also home to a number of important administrative buildings. This study of a place at the intersection of these three features allows us to see how they are inter-related, adding a fresh and unique perspective to them all. It is useful to note the different scales at which these three features come into focus.

First, Chancery Lane was a street in one of the great, at the time perhaps the greatest of world cities. The street's character was interwoven with the economic activities going on around it and felt the political pull of the dual centres of Westminster and the City. The people of Chancery Lane could not escape involvement in issues affecting both the capital and the nation. Also, it was surrounded by a mass of humanity: the population of London as a whole

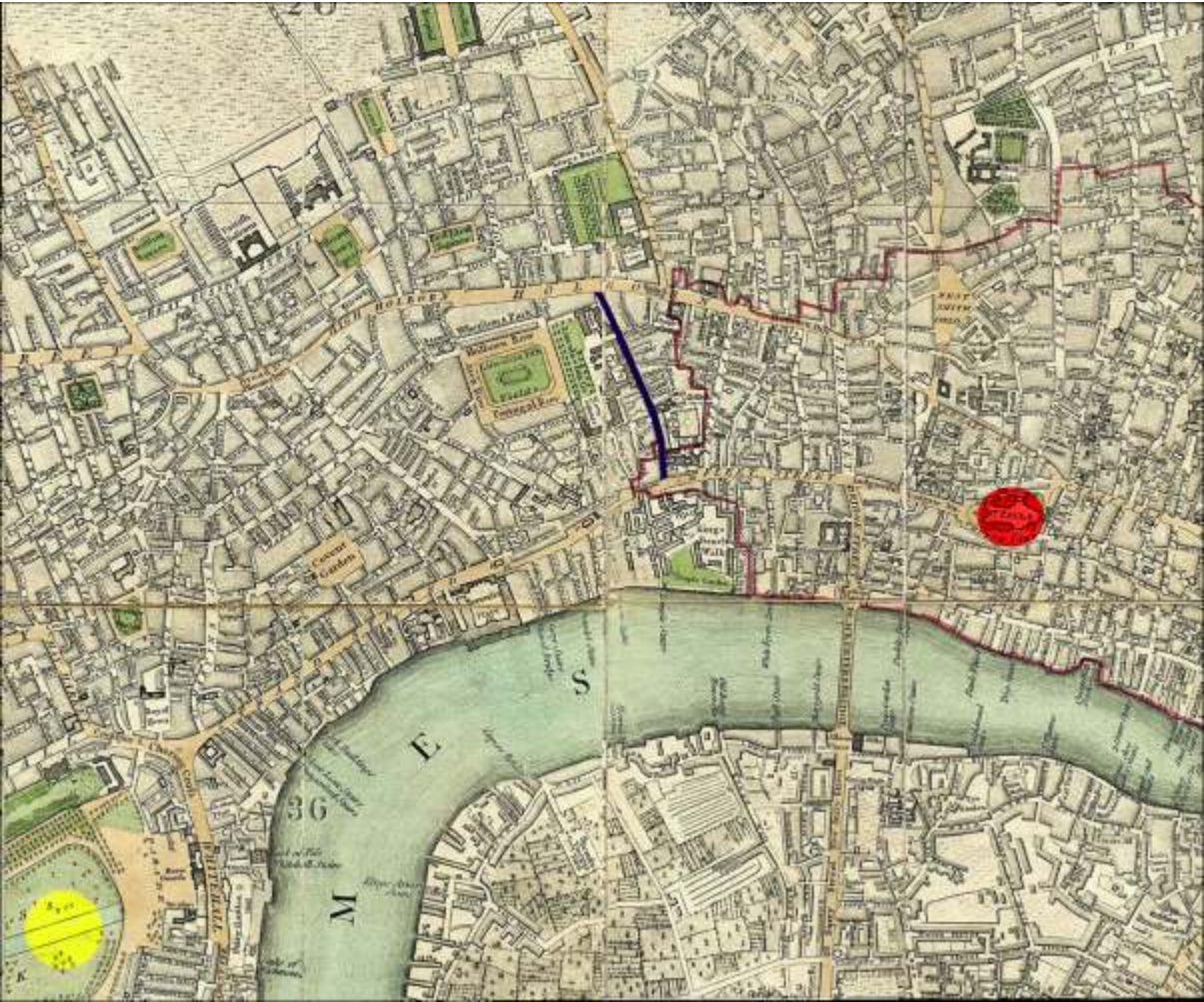
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<sup>27</sup> Population estimates taken from [www.locatinglondon.org](http://www.locatinglondon.org).

<sup>28</sup> Deborah G. Martin and Byron Miller, 'Space and contentious politics', *Mobilization*, 8, 2 (2003), p.148.

<sup>29</sup> Roy Porter, *London: a social history* (Harvard, 1994), p.150.

**Figure 2:** St James' Park (yellow circle), Chancery Lane (blue) and St Paul's (red circle) added to a detail from Richard Horwood, *Plan of the cities of London and Westminster the Borough of Southwark and parts adjoining shewing every house* (1792). The border of the City is in faint red and runs through the southern end of Chancery Lane.



is estimated to have grown from 675,000 in 1750 to 1,050,000 in 1811.<sup>30</sup> The population boom brought with it problems such as congestion, crime and a growing constituency for protests. The second feature (the intersection of parishes and other administrative areas) zooms into Chancery Lane and its locality, building the impression of it existing as a liminal space within the leviathan of London. The number of different bodies operating in the area made cooperation to overcome the problems listed above an onerous and sometimes confusing task. The area lacked a unified source of authority, which might effectively oversee the prevention of activities like prostitution that operated on the margins of polite society. The jurisdictional problems found in Chancery Lane made it a microcosm of London as a whole. Even attempts to repave the street fell into difficulties, as no one could decide whether individuals, parishes or a new organisation with a wider geographic purview should be responsible. The north and south ends were eventually repaved at different times, separately attended to by Westminster and the City. The sheer variety of political influences and the concomitant absence of a dominant political group or culture also allowed a cornucopia of associations to flourish, which will be explored further in chapter six.

The final feature, of lawyers' influence on the area, provided yet another headache for locals (and the historian) attempting to unpick the roles of institutions operating in the locality. The extra-parochial character of Lincoln's Inn was a point of contention with the parishes it bordered and was repeatedly challenged in the courts. Lawyers and law offices were also major landowners in the area. Many of the material changes in Chancery Lane during this period followed from the construction of law offices and development of Lincoln's Inn. Their regeneration offered the possibility of renewing the fabric of the urban environment in a coordinated manner, but a lack of cooperation between lawyers and their neighbours, or between different groups of lawyers, could prove fatal to such plans. Finally, this legal district lay at the centre of a national network of legal professionals.<sup>31</sup> We will now adjust the historical microscope to produce fuller descriptions of our three categories in turn.

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<sup>30</sup> Leonard Schwarz, *London in the age of industrialisation, entrepreneurs, labour force and living conditions, 1700-1850* (Cambridge, 1992), p.126.

<sup>31</sup> Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', p.8.

## **I: Chancery Lane as a street in a world city**

London, particularly in the eighteenth century, has been understood by many historians using the trope of a bipolar city, where Westminster and the City, or the Court and Port, could be used as shorthand for two areas with contrasting cultures, societies, economies and politics.<sup>32</sup> The former was the seat of national government and heartland of the aristocracy and the latter, controlled by the City Corporation, was the biggest centre for international trade in the world.<sup>33</sup> White explains how ‘‘Westminster’ and ‘the City’ were geographical tropes, used in common parlance, for the metropolitan struggle between new money and inheritance, of commerce and trade against land and property, of merchants and financiers against aristocrats and gentry, of City ratepayer democracy against an oligarchic Court and administration.’<sup>34</sup> Rudé argues that in the earlier eighteenth century the politics of London could largely be described in terms of two geographically separate entities of what were, after all, the two cities of London and Westminster. Events sometimes created a political movement or identity which embraced the metropolis as a whole, but such occurrences were sporadic and the sense of cohesion produced was usually short-lived. White builds on this analysis, adding that the two cities’ division between London and Westminster was not just geographic or administrative but historical. He starts with a quote from the *Spectator* from 1712, which clearly held weight as it was still being reproduced in 1829: ‘[t]he courts of two countries do not so much differ from one another, as the court and city, in their peculiar ways of life and conversation.’<sup>35</sup>

While each had its internal disputes, rivalry was always felt most keenly between the two, a fact noted by visitors and Londoners alike. Their feud was acted out quite literally in the theatres of London, with cultural displays of disdain important in both expressing and encouraging mutual dislike. The stereotypes on show were, at the Port end of town, new money merchant upstarts, proud of their rate-paying democracy but hopelessly aspiring to a politeness and class that they could not attain. Meanwhile those of the Court were dissolute aristocrats of landed inheritance and maintainers of a corrupt oligarchy. Yet envy between Westminster and the City could have positive results, driving them to compete to outdo one

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<sup>32</sup> See for instance Leonard Schwarz, ‘Hanoverian London: the making of the service town’ in Peter Clark and Raymond Gillespie (eds.), *Two capitals, London and Dublin 1500-1840* (Oxford, 2001), p.93.

<sup>33</sup> George Rudé, *Hanoverian London, 1714-1808* (1971), pp.x-xi.

<sup>34</sup> Jerry White, ‘City rivalries and the modernisation of eighteenth-century London, 1720-1770’, *Literatur in Wissenschaft und Unterricht*, 43, 2/3 (2010), p.83.

<sup>35</sup> *Spectator*, 403, 12 June 1712 and Rev. Lionel Thomas Berguer (ed.), *The British essayists*, volume XI (1823), p.90.



another through public works and urban development. The new squares springing up in Westminster appeared to signal something more fundamental than a better sense of fashion and taste than were present in the City; the grandness of these developments and the movement of the most successful merchants into them seemed to be heralding a shift of economic power as well. The opening of Westminster Bridge in 1750 represented an even greater challenge to the City and led to the widening of London Bridge and the completion of another bridge at Blackfriars in 1769. White identifies these anxieties and antagonisms as an important factor in encouraging the regeneration of London's streets.<sup>36</sup>

How did Chancery Lane fit between these two poles? To answer this question we must return to Pope, and particularly his observation upon the acoustic quality of Chancery Lane. When heraldic processions delivered state proclamations to the populace, they made announcements at five sites, beginning in St. James'. Next came Charing Cross (facing towards Whitehall), then Chancery Lane, then the end of Wood Street and finally the Royal Exchange. Heralds announcing the coronation of George III passed down the Strand accompanied by Westminster constables until Temple Bar, where the guard were replaced by constables of the City. The symbolic changeover came just before the heralds proclaimed their news at the end of Chancery Lane (the proximity of Chancery Lane to Temple Bar can be seen in figure 3).<sup>37</sup> The act of passing between Westminster and the City of London did not simply consist of crossing an imaginary line, experienced only through institutions as a jurisdictional boundary. It was apparent too within the political festivals of the day, from which it would have been clear that Chancery Lane lay as close as was possible to the border line. Apart from its convenient site on the major east to west roads in London, the end of Chancery Lane clearly offered a site of maximum publicity for making official announcements, taking in the busy Strand but also allowing the sound to roll northwards, perhaps even echoing into the courts as Pope suggested.

Announcing the declaration of war against Spain in 1762, the heralds engaged in a more elaborate handover ceremony. Numerous Westminster functionaries left them at Temple Bar where the heralds had to knock on the gates, declare themselves, and then only one of them was ushered in by the City Marshal to present the King's Warrant to the Lord Mayor,

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<sup>36</sup> White, 'City rivalries', pp.83-102.

<sup>37</sup> *London Evening Post*, 14 July 1761.

**Figure 3:** William Capon, *Fleet Street, near Temple Bar* (1799), Crace XIX.14. Courtesy of [www.britishmuseum.org](http://www.britishmuseum.org).

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Aldermen, Recorder and Sheriffs. Finally, the whole procession was allowed through.<sup>38</sup> The public figures of Westminster and the City accompanying the heralds would have reinforced local recognition that moving through Temple Bar constituted a change of scene, a new location in the political theatre of the day. This message was repeated by a long list of public announcements made throughout this period, the next being a declaration of peace in 1763. The declaration was clearly unpopular, as ‘[s]uch a general dissatisfaction appeared at the end of Chancery-lane, when the proclamation was read, that there was a great hiss, and one man attempting to pull off his hat to huzza, was knocked down and rolled in the kennel [gutter].’<sup>39</sup> The organised pageantry designed to represent the power of the monarchy and the City (and their spatial delineation) was clearly open to contestation. Chancery Lane offered the first site of announcement that was outside the heartland of the political establishment. Responses from the crowd were a vital, if sometimes unwanted part of the overall spectacle. The ongoing importance of such announcements can be seen in those telling the end of wars. Peace was proclaimed again in 1783<sup>40</sup> and yet again in 1802, when the pomp of the ceremony was particularly emphasised, involving trumpeters and an artillery company. The latter event was even used by the Lord Mayor to break out his rarely-used eighteen inch gold sceptre.<sup>41</sup>

Such occasions are useful in placing Chancery Lane within a political geography of eighteenth-century London. Rather than belonging to Westminster or the City, each with a distinctive (though not uncomplicated) political identity, Chancery Lane sat in an area of transition, an interstice between the two. By concentrating closely on the area we can see how it was influenced by the political culture of both sides of London. What were the political battles in which it sat in the middle? Although firmly rooted in elites rather than the electorate, antagonism abounded in the political relationship between Parliament and the City, and the period of 1760-1780 examined here saw these relations reach a nadir. The Wilkes affair, in which the freedom of the press was asserted against Parliament and the democratic rights of voters brought into sharp focus, saw the City make full use of its ancient rights and privileges to defy both Court and Parliament. Wilkes’s cause was a truly popular one in which the political establishment of Westminster felt the wrathful opprobrium of

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<sup>38</sup> *London Gazette*, 2 January 1762.

<sup>39</sup> *London Evening Post*, 19 March 1763.

<sup>40</sup> *London Chronicle*, 4 October 1783.

<sup>41</sup> *The Morning Chronicle*, 30 April 1802.

crowds of ordinary Londoners.<sup>42</sup> Chancery Lane played host to some of these crowds but its electorate, mainly made up of lawyers, was virulently anti-Wilkes.

The Gordon riots of 1780, a protest against legislation declaring equal rights for Catholics that spiralled out of control and set London ablaze, marked a turning point in relations between the City and Westminster. City politicians lost a great deal of credibility as they failed miserably to control the riots, and also lost much of their stomach for encouraging popular protest. The initial rally which led to the riots was organised by the Protestant Association which met in Chancery Lane and at least one member lived very close by. However, several sites in the area were targeted in the riots that ensued. In the same year, Charles James Fox's election as MP for Westminster gave it better claim to being the radical heart of Britain, albeit it with a rather genteel flavour.<sup>43</sup> By way of contrast, the City finally found itself reconciled with the government when William Pitt the Younger revived Tory fortunes in the mid-1780s, ushering in what Rudé describes as a honeymoon period lasting over two decades.<sup>44</sup> The City gave a mixed response to government repression in the 1790s, unleashed to prevent revolution spreading from France. When the Two Acts – repressive legislation also known as the 'Gagging Acts' – were passed in 1795, the Corporation of London delivered a petition to Parliament announcing its approval, however this provoked several companies and wards to deliver their own petitions against the Acts. In turn these triggered counter-petitions, sometimes from the same wards, pledging allegiance to the government.<sup>45</sup> In Chancery Lane there were meetings of associations on both sides of this loyalist/radical divide.

Into the nineteenth century, the City remained a thorn in the side of Parliament and the Court, with some of their 'outspoken - even insolent' communiqués demanding that the King and ministers end the war and feed the people, and praising radical MP Sir Francis Burdett.<sup>46</sup> In its position within these major events, we find the unique perspective Chancery Lane can give us on eighteenth-century London life. It had a political culture which lay slightly apart from the City and Westminster. The earlier quote from the *Spectator* added a more graded description of change across London:

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<sup>42</sup> A good summary can be found in White, *London in the eighteenth century*, pp.511-32.

<sup>43</sup> Again there is a good summary in White, *London in the eighteenth century*, pp.532-47.

<sup>44</sup> Rudé, *Hanoverian London*, p.145.

<sup>45</sup> John Barrell, *The spirit of despotism: invasions of privacy in the 1790s* (Oxford, 2006), p.59-60.

<sup>46</sup> Jerry White, *London in the nineteenth Century* (2008), p.450.

[i]n short, the inhabitants of St. James's, notwithstanding they live under the same laws, and speak the same language, are a distinct people from those of Cheapside, who are likewise removed from those of the Temple on one side, and those of Smithfield on the other, by several climates and degrees in their ways of thinking and conversing together.<sup>47</sup>

The Temple, to which region the people of Chancery Lane would have belonged, certainly had idiosyncrasies of its own. Yet its constant interaction with the lands on either side made their influence strongly felt and this is essential to understanding how Chancery Lane operated as a component part in the wider system of London. Thinking about Chancery Lane as a political space will help to connect its position in London to its topography and the experience of its inhabitants. This was especially true as the binary conflict between Westminster and the City was challenged in the later eighteenth century. Rudé identifies the advent of mid-eighteenth century radicalism as a new phase in the history of London politics: '[m]ore and more we shall see a political line, generally (but now less frequently) emanating from the City, thrusting across the old boundaries and engulfing not only Westminster and Southwark but the urban (and even the rural) parishes of the neighbouring counties of Surrey and Middlesex.'<sup>48</sup> Rudé suggests that politics in late eighteenth-century London, and particularly the new radicalism, should be understood 'within a wider metropolitan context'.<sup>49</sup> Rudé's dictum particularly applies to political associations, which operated within a different set of geographical parameters.

Chancery Lane was host to a wide variety of political associations, and its position in London is crucial to explaining why. An excellent example of attempting to understand the geographical distribution of an association is provided by John Barrell, who explores the geography of the working class radical group, the London Corresponding Society (LCS), by mapping the meeting places they used in London.<sup>50</sup> This allows him to consider why certain areas in London might be more or less successful as a recruiting ground for the LCS. Barrell begins his snapshot of the political climate of London in the 1790s with an attempt 'to sketch a political geography'.<sup>51</sup> For the LCS, the different political, economic and institutional characters of Westminster and the City are seen as vital to their popularity (and the strength of opposition to them) in both areas. The spaces in which the LCS attempted to operate were

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<sup>47</sup> The *Spectator*, 403, 12 June 1712.

<sup>48</sup> Rudé, *Hanoverian London*, p.163.

<sup>49</sup> *Ibid.*, p.163.

<sup>50</sup> Barrell, *The spirit of despotism*, p.50-51.

<sup>51</sup> *Ibid.*, p.18.

an important factor in determining its appeal. Barrell speculates that they were less successful in the City because the prior existence of a broad ratepayer democracy meant fewer people felt the need to push for further democratic rights. His theory also applies to more local conditions: parishes with a closed vestry, and therefore fewer opportunities for people of lesser means to involve themselves politically, tended to offer fertile recruiting grounds for the LCS. This section has shown that during processions between Westminster and the City, Chancery Lane's position near Temple Bar placed it at a point of transition between the two. We have seen how the relationship between the two cities changed over time and briefly identified how this might have been important to the people of Chancery Lane, which will be expanded upon further in the first chapter. Geographical location also mattered to associations, as comes through in the work of John Barrell and will also be discussed at greater length in chapter six. We will now sweep closer into Chancery Lane to explore the parish jurisdictions in which it lay.

## **II: Parishes and jurisdictions**

Clark identifies across London 'a kaleidoscope of administrative domains - parochial, voluntaristic, commercial and governmental - all of which tended to forge their own spaces and identities'.<sup>52</sup> What were the instruments of local governance in this area? The southern end of Chancery Lane lay within the parish of St Dunstan's in the West and the City ward of Farringdon Without. St Dunstan's in the West had a Select Vestry which was set up by Bishops' Faculty in the seventeenth century along with numerous other City parishes.<sup>53</sup> The northern end was in the parish of St Andrew's Holborn, which had a twin parish of St George the Martyr that had separated from it in 1723 (see figure 4). St Andrew's Holborn spanned the border of the City and Middlesex. St Andrew's was divided into three liberties: St Andrew's Holborn London or the City Liberty (part of the ward of Farringdon Without), St Andrew's Holborn above the Barrs (part of Middlesex and taking in the northern part of Chancery Lane) and the liberty of Saffron Hill, Hatton Garden and Ely Rents.<sup>54</sup> According to an entry in the vestry minute book the three were independent from one another, except when dealing with matters pertaining to the church which they shared. The parish church was

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<sup>52</sup> Peter Clark, 'The multi-centred metropolis: the social and cultural landscapes of London, 1600-1840' in Peter Clark and Raymond Gillespie (eds.), *Two capitals, London and Dublin 1500-1840* (Oxford, 2001), p.252.

<sup>53</sup> Sheppard, *Local government in St Marylebone*, p.102.

<sup>54</sup> The division is explained in David Hayes, 'A parish divided: the Liberties of St Andrew Holborn', *Camden History Review*, 26 (2002), pp.27-32.

**Figure 4:** The parishes around Chancery Lane added to a detail from Richard Horwood, *Plan of the cities of London and Westminster the Borough of Southwark and parts adjoining shewing every house* (1792).





controlled by a select vestry made up of six, four and two men from the three liberties respectively. They were joined on the vestry by the rector and two churchwardens, a role which passed between men from the different liberties.<sup>55</sup> A local armourer, John Thavie, left a significant sum of money to the parish in 1348 that was still funding various charitable enterprises by the eighteenth century. This caused some friction between the church and locals as in 1773 when the Dean of Bristol, and head of Thavie's Trust, received a letter from an attorney on behalf of several residents asking him to disclose the holdings of the trust and use them to ease the burden of the parish rates.<sup>56</sup>

In between St Dunstan's in the West and St Andrew's Holborn lay the Liberty of the Rolls. A London guide of 1807 outlined its boundaries:

[t]he Liberty of the Rolls, is a district exempt from the power of the sheriff of Middlesex, or other officer, except by leave of the master. It commences at the corner of Cursitor Street, next to Chancery Lane, taking in the Rose wine vaults; where it crosses into White's Alley, which it wholly takes in, except two or three houses on each side next Fetter Lane; and there it crosses into the Rolls garden, which it likewise takes in; from thence running into Chancery Lane, by Serjeant's Inn, it crosses to Bell Yard, which it takes in almost to Fleet Street, except a few houses on the back of Crown Court, which is in the city liberty. It then runs across the houses to Shire Lane, taking in all the east side; and again crossing over to Lincoln's Inn New Square, runs to the pump at the corner of the garden, whence it crosses to where it commenced at Cursitor Street.<sup>57</sup>

The vagaries of vestry management in the Liberty of the Rolls have been summarised succinctly by Joanna Innes:

'[f]or tax purposes it seems to have formed a part of the County of Middlesex, but it had its own petty sessions, staffed by Westminster justices. It was reckoned part of the City parish of St Dunstan in the West... But inhabitants of the Liberty organized their own poor relief. They had two organs of self-government, the general meeting of inhabitants, held about once a month, and the twelve-member workhouse committee, meeting at similar intervals. The workhouse committee, annually elected at a general meeting, oversaw the government of the Liberty's workhouse. By convention it was composed half of tradesmen, half of 'gentlemen' (the latter perhaps mainly lawyers).'<sup>58</sup>

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<sup>55</sup> London Metropolitan Archives, P82/AND/B/001/MS04251/003, St Andrew Holborn vestry minute book, 4 April 1774.

<sup>56</sup> LMA, P82/AND/B/001/MS04251/003, St Andrew Holborn vestry minute book, 9 December 1773.

<sup>57</sup> David Hughson, *London, being an accurate history and description of the British metropolis and its neighbourhood, to thirty miles extent, from an actual perambulation*, volume IV of VI (1807), p.128.

<sup>58</sup> Innes, *Inferior politics*, p.291.



It is also worth noting that it counted as part of Middlesex during general elections and the hundred of Ossulston for occasional levies such as for riot reparations and for the militia. The variety of overlapping jurisdictions in this area was part of what made Chancery Lane unique in its political culture. Its position on the border between Westminster and the City meant that it shared in their political rituals, but also had many of its own. These were tied up with the professional lives of lawyers. The lawyers' networks of sociability were integral to the politics of the area and helped to shape the functioning of administrative units, particularly the Liberty of the Rolls.

A bastardy case in the area highlights the complexity of local government in this part of London. Mary Macklin, a pauper of the Liberty of the Rolls, gave birth to a bastard child in the parish of St Clement Danes and then removed it to St Giles'. The latter returned the mother and child to the Liberty of the Rolls on the basis that they were responsible for the mother, and the law stated that as the child was under seven it could not be separated from her. Mr Jennings, the vestry clerk of the Liberty of the Rolls, attended a hearing at the public office in Bow Street to decide whether the Liberty would be responsible for the child, or whether the burden would fall to the man identified as its father. As if to add further confusion, the apparent father lived in the Temple, an Inn of Court which had extra-parochial status (evidence of the problems associated with having large numbers of single men, such as those training and working in the Inns of Court, living in a community). Despite an 'ingenious' argument on behalf of the 'supposed father', he was found to be responsible for the child's upkeep.<sup>59</sup>

Clark describes the disconnection between parish administration and local elites as a 'fundamental limitation' upon the effectiveness of parish governance. Those with money, power and influence did not involve themselves in parish affairs unless their own interests were threatened and 'they probably saw themselves as having no clear urban affiliation or district identification.'<sup>60</sup> Although the bastardy case above highlights how the local elite of legal professionals around Chancery Lane could pose problems, Clark's assessment does not entirely hold true in the Liberty of the Rolls, where the reality was rather more complicated. While many of the lawyers were absent on the county circuits for some of the year, they still contributed to parish government when they were present in the capital. However, they were

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<sup>59</sup> *General Evening Post*, 13–15 July 1773.

<sup>60</sup> Peter Clark, 'The multi-centred metropolis', p.252.

exempt from serving in the various offices of the parish, including those of constable, headborough and overseer of the poor. Nevertheless, the committee frequently consulted the lawyers in their midst, and we will see how their expertise was required in a broad range of subjects from policing the district to parish procedures. The real problem lay with the barristers of Lincoln's Inn, who identified very strongly with their Inn of Court and fought throughout this period to maintain its independent, extra-parochial status. We will now look more closely at the public offices and legal buildings in the area, and the effects of coexisting with this legal heartland.

### **III: Lawyers and Chancery Lane**

A feature that undoubtedly made Chancery Lane distinctive within eighteenth-century London was its centrality to the legal profession. Corfield describes how '[a] strongly nucleated 'legal London', in and around the Inns of Court, provided the profession with its locational headquarters.'<sup>61</sup> People went there to see lawyers and if they went there for another reason they would come across lawyers and their offices anyway. Studying Chancery Lane illuminates the interpersonal networks of the legal profession and how their success as a service industry was tempered by struggles over their social status and professional reputation. During this period the legal profession was attempting to transform itself through self-regulation and attachment to political power. Respectability was important to lawyers and Chancery Lane was strongly associated with them in the eyes of the wider world. The relationship of legal professionals to this area was frequently used with satirical intent by the commentators of the day, lampooning the self-importance of lawyers and ridiculing them for believing they might comfortably inhabit the world of polite society. It is important to remember that these points apply not just to the judges and barristers, but the whole legal profession including the sometimes very poor and lowly clerks.

In his work of 1949 *Chancery Lane and its memories*, A.K. Bruce opined that 'if, owing to the activities of uninspired modern architects we now find little that is aesthetically beautiful in the frontages of this street, the beauty of association remains rich indeed.'<sup>62</sup> Bruce insists

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<sup>61</sup> Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', p.7.

<sup>62</sup> Bruce, *Chancery Lane and its memories*, p.35.

that the degree of refreshment which comes to us in traversing the thoroughfare depends mainly upon our knowledge of its history and our capacity to visualise those men who, in centuries past, have trodden its pavements. If, with the eyes of the historical imagination, we can discern the august figures and take ourselves back to the times in which they lived, then Chancery Lane becomes indeed a place of pilgrimage nor can we traverse it without emotion.<sup>63</sup>

Chancery Lane would certainly be worthy of study for its famous residents and particularly their importance in the legal community. However, in what is probably the most well-known account of the street, Dickens bequeathed us a less elevated scene: his imagination saw not powerful, important men, but how ‘old Tom Jarndyce in despair blew his brains out at a coffee house in Chancery-lane’.<sup>64</sup> While *Bleak house* was a work of fiction, Dickens assures us in his preface that his descriptions of the Byzantine workings of the Court of Chancery (intimately connected with the aforementioned suicide) are lamentably real.<sup>65</sup> In the Dickensian world there is little of Bruce’s noble vision, as ‘[u]nder cover of the night, the feeble-minded beadle comes flitting about Chancery Lane with his summonses’.<sup>66</sup>

Bruce’s great men were part of a profession that needs to be placed within a wider social context, including its day-to-day relationship with the rest of society. In 1834, Leigh Hunt suggested that in Chancery Lane ‘all the great and eloquent lawyers of the metropolis must have been, at some time or other, from Fortescue and Littleton, to Coke, Ellesmere, and Erskine. Sir Thomas More must have been seen going down with his weighty aspect; Bacon with his eye of intuition; the coarse Thurlow; and the reverend elegance of Mansfield.’<sup>67</sup> Hunt insisted that

Chancery Lane... is the greatest legal thoroughfare in England. It leads from the Temple, passes by Sergeant’s Inn, Clifford’s Inn, Lincoln’s Inn, and the Rolls, and conducts to Gray’s Inn. Of the world of vice and virtue, of pain and triumph, of learning and ignorance, truth and chicanery, of impudence, violence and tranquil wisdom, that must have passed through this spot, the reader may judge accordingly.<sup>68</sup>

It is precisely this world of vice and virtue that the lawyers inhabited which needs greater explanation.

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<sup>63</sup> Ibid., pp.35-6.

<sup>64</sup> Charles Dickens, *Bleak house*, volume 1 of 2 (New York, 1870), p.16.

<sup>65</sup> Ibid., p.vii-viii.

<sup>66</sup> Ibid., p.212.

<sup>67</sup> Leigh Hunt (ed.), *Supplement to Leigh Hunt’s London journal* (1834), p.xxi.

<sup>68</sup> Ibid., p.xxi.

To understand a place there must be a broader focus upon the whole community and the relations which it constituted. Lawyers did not exist in isolation. Lincoln's Inn, for instance, entered into endless disputes with the surrounding parishes about its social responsibilities such as paying the poor rates. Stryker, Thomas Erskine's biographer, imagined Erskine's first entry to his Inn of Court:

[w]hat must have been the thoughts of this impressionable and alert new student as he walked up Chancery Lane and turned left to pass beneath the gateway leading to Lincoln's Inn! Of a sudden he had left the busy traffic roar of the Strand and had stepped into another world and age. Over the arch he could see the coat of arms of Henry VIII, those of the Earl of Lincoln the traditional patron of the place, as well as of Sir Thomas Lovell, the donor of the gate. There, too, was the inscription 1518, the year of the completion of this entrance.<sup>69</sup>

However, with its distribution of buildings, 'legal London' could never be a closed community. Even Lincoln's Inn with its walls and gates was not immune to the outside world. The numerous foundlings (all given the surname Lincoln) left outside lawyers' chambers are only one example of how reality intruded.<sup>70</sup>

Not even the most hermetic amongst the legal profession could entirely avoid the people who made up their clientele. No doubt many of its members greatly appreciated the pleasures of urban sociability and did not want to be cut off from society. The Liberty of the Rolls had to prosecute several members of the legal profession in bastardy cases: a William Wayman esq. was held by John Fielding who awaited the parish's action.<sup>71</sup> Showing that such misdemeanours were not confined to the upper echelons of the profession, Ralph Clayton, clerk to Charles Bicknell of Lincoln's Inn, was charged with begetting a bastard upon the body of Sarah Cooper, a resident of the Liberty of the Rolls. Bicknell was forced to provide security on his behalf.<sup>72</sup> During another bastardy examination, Elizabeth Hassell wouldn't say whose baby she was carrying. Under questioning she admitted it was Seldon's, an attorney's clerk from the Temple, who lived at King's Bench Walk and frequented the Liberty.<sup>73</sup>

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<sup>69</sup> Lloyd Paul Stryker, *For the defence: Thomas Erskine, one of the most enlightened men of his times, 1750-1823* (1947), p.35.

<sup>70</sup> *The records of the honourable Society of Lincoln's Inn: The black books III and IV* (1899), see index.

<sup>71</sup> Westminster Archives, London, LR/K/1/326, Minutes of meetings of the inhabitants and the workhouse committee, 7 September 1773.

<sup>72</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 16 March 1778.

<sup>73</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 1 November 1797.

A more innocent mixing of lawyers with locals could be found in the Rolls Chapel.

Noorthouck again takes over the narrative, describing the Chapel's multifaceted uses:

[a]t the north west angle of this chapel is a bench, where the Master of the Rolls hears causes in chancery: and attendance is daily given in this chapel for taking in and paying out money, according to order of court, and for giving an opportunity to those who come for that purpose, to search the Rolls. The minister of the chapel is appointed by the Master of the Rolls, and divine service is performed there on Sundays and holidays.<sup>74</sup>

The rhythm of the legal calendar interposed itself on the general public who attended, as there were no services outside of legal terms. During these periods of hiatus, regular churchgoers would attend St Dunstan's in the West (east along Fleet Street) instead. The Master of the Rolls had a surprisingly active role in the local area. As well as choosing the local minister he was turned to by the residents' committee of the Liberty of the Rolls to settle disputes. While the committee ran things without his input for the most part, his permission was sought for most schemes with a public aspect, such as forming and training a militia in the 1790s. As will become apparent in subsequent chapters, he was also deferred to when the committee had dealings with other bodies, ranging from neighbouring parishes all the way up to Parliament. The Master of the Rolls was well placed to lobby as he was usually also a Member of Parliament and in the case of Sir Richard Pepper Arden, Master from 1788 to 1801, was an intimate of Pitt the Younger.

The legal community of Chancery Lane was also interesting for its position within London. Corfield gives an indication as to why the situation of 'legal London' was attractive to lawyers. It was 'hidden from the main streets but conveniently sited between the commercial world of the City of London and the nation's political-cum-legal capital in Westminster.'<sup>75</sup> The tension between staying at one remove from the bustle of urban life and remaining well-connected to society at large reflected an inner confusion of the role of the Inns of Court: certainly not lofty educational institutes, nor entirely clubs for networking and professional sociability.<sup>76</sup> Having briefly considered how lawyers were important to the politics of this area – a theme that will be returned to in chapter four, but pervading all aspects of this study – it only remains to highlight the theoretical influences which structure this research and how

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<sup>74</sup> Noorthouck, *A new history of London*, Book 5, Ch. 2, pp.747-68.

<sup>75</sup> Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', p.7.

<sup>76</sup> David Lemmings, 'Blackstone and law reform by education: preparation for the bar and lawyerly culture in eighteenth-century England', *Law and History Review*, 16 (1998), p.214.

they were used to tie together the three strands set out above. I will survey the historiography of comparable local studies and discuss how theories of space might help to differentiate the current work from previous local studies of London.

#### **IV: The problem of space<sup>77</sup>**

Availability of digitised source material relating to eighteenth century London has increased rapidly, beginning with work on the *Westminster historical database*, which produced brilliantly detailed economic and political surveys of the area.<sup>78</sup> With these resources, there is greater scope than ever for thinking about how the distribution and setting of political and economic activities in the urban environment was essential to the ways in which they developed. The lack of an agreed language of space for historians to use, in the way that there is for say class, makes it a difficult concept to work with, but also represents an opportunity. Interest in space as a theoretical tool has burgeoned in recent years, as scholars from a wide variety of disciplines have grappled with its theoretical possibilities. Ogborn and Withers highlight the importance of work by thinkers such as Foucault, Habermas, Williams, Said and Latour in bringing focus upon ‘geographical issues’.<sup>79</sup> Leading the charge for the geographers, Doreen Massey made a clarion call for space to be accorded its proper importance in our intellectual approaches. She argues for ‘a change in the angle of vision away from a modernist vision (one temporality, no space) but not towards a postmodern one (all space, no time); rather towards the entanglements and configurations of multiple trajectories, multiple histories.’<sup>80</sup> Specific focus on space encourages a turn away from understanding any locality as homogeneous or of a single character. To further this explanation it is useful to consider the distinction de Certeau makes between place, ‘the order (of whatever kind) in accord with which elements are distributed in relationships of coexistence’, and space, which ‘takes into consideration vectors of direction, velocities and time variables... In short, *space is a practiced place*.’<sup>81</sup> Thinking about the ways in which

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<sup>77</sup> I am indebted to Katrina Navickas for sharing her paper ‘“Why I am tired of turning”, a theoretical interlude’, given at the Institute of Historical Research in December 2011 on [historyworkingpapers.org](http://historyworkingpapers.org).

<sup>78</sup> C. E. Harvey, E. M. Green and P. J. Corfield, *The Westminster historical database*; ‘Continuity, change, and specialisation within metropolitan London: the economy of Westminster, 1750-1820’, *Economic History Review*, 52, 2 (1999) and ‘Westminster man’. More recently, websites such as [locatinglondon.org](http://locatinglondon.org) have started pulling data from different sources together and provided search tools with a specifically spatial element.

<sup>79</sup> Miles Ogborn and Charles Withers, ‘Introduction: Georgian geographies?’ in Miles Ogborn and Charles Withers (eds.), *Georgian geographies* (Manchester, 2004), p.2.

<sup>80</sup> Doreen Massey, *For space* (2005), p.148.

<sup>81</sup> Michel de Certeau, *The practice of everyday life* (Berkeley, 1984), p.117.

people occupy and use their environment helps the social historian to place their subject in the material world.

Ogborn and Withers suggest three broad areas of interest common to most works on spaces of the eighteenth century: ‘empire, the public sphere and the Enlightenment.’<sup>82</sup> Studies with a specific focus on space in London in the late eighteenth and early nineteenth centuries often take one, or more likely a combination of these concerns as their focus. There has also been particular emphasis, in histories of eighteenth-century Britain, on the work of Foucault and Habermas, who identified this period as of particular importance and opened up its study across the social sciences.<sup>83</sup> While Foucault identified space as an explicit concern in his own work, Habermas’ concept of the public sphere compels historians to confront the importance of different social spaces in a society.<sup>84</sup> Tension between Foucault and Habermas and their attitudes towards Enlightenment thought of the eighteenth century is exemplified by the spaces that have become most famous in their work. Foucault takes Bentham’s Panopticon to represent a disciplinarian vision that began in the eighteenth century city, while Habermas looks to the coffeehouse as a site for the free exchange of ideas and crucible of the nascent bourgeois public sphere. The work of these two helps to show how the study of particular spaces in history can draw us to the nexus between intellectual traditions and political practices.

Epstein explores the subject of public and private space by examining freedom of speech in the eighteenth-century coffee house, in which he finds that ‘the production of meaning is never independent of the pragmatics of social space.’<sup>85</sup> These pragmatics can include who has access to a particular space and can therefore enjoy the freedoms occupation of it imparts; one of the major criticisms of the Habermasian approach has focussed on the exclusivity of the bourgeois public sphere.<sup>86</sup> Hurd suggests that ‘rival, subaltern public spheres’ could be created by marginalised groups with specialized audiences in mind, a theme also taken up by

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<sup>82</sup> Ogborn and Withers, ‘Introduction: Georgian geographies?’, p.6.

<sup>83</sup> Innes, *Inferior politics*, p.6. Michel Foucault, *Discipline and punish* (1991) is heavily cited, particularly in histories of crime and punishment. For the historiography of Habermas see Joanna Innes, ‘The rise of the concept of the "public sphere" in British historical writing’ in Makoto Ohno (ed.), *The Public sphere, intermediary organisations, and power in modern Britain* (2006), pp.178-180.

<sup>84</sup> Ralph Kingston, ‘Mind over matter? History and the spatial turn’, *Cultural and Social History*, 7, 1 (2010), 112-13; Michel Foucault, ‘Of other spaces’, *Diacritics*, 16 (1986) and Innes, ‘The rise of the concept of the "public sphere"’, p.183.

<sup>85</sup> James Epstein, ‘Spatial practices/democratic vistas’, *Social History*, 24, 3 (1999), p.298.

<sup>86</sup> M. J. D. Roberts, *Making English morals, voluntary association and moral reform in England, 1787-1886* (Cambridge, 2004), p.15.

Parolin in her investigation of radical spaces.<sup>87</sup> Acosta identifies the Dissenting community as a satellite public sphere which is culturally and geographically divided from the dominant bourgeois public sphere. Acosta details the connection between the Dissenting community and the areas of Hackney, Stoke Newington and Newington Green. She attempts to show how the public spaces in these localities were formed by the Dissenting tradition, creating a unique political culture.<sup>88</sup> Acosta then attempts to place ‘the northeastern villages of London in connection to the larger map of Europe and the empire’ via the Dissenting voices of Joseph Priestley and Dr. Price. In contrast, Roberts takes a genealogical approach to unravelling the emergence of a particular place name – Speakers’ Corner in Hyde Park – which connects that place with the signifier ‘free speech’.<sup>89</sup> Governance of that space involves suppressing the subversive elements inherent in the shared cultural meaning attached to a particular place, by attempting to redefine it within a legal framework. Tilly describes a disturbance which happened at night in London in 1830, when three hundred men arrived at Temple Bar armed with clubs, only to find the New Police had shut the gates. ‘Francis Place reported that the Spitalfields men had armed themselves by pulling down part of the Public Record Office, then under construction in Chancery Lane, and seizing its staves. In an assertion of their prerogative to control the Temple Bar gate, City Police forced open the gate, but also sought to disarm the Spitalfields workers.’<sup>90</sup> In the broader events he describes, Tilly identifies two themes: ‘(1) co-evolution of spatially organized policing with prevailing routines of popular politics, and (2) salience of symbolic geography in popular struggles.’<sup>91</sup>

It is worth sounding a note of caution. Work in the mould of both Habermas and Foucault presents difficulties. The concept of the public sphere has been stretched to breaking point, with historians attempting to apply a quite specific historical process to a huge range of situations, including a variety of counter-public spheres, and across an ever-increasing timeframe. Historians’ ‘spatialization’ of the public sphere has also been criticised as an

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<sup>87</sup> Madeleine Hurd, ‘Class, masculinity, manners, and mores: public space and public sphere in nineteenth-century Europe’, *Social Science History*, 24, 1 (2000), p.78. Christina Parolin, *Radical spaces: venues of popular politics in London, 1790-1845* (Canberra, 2010), especially pp.282-4.

<sup>88</sup> A. M. Acosta, ‘Spaces of dissent and the public sphere in Hackney, Stoke Newington, and Newington Green’, *Eighteenth-century Life*, 27, 1 (2003).

<sup>89</sup> John Michael Roberts, ‘The enigma of free speech: Speakers’ Corner, the geography of governance and a crisis of rationality’, *Social & Legal Studies*, 9, 2 (2000).

<sup>90</sup> Charles Tilly, ‘Spaces of contention’, *Mobilization*, 5, 2 (2000), p.136.

<sup>91</sup> *Ibid.*, p.137.



oversimplification of the political mechanisms described by Habermas.<sup>92</sup> Meanwhile, Foucault's interest in heterotopias, spaces on the margins of society, can lead to excessive attachment to understanding a society only by looking at its dark corners, without ever thinking to switch the lights on and have a look at the rest of the room. Many theorists on space, in particular Lefebvre, are often cited without their ideas being actively engaged by the historian. Allen argues that the popularity of space as a concept 'in current cultural studies resides in the convenient combination of physical denotations and cultural-political connotations. However, the more frequently the word is used, the more portentous but the less meaningful it tends to become.'<sup>93</sup> In an attempt to unpick 'a bewildering range of new vocabularies' Kingston certainly makes clear the difficulties involved, and worries that interest in cultural space has been to the detriment of physical materiality: 'our Spatial Turn has obliterated interest in bricks and mortar', however 'that is not to say that physical space does not matter.'<sup>94</sup>

Mort and Ogborn have pointed out that 'the project of an urban history that actively incorporates the spatial dimensions of social processes but at particular points in time and in more delimited settings remains substantially underdeveloped.'<sup>95</sup> The claim that there is a dearth of material which actively considers space is less true for earlier periods of London's history. Historians such as Stuart Minson and Paul Griffiths have produced just such work on sixteenth- and seventeenth-century London. Minson gives an account of the complex spatial symbolism of public punishment in sixteenth-century London and its relationship to notions of authority and jurisdiction.<sup>96</sup> Griffiths' study of Cheapside is an excellent exemplar for the present work, as it considers the importance of the collective identity of goldsmiths to the character of the area. It also discusses the symbolic importance of the architecture and urban environment of Cheapside and the political mechanisms through which these were produced.<sup>97</sup> The present study will hopefully start to plug the gap for the second half of the long eighteenth century.

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<sup>92</sup> Harold Mah, 'Phantasies of the public sphere: rethinking the Habermas of historians', *The Journal of Modern History*, 72, 1 (2000), p.155.

<sup>93</sup> Rick Allen, 'Street-life and interdisciplinary spaces', *Journal of Victorian Culture*, 8, 2 (2003), p.311.

<sup>94</sup> Kingston, 'Mind over matter?', pp.111-122.

<sup>95</sup> Mort and Ogborn, 'Transforming metropolitan London, 1750-1960', p.4.

<sup>96</sup> Stuart Minson, 'Public punishment and urban space in early Tudor London', *London Topographical Record*, 30 (2010).

<sup>97</sup> Paul Griffiths, 'Politics made visible: order, residence and uniformity in Cheapside, 1600-45' in Mark Jenner and Paul Griffiths (eds.), *Londinopolis: essays in the cultural and social history of early modern London* (Manchester, 2000).

What should be the ambitions of a spatial history? Mort and Ogborn describe the adoption of local history by cultural historians in favour of the grand narrative preferred by social historians: ‘detailed attention to particular facets of the urban milieu can be seen as part of a broader movement away from grand explanatory narratives and toward the production of microhistories that has occurred across many other areas of historical work.’<sup>98</sup> I agree that through the adoption of a spatial approach, ‘London’s geographies now become active sites for examining the competing uses, social meanings, and power relations that have structured the development of the city.’<sup>99</sup> Such work does challenge aspects of, for instance, Habermas’ grand narrative concerning the public sphere. Yet to be truly worthwhile, these microhistories should represent a source of reflection and evidence-gathering for a renewed and refreshed attempt at big, bold explanatory approaches. Space is best defined as an intersection of several areas at different scales, not as a single bounded area, and can play a role in preventing a more fragmentary approach.

There have been attempts at writing large-scale political histories which specifically acknowledge the importance of space. Perhaps the most sustained body of work of this kind is in the field of ‘contentious politics’, whose chief proponent was Charles Tilly. The approach focuses on ‘repertoires of contention’, a term which refers to any action taken by a group of people intended to make a claim on the state. Setting out a research agenda as long ago as 1981, Tilly (along with Schweitzer) set out his interest in thinking about the geography of contentious gatherings:

[t]he point is not to reduce the massive changes in popular action to effects of changing urban structure. It is firstly to specify with what changes in urban structure, if any, the shifts in contention were closely correlated and secondly to begin the close examination of the relationship between the two, with the long-run hope of understanding to what extent the changes in urban structure shaped the changes in contention.<sup>100</sup>

Literature about contentious politics burgeoned over the next two decades, although the geographical approach was no longer at its forefront. In the early 2000s several articles attempted to reverse this trend and called for the importance of space in studying contentious

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<sup>98</sup> Mort and Ogborn, ‘Transforming metropolitan London, 1750–1960’, p.4.

<sup>99</sup> *Ibid.*, p.5.

<sup>100</sup> Charles Tilly and R. A. Schweitzer, *The changing geography of contention in London, 1755-1835: sketch of a research plan* (Ann Arbor, 1981), p.7.

politics to be asserted.<sup>101</sup> Avoiding a longer discussion of the rights or wrongs of contentious politics as an approach, it is certainly fertile ground for interesting attempts at thinking about space and politics. Tilly's is an excellent example of how the local politics of space can be used to explore the relationship between urban structure and political practices over longer periods and larger areas. There follows a summary of how it is hoped that spatial theory will help to illuminate Chancery Lane and enrich this work.

## **V: The use of space**

Setting is essential to subjective experience and is necessary to describe, let alone understand, the lives of people in history. Yet the relationship between actors and stage is not a passive one. Space indicates a dynamic relationship between people and places and suggests that they are mutually constitutive. Place changes us, Massey says, 'not through some visceral belonging (some barely changing rootedness, as many would have it) but through the *practising* of place, the negotiation of intersecting trajectories; place as an arena where negotiation is forced upon us.'<sup>102</sup> The built environment places physical constraints on the types of political practices that will be successful, or even possible.<sup>103</sup> Built environment or landscape reflects the socio-economic processes which help to constitute it, creating the possibility of, as Epstein puts it, 'spatial practices and spatial imaginings, the struggles to dislodge the authority of place'.<sup>104</sup> Landscape can be conceived as a form of social regulation and is therefore open to political contestation.<sup>105</sup> But the study of space does more than examine the relationship between politics and environment. As Martin and Miller contend, '[s]patial perspectives illuminate the connections between daily life experiences and broader social, political and economic processes.'<sup>106</sup> I would add to this list the importance of culture. One key facet of the character of a locality is its status in the popular imagination, its cultural construction as space.<sup>107</sup> Cultural associations of a particular place have been shown to affect the meaning of its ongoing political use.<sup>108</sup> Yet the associations which different groups bring

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<sup>101</sup> William H. Sewell Jr., 'Space in contentious politics' in Ronald Aminzade et al (eds.), *Silence and voice in the study of contentious politics* (Cambridge, 2001) and Martin and Miller, 'Space and contentious politics'.

<sup>102</sup> Massey, *For space*, p.154.

<sup>103</sup> Sewell Jr., 'Space in contentious politics', p.61.

<sup>104</sup> Epstein, 'Spatial practices/democratic vistas', p.297.

<sup>105</sup> Don Mitchell, *Cultural geography* (Oxford, 2000), p.142.

<sup>106</sup> Martin and Miller, 'Space and contentious politics', p.143.

<sup>107</sup> Epstein discusses this idea in relation to America as a democratic space in Epstein, 'Spatial practices/democratic vistas'.

<sup>108</sup> See, for instance, Roberts, 'The enigma of free speech', pp.271-292.

to a particular place allow for no single fixed identity and are more interesting for their many contestations and subversions.

This study will approach the space of Chancery Lane in three ways: locational, technical and cultural. These three categories are in many ways overlapping but are helpful in understanding how the above theories can be applied to a study of politics in a community. Location denotes the position of the area under study and where it stands in relation to other spaces. This can both be in a cartographic sense of how near it is to other important sites and its position within political, social and economic networks in which it is enmeshed. Technical space refers to physical space as it is lived and shaped on a day-to-day basis by those who occupy it and also those who attempt to control it. The 'techniques' it evokes include questions of ownership and right of use. Who set the rules in this space and did they do so by power of law or custom? How important were local jurisdictions such as the Liberty of the Rolls, and how did their particular dynamics and idiosyncrasies produce decisions? What different types of groups asserted control or evaded/transgressed it? Finally, did the buildings and street layout in the area remain the same and if not, who decided that change was necessary and for what reasons?

Cultural space is the formation of the shared imagination of a space, created through representations of an area in various media from novels to newspapers, paintings to prints. It is a perception created by public conversation and can be vital to the fortunes of a community. It can also affect the ways people hope to change their area and thus how they engage politically with it. In Chancery Lane we will see (and have briefly seen) how it was often difficult to separate ideas of the area from those of the legal profession. Wilson has described the importance of the press in mediating between national and local politics and in both reflecting and forming people's political experiences.<sup>109</sup> She has assembled a comprehensive list of how newspapers help the historian to access the political life of a community. In them we find

endless notices of the meetings of clubs and societies, assemblies, theaters and concerts, and goods, services and land for sale and rent, newspapers chronicled the bids of the urban commercial and middle classes to social authority, mapped consumerist and social aspirations, and laid bare the structures of

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<sup>109</sup> Kathleen Wilson, *The sense of the people: politics, culture, and imperialism in England, 1715-1785* (Cambridge, 1995), p.37 and 40.

economic, political and discursive power in the society, of market relations and forms of social, political and sexual commerce.<sup>110</sup>

What is remarkable is that all of this holds true for as small an area as that around Chancery Lane in a period of just over fifty years.

Much has been said about theoretical approaches, which will help to illuminate what is to come. But it should now be asserted that the following chapters will chiefly elaborate on who the people of Chancery Lane were and the ways in which they interacted in and with this place where they lived and/or worked. Their stories will be glimpsed in the man who raged at a parish officer for mistreating a poor woman with three children, while simultaneously ignoring the operation of a nearby brothel, and the furious lawyer whose missing railings allowed the outside of his chambers in Lincoln's Inn to be used as a latrine. These examples help to remind us that history is, after all, about people. This study will begin by considering the political life of the area, connecting it with the wider events going on in London. Chapter two turns to the built environment around Chancery Lane and various attempts made to modify it. Plans for change came from reformers trying to redesign London as a whole and from those who used the street and simply wanted to make it a little less chaotic. Chapter three details how the lawyers in the area made their own efforts to improve the built environment, and also how they clashed with other residents over who controlled what spaces in the locality. In chapter four we will see how crime affected everyone in the area and how efforts were made to improve policing, but were hampered by the importance attached by the local vestries and Lincoln's Inn to the maintenance of their jurisdictions without interference. Chapter five considers the women in the locality. Women were barred from the worlds of law and vestry, yet we will see how many of the women marginalised by society challenged the attempts to control public space detailed in chapters one to five. Finally, chapter six will look at the political associations that operated in the area and consider their relationship to Chancery Lane's position in London and its specific political environment as set out in the preceding chapters.

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<sup>110</sup> Ibid., p.40.

## **Chapter 1: Political life**

The purpose of this chapter is to provide an introduction to the political activities going on in Chancery Lane in the late eighteenth and early nineteenth centuries. The chapter is broken down into three sections, each detailing a different form of political activity at a different scale. Each instance gives some idea of the sorts of mechanisms by which people in the locality of Chancery Lane connected with the political life of the nation. Thus the following material will give an idea of the political processes which structured Chancery Lane as a political space. This chapter provides context for the more detailed and in-depth themes covered in the later chapters. First to be examined is a vestry dispute in the Liberty of the Rolls, concerning the appointment of a new vestry clerk. Potentially a simple act of administration, it turned into an argument about what constitutes a fair election, eventually drawing in the second-most senior judge of the land as arbitrator. This was a very local event, but reflected the wider political culture. Secondly we will look at how those eligible in the area voted in the general elections of 1768/9 and 1802, giving an idea of how the political attitudes of those living on or near Chancery Lane compared with the County of Middlesex in which it lay. Finally, we will look at the politics of the crowd in Chancery Lane, which offered an alternative mode of political participation. Discussion of occupations of the street during riots and political festivals will emphasise the importance of Chancery Lane's geographic relationship with the rest of London.

### **I: The vestry**

This section introduces the Liberty of the Rolls and its meeting of inhabitants. The meeting was not called a vestry, because it was not strictly attached to a parish church, the Rolls Chapel being private and St Dunstan's in the West having its own vestry. Nevertheless, the meeting of inhabitants performed all of the administrative functions of a vestry, except those connected to running a church. The vestry was the unit of government that was common across the whole metropolis, although its structure could be widely varied and in the City,

many of the functions performed by vestries elsewhere were taken over by the Corporation.<sup>1</sup> During this period in London, the lives of the middling sort were inextricably bound up ‘with the minutiae of ward and parish business’.<sup>2</sup> The Liberty of the Rolls offered, or perhaps demanded, participation from a far greater spread of citizenry than the many closed vestries with exclusive membership controlled by local power brokers, particularly those in neighbouring Westminster. In consequence, the qualification for membership was rigorously policed. In 1803 an anonymous informer reported to the committee that one attendee, Mr Buckley, was not eligible to be there as he was not a householder.<sup>3</sup>

Subsequent chapters will discuss the role of the vestry in paving and cleaning the streets, policing, providing for the poor and its connection to local political associations. In chapter three, dedicated to lawyers, we will see how Lincoln’s Inn put in much time and effort to keeping itself outside the jurisdiction of parishes and how several vestries fought against the Inn’s independence. The vestry is foregrounded here because its influence was felt on such a broad range of local people on a day-to-day basis. While the more familiar political events of elections and riots described later in this chapter may at first seem to define the politics of an era, the steadily changing modes of governance to be found in the vestry can better reveal the gradual development of new political ideas and practices. The inhabitants’ meeting of the Liberty of the Rolls will dominate the material about vestry politics in this research for three reasons. Firstly, of the three vestries concerned, it covered the greatest area of Chancery Lane. Secondly, the Liberty of the Rolls provides a wealth of source material for this era and so a fairly complete picture of its functions can be assembled. Finally, it exemplifies the idiosyncratic nature of local government around Chancery Lane, particularly in terms of its relationship to the Master of the Rolls and the legal profession more widely.

The fact that the vestry clerk was vital to the good functioning of a parish is well-known.<sup>4</sup> In his classic study of St Marylebone, Sheppard goes as far as to suggest that an era of the parish be named after the long-serving vestry clerk: the ‘Age of John Jones’ ran from 1770 to 1814.<sup>5</sup>

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<sup>1</sup> George Rudé, *Hanoverian London, 1714-1808* (1971), p.130. For a good summary of vestry politics in this period see F. H. W. Sheppard, 'London before the L.C.C., the work of the vestries', *History Today*, 3, 3 (1953), pp.174-180.

<sup>2</sup> Roy Porter, *London: a social history* (Harvard, 1994), p.180.

<sup>3</sup> Westminster Archives, London, LR/K/1/328, Minutes of meetings of the inhabitants and the workhouse committee, 30 March 1803.

<sup>4</sup> Harvey, 'Parish politics', pp.30-32.

<sup>5</sup> F. H. W. Sheppard, *Local government in St Marylebone, 1688-1835* (1958), p.301.

A similar case might be made for the Liberty of the Rolls. For example, let us consider a description of the election of a vestry clerk for the Liberty in 1767, eventually won by David Jennings, who served until his death in 1779. He was replaced by his son Richard Jennings, an attorney, who also served as vestry clerk to the adjacent parish of St Clement Danes. Richard Jennings had wider involvement in the public life of the area. He was a steward at a dinner to raise money for a public dispensary in Carey Street and was clerk to an anti-sedition committee which met in Chancery Lane in 1792 (more will be said about both of these in chapter six). Upon his death in 1808, a short obituary praised ‘the urbanity of his manners, and probity in the discharge of his professional and relative duties’.<sup>6</sup> After 1808 there were two vestry clerks, one Mr Hollier and another Mr Jennings, suggesting the dynasty continued; in 1856 the vestry clerk was Edward Jennings. Long-serving loyalty in vestry positions appears to have been commonplace and other characters will emerge in later chapters, such as John Blundell. Initially made beadle in 1792 and also master of the workhouse in 1795, he served in these roles with his wife employed alongside him in the workhouse, until his death in 1812. They were matched by householders who served on the inhabitants’ committee for equally long periods, such as carpenter William Payne, whose son was also involved in local affairs, and John Silvester, a barrister who eventually became Recorder of London and received a knighthood. All of these men took a wide-ranging interest in their locality and will resurface at various times in this work, in numerous roles both within the committee and more widely within local associations.

The election of a new vestry clerk for the residents’ committee of the Liberty of the Rolls provides a good example of some of the issues involved in vestry politics and the importance attached to it by those involved. After the death of the old vestry clerk on 12 September 1767, the first attempt to elect a new one failed because it was judged that not enough of the gentlemen of the law eligible to vote were in the capital - they were possibly away working on the county circuit.<sup>7</sup> The constituency for appointing a vestry clerk was the 10 gentlemen and 10 tradesmen of the workhouse committee for that year, the present and previous overseers of the poor and the ancient inhabitants who had either served all parish offices or who had paid a fine in their stead. The next attempt to elect a new clerk was made two months later (or as the minutes record wistfully, fully eighty-seven days after the previous clerk’s death) when the unusually large number of 33 men attended, with three serjeants of

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<sup>6</sup> *The Morning Chronicle*, 24 October 1808.

<sup>7</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 6 October 1767.



the law in their midst.<sup>8</sup> First on the agenda, the chairman had to explain the procedure for electing parish offices as '[s]everal of the Gentlemen as also other Persons now present' had paid fines rather than serve any office and therefore did not know how it worked. This statement is tinged with a note of sarcasm, or perhaps bitterness felt by activist members of the committee towards those who only turned up for important votes.

The election ran as follows: candidates were nominated by a majority of those present raising their hands in favour. The candidates were written on a piece of paper, which was taken to a table in a separate part of the room by the clerk, or in this case a suitable replacement. Scratches were made in private next to the name of the chosen candidate and then covered up so that the next voter could not see the previous man's choice. 'Several of the Gentleman and many other Persons' were completely happy with the old method of election, but they were not unanimous in this. The dissenters suggested that such secrecy was 'a kind of underhand way' to choose a candidate. Scratches should be made openly at a table and anyone who refused was 'ashamed' of their choice. After this accusation, 'several arguments and altercations ensued'. Order was restored and the matter put to a vote: of the 30 men still remaining, 17 backed the old method of election with only 13 voting to make proceedings public. Voting then began for the election of the new clerk, with two candidates taking 10 votes each and Mr Jennings receiving 13 votes, topping the pole with a margin of three votes. However, he was not declared the winner. His supporters (dubbed 'those who voted for Mr Jennings' in the minutes which was then crossed out and replaced by 'his friends') had stubbornly insisted on voting openly.

At the next meeting of a more modest 11 men, one of the residents, James Story, proposed and was seconded in moving to register a formal protest at the conduct of the election. Dragging the affair on into the New Year, Story's protest was delivered in writing and several people offered to sign it, although Mr Serjeant Nares declared that it should be shown to Mr Jennings before anything else was done.<sup>9</sup> Story's protest did gain a number of signatures and was entered into the minute book. His objections were fourfold, and needed to be set down because 'we think ourselves under an indispensable obligation to vindicate our conduct by leaving to posterity our testimonies... to show we have only acted according to the true

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<sup>8</sup> Ibid., 8 December 1767.

<sup>9</sup> Ibid., 4 January 1768.

dictates of conscience and of justice in protesting against an attempt to innovate our privileges and ancient rights and customs.’<sup>10</sup>

Story’s first reason echoed this sentiment saying that any sort of innovation should be prevented so that the rights and privileges enjoyed by certain inhabitants could be maintained. He appears to be making a veiled reference to a group who should be particularly worried if conservative principles are not adhered to, perhaps those lawyers who were exempt from parochial office. His second point reiterated the fact that the old method of election was a custom that had lasted since time immemorial, a fact which he takes to be an argument in itself. Those who acted in a contrary manner were judged to be infringing the rights and privileges of others. Thirdly, Story pointed out that those people who had not known the traditional mode of election had agreed to abide by the outcome of the vote to decide whether a new method would be introduced. Having failed to gain a majority in the manner agreed upon, the innovators, ‘in a most peremptory manner acted in direct Opposition thereto’, causing the election that took place ‘to be undue, unfair, partial and influenced’. His fourth reason was that certain expressions used and insinuations made during the course of the argument, ‘if permitted to pass unnoticed, may be a means of sowing discord and animosity among the inhabitants’. This was contrary to the duty of committee members to work for the common good of the Liberty and not for the good of one particular candidate, was subversive to the ‘order and unanimity’ which the committee relied upon to function and might even cause the overthrow of all the rules and regulations so far established.

Mr Jennings attended a meeting the next day wanting to know if he could finally take up the post, as he believed his election was legitimate. Instead, James Story moved that the decision over whether the election was valid should fall to two of the legal men on the committee, Mr Serjeant Sayer and Mr Serjeant Nares. If they disagreed, some third person would be brought in to mediate.<sup>11</sup> Jennings was called to yet another residents’ meeting to be told that the Serjeants had met that morning and could not agree. The matter was instead referred to the Master of the Rolls, or if he refused to adjudicate, an eminent member of the bar. Although the decision made has unfortunately not been recorded, Mr Jennings did eventually take his place as vestry clerk. These proceedings show us the importance of parish meetings in developing ideas of democracy and openness long before significant changes took place at

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<sup>10</sup> Ibid., 5 January 1768.

<sup>11</sup> Ibid., 5 January 1768.

the national level. For many members the vestry was the only place in which they could influence the running of an institution with their political ideas, and their concern at recording their arguments for posterity shows how seriously they took this as a political forum. It was important to show that those involved in vestry politics were not subject to influence of any kind.

The outlook of the men of the Liberty was not narrowly parochial. We will see in later chapters how the Liberty was repeatedly involved in lobbying Parliament. By 1815, the people of Chancery Lane were also taking an interest in national issues, as when the residents' committee of the Liberty of the Rolls made an application to parliament rejecting the Corn Laws, arguing that they would benefit only the landed classes.<sup>12</sup> They added that the poor would be the ones to suffer, as would the 'mass of the people', including traders, manufacturers and labouring mechanics.<sup>13</sup> It was proposed by Mr Mills, about whom further information is not available, but was seconded by Mr Heraud, a law stationer. There was certainly more of a clash of ideas in the vestry room of the Liberty of the Rolls than amongst the largely conservative constituency voting in general elections in this area, as we will now see.

## **II: Electoral politics**

The surviving electoral rolls from the Parliamentary elections in the County of Middlesex of 1768 and 1802 show both the composition and behaviour of the electorate in Chancery Lane. We will begin with a brief background of these elections and then go on to describe how the freeholders around Chancery Lane cast their votes, and how their political make-up compared with Middlesex as a whole. There were two elections in 1768, the first in March and then a second in December. Both were dominated by the redoubtable figure of John Wilkes, although he was only a candidate in the first. Previous to this election Sir William Beauchamp Proctor, a Whig lawyer, and George Cooke, a Tory, had stood unopposed for the previous two elections. Wilkes upset this comfortable arrangement after returning from several years of outlawry in France, having fled Britain after prosecution for seditious libel in

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<sup>12</sup> For parish interest in national political issues and particularly the Corn Laws see A. D. Harvey, 'Parish politics: London vestries 1780-1830 (part 2)', *Local Historian*, 40, 1 (2010), p.33.

<sup>13</sup> WAL, LR/K/1/329, Minutes of meetings of the inhabitants and the workhouse committee, 6 March 1815.

1763. Upon his return, Wilkes sought re-election to Parliament, and having failed to triumph in the poll for London, thrust himself into the Middlesex election two days before it began.<sup>14</sup>

Despite not owning property in Middlesex or having much in the way of funding, Wilkes' overwhelming support among urban shopkeepers and small tradesmen helped him pulled off an improbable victory, which his opponents furiously ascribed to the influence of the mob. He was joined in Parliament by George Cooke. Soon afterwards, Wilkes gave himself up to the courts to answer outstanding charges dating from before he had fled to France. Following some legal wrangling, he was committed to prison for 22 months. Cooke died in June 1768 sparking another election. Proctor stood again, this time challenged by Serjeant John Glynn, a Wilkite candidate. Proctor was defeated once more. However, Wilkes then had his candidacy in the earlier election declared void when Parliament was convened in early 1769. Rudé's research on the Middlesex electors in the late 1760s gives an idea of who was voting in the area around Chancery Lane. Lawyers and legal placemen were generally for Wilkes' opponent Proctor, who gained the votes of the Master of the Rolls, Thomas Sewell and four Masters in Chancery, all of whose freeholds were very local to Chancery Lane. One of the Masters in Chancery, John Eames, was an MP. Rudé also recorded the Rev Joseph Williamson of the vicarage of the Liberty of the Rolls as one of very few clergymen who voted for the radical candidates, Wilkes and Glynn.<sup>15</sup>

The 1802 election in Middlesex has many parallels to that of March 1768. In the previous two elections of 1790 and 1796, George Byng and William Mainwaring had been returned unopposed. This similarly cosy arrangement to that of the 1760s was brought to a halt in 1802 by the radical candidacy of Sir Francis Burdett. Burdett's challenge was directed at Mainwaring and hinged on the issue of poor treatment of prisoners in Coldbath Fields prison and the subsequent attempt by Mainwaring to protect its governor. Byng was appreciated for his previous conduct as a member for Middlesex and comfortably topped the poll, with Burdett coming second. Burdett's campaign differed from Wilkes' in that he enjoyed strong Foxite Whig support and his campaign was very well funded. However, Burdett would also have his win declared void after some of his vote-garnering practices were successfully challenged in court.

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<sup>14</sup> For more on Wilkes and the significance of his campaigns, see John Brewer, *Party ideology and popular politics at the accession of George III* (Cambridge, 1976), particularly chapter 9.

<sup>15</sup> George Rudé, *Wilkes and liberty* (1983), p.82-3.

The surviving transcription of the poll books from the Middlesex elections in 1768 and 1769 is divided into sections, most of which represent different geographical areas such as streets or parishes.<sup>16</sup> The section titles covering Chancery Lane and its surroundings are revealing of who was voting in this area. The subdivisions included are ‘Chancery Lane and Carey Street’; ‘Lincoln's Inn’; and ‘offices and places’. The great majority of voters lay in the final two categories. In the election of March 1768 a total of 66 people listed in these three categories voted. 22 were listed as having their freehold in Lincoln’s Inn, 39 owed theirs to offices or places based in Chancery Lane and only five had a freehold on Chancery Lane or Carey Street. The offices and places included the Chancery Office, the Six Clerk’s Office, the Examiner’s Office and the Cursitor’s Office. This trend continued in the election of December 1768; of the 123 voters only 18 had freeholds on Chancery Lane or Carey Street.

Although they were very few in number, the voters in Chancery Lane and Carey Street were appreciably more radical than those with a freehold in Lincoln’s Inn or with an office or place (for voting percentages see figure 5 below). Of the five voters with freeholds in Chancery Lane or Carey Street in March 1768, four had Wilkes as one of their choices. Of the 18 people voting in the December election, 13 opted for Wilkes’s proxy Glynn. These patterns were broadly in line with those of the metropolitan hundred of Ossulstone, a bastion of Wilkite support, in which Chancery Lane lay. It is probable that the freeholders in Chancery Lane fell into categories that made up Wilkes’s main support base of shopkeepers and tradesmen. The contrast with voting patterns which include Lincoln’s Inn and the offices is stark. Of 104 votes cast in March, 37 were for Proctor (35.6%), 36 were for Cooke (34.6%) and 31 for Wilkes (29.8%). In December 123 votes were cast, Proctor taking 79 (64.2%) and Glynn 44 (35.8%). The barristers of Lincoln’s Inn were overwhelmingly supporters of the government candidate, with only 22.2% of their votes going to Wilkes. Lincoln’s Inn along with the Six Clerks’ Office dominated voting in the area, accounting for 46 of the 66 men who cast votes in March 1768, with voters from outside the legal establishment accounting for only 7.5% of the electorate in March and 14.6% in December.

Even Lincoln’s Inn paled in comparison next to the formidably pro-ministry Chancery Office in which, of 14 people who voted in December 1768, only a single person voted for Glynn. Turnout in government offices increased substantially between March and December (only

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<sup>16</sup> London Metropolitan Archives, MR/P/P/1768/001, Contemporary transcripts of original poll books (not surviving) for Middlesex elections, 29 March 1768, 8 and 14 December 1769, 13 April 1769.

four people in the Chancery office voted in March), with almost all of the extra voters opting for Proctor. Glynn's membership of the legal establishment does not seem to have garnered him any extra support amongst his colleagues. Ties to the government and reliance upon the political establishment for career advancement appear to have been more important. The increase in turnout came after active canvassing on the part of the Ministry to persuade people in government offices to vote.<sup>17</sup> It may be outside pressure which accounts for a curious shift in voting patterns of those working in the Cursitor's Office (an office in the Court of Chancery, whose business was to make out original writs); in March only five men from the Cursitor's Office voted, four of whom included a vote for Wilkes. In December, 10 people in the office voted, only three of them opting for Glynn. In 1802 all nine cursitors voted for Mainwaring alone. The voting figures for the area around Chancery Lane (due to the influence of the legal profession) are far from representative of voting across Middlesex. Wilkes won the March election with 1297 votes (44.3%), Cooke coming second on 827 (28.3%) and Proctor third on 802 (27.4%). In December Glynn won with 1548 votes (54.9%), Proctor taking 1272 (45.1%).<sup>18</sup>

In the election of 1802, 158 people voted with freeholds in the area on or around Chancery Lane.<sup>19</sup> Of these, 30 lived on Chancery Lane or Carey Street and a few others on smaller streets within the Liberty of the Rolls. There were 79 freeholds in Lincoln's Inn and 49 voters with offices or places in the area. People with freeholds outside of the direct control of the legal establishment now accounted for 19% of the electorate, although this rise is only due to an increase in the number of roads in the area that were properly recorded. If we only count those people with a freehold listed under Chancery Lane or Carey Street, as was done for the elections of 1768, their numbers fall by a half to just 15. Taking the larger freeholder group of 30, they once again displayed their more radical preferences, with 29.2% of their votes going to Burdett, close to the ratio of votes in Middlesex as a whole. In all, 231 votes were cast in the area; 112 for Mainwaring (48.5%), 79 for Byng (34.2%) and 40 for Burdett (17.3%). In Middlesex as a whole, Mainwaring garnered 2936 votes (29.4%), Byng 3848 (38.5%) and Burdett 3207 (32.1%). Voting patterns were no longer so geographically divided as they were when Wilkes was elected, with all candidates now relying to a greater extent on

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<sup>17</sup> J. A. Cannon, 'Middlesex' in L. Namier and J. Brooke (eds.), *The History of Parliament: the House of Commons 1754-1790* (1964), published at [www.historyofparliament.org](http://www.historyofparliament.org).

<sup>18</sup> *Ibid.*

<sup>19</sup> *Copy of the poll for the election of two knights of the Shire to serve in Parliament for the County of Middlesex* (1803).

increasingly populous urban areas.<sup>20</sup> Nevertheless, the area around Chancery Lane was still overwhelmingly hostile to the radical candidate Burdett.

**Figure 5:** table showing percentage of overall votes going to each candidate in the elections of March 1768, December 1768 and July 1802 in Middlesex, Chancery Lane and Lincoln’s Inn calculated from London Metropolitan Archives, MR/P/P/1768/001, Contemporary transcripts of original poll books and *Copy of the poll for the election of two knights of the Shire to serve in Parliament for the County of Middlesex* (1803).

Date of election and candidates	% of votes in: Middlesex	Chancery Lane area (including Inn and offices)	Lincoln’s Inn
March 1768			
Proctor	27.4	35.6	39.9
Cooke	28.3	34.6	39.9
Wilkes	44.3	29.8	22.2
December 1768			
Proctor	45.1	64.2	68.9
Glynn	54.9	35.8	31.1
July 1802			
Mainwaring	29.4	48.5	48.3
Byng	38.5	34.2	35.6
Burdett	32.1	17.3	16.1

Chancery Lane had another link to electoral politics in 1802. In the same general election which Burdett contested in Middlesex, John Graham, an auctioneer based in Chancery Lane, decided to stand in Westminster. Westminster elections of the 1780s were hotly contested and deeply politicised. The phenomenal cost involved in fighting these elections led to government and opposition candidates agreeing to divide the representation between them in the election of 1790. In protest against this aristocratic carve up and to offer a genuinely

<sup>20</sup> J. A. Cannon, ‘Middlesex’.

radical alternative, John Horne Tooke, a radical activist since the days of Wilkes, decided to run. Without any formal organisation he managed to poll 1700 votes. Tooke mounted another challenge in 1796, with support from members of the London Corresponding Society. He polled over 1000 more votes than in his previous effort but was still 2000 votes behind the ministerial candidate, as all three contestants managed much greater numbers than six years before.<sup>21</sup> It was within this context that in 1802, ‘an extraordinary opposition took place on the part of Mr John Graham’, auctioneer and sheriff’s broker of Chancery Lane.<sup>22</sup>

The *Annual Register* said that Graham did ‘Westminster the honour of tendering himself to rescue the first city in Europe from the vileness and degradation of being represented by admiral Gardiner and Mr Fox!’<sup>23</sup> This hyperbole echoed the rhetoric of the candidate. After the hustings, Graham thanked those who attended for their good reception and exhorted them to ‘crush the monster of political connection formed by the other two Candidates’ who were depriving the electorate of ‘just representation’.<sup>24</sup> Graham readily admitted that he did not have the financial clout to properly contest the election and would not risk financial ruination. He called for some other more qualified person to come forward and take up the baton of opposition to the aristocratic coalition so that ‘you, who are mostly in the middle rank of society, may chuse to have a REPRESENTATIVE of YOUR OWN DESCRIPTION’.<sup>25</sup> Graham appealed to the ‘independent electors of Westminster’ to set an example of public virtue, which placed him firmly within a radical electoral tradition beginning with Wilkes.<sup>26</sup> He offered to pull out on the third day of the contest, but despite Fox’s enthusiasm for accepting Graham’s offer to withdraw, Gardner, the ministry candidate, refused. From this moment on, Graham focused all of his attacks upon Gardner. Graham clearly recognised the limitations of his candidacy, but also saw the potential of his own class of people for keeping elections an honest affair in which candidates had to make a genuine appeal to the electorate. Despite eventually giving up at short notice on the ninth day of polling, Graham picked up almost 1700 votes without the backing of any real organisation, showing that the spirit of independence was alive and well amongst the Westminster electorate.<sup>27</sup> Graham’s name was

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<sup>21</sup> David R. Fisher, ‘Westminster’ in R. Thorne (ed.), *The History of Parliament: the House of Commons 1790-1820* (1986), published at [www.historyofparliament.org](http://www.historyofparliament.org).

<sup>22</sup> B. C. Walpole, *Recollections of the life of the late Right Honourable Charles James Fox* (1806), p.186.

<sup>23</sup> *The annual register for the year 1802* (1803), p.422.

<sup>24</sup> *The Morning Post and Gazetteer*, 7 July 1802.

<sup>25</sup> *Ibid.*, 5 July 1802.

<sup>26</sup> Matthew McCormack, ‘Metropolitan ‘radicalism’ and electoral independence, 1760-1820’ in Matthew Cragoe and Anthony Taylor (eds.), *London politics, 1760-1914* (Basingstoke, 2005), p.25.

<sup>27</sup> David R. Fisher, ‘Westminster’.



still certainly remembered in 1806, as he was included in a broadside attacking the record of Richard Brinsley Sheridan, who was candidate for Westminster in that year and for whom Graham had previously expressed support. Graham's job as an auctioneer is parodied, with his name attached to a sale of Sheridan's 'unredeemed pledges', which he is said to have pawned before coming into office.<sup>28</sup>

While Graham's prominence indicates the presence of some independent minded middling sorts in the area around Chancery Lane, the locality was clearly dominated by the legal profession. There were not large enough numbers of lower-middle-class voters (e.g. shopkeepers) in this area to produce as significant a radical constituency as there was elsewhere in Middlesex and particularly in other sections of the urbanised hundred of Ossulstone within which most of Chancery Lane lay. In the legal profession, voting was dominated by connections to the ministry, possibly swayed by potential pensions, places and career advancement. Few would have been foolish enough during elections to bite the hand that fed them. However, another source of spirited independence still remained in the vestry meetings. We will now turn to the political crowd, an opportunity for those people who were disenfranchised in both general elections and the vestry to express their political allegiances. Chancery Lane was in a central position in London and thus experienced the same lively street politics as the surrounding metropolis. Its relationship to London helps to reveal the geography of protest in the capital. We will also see how the presence of legal offices could operate as a draw to crowds.

### **III: Crowds and riots**

This section will consider how and why political crowds (or mobs to their detractors) were found in Chancery Lane. Its position in London is vital to explaining the presence of crowds, revealing Chancery Lane's place in a political geography of London's 'inferior' set. The 'mob', as Rudé would have it,

borrowed the ideas of their heroes of the hour—men such as Chatham and Wilkes, or even Lord George Gordon—but to present this aspect alone is to give a one-sided picture and to ignore the particular grievances and social impulses of the 'inferior set of people', which were by no means the same as those of the 'middling sort', such as voted for Wilkes in Middlesex or that rallied to St

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<sup>28</sup> *History of the Westminster and Middlesex elections; in the month of November 1806* (1807), p.131.

George's Fields at the summons of Lord George Gordon; still less were they those of the City merchants or members of the Opposition in Parliament.<sup>29</sup>

Perhaps a better way of expressing Rudé's claim that the mob borrowed the ideas of its heroes is that popular movements were best able to coalesce around particular figures, whose struggle with authority partly reflected their own, and acted as a springboard from which other grievances and social impulses could be expressed. This introductory section will introduce some common themes in the motivations, methods and movements of crowds around London, using several small conflicts as examples. These themes will be explored further in three sections covering larger, longer and more famous political disturbances which arose from the campaigns of three 'heroes': John Wilkes, Admiral Augustus Keppel and Lord George Gordon. Finally, the decreasing acceptability of riotous political protest by the 1790s will be illustrated when the crowd tried to lend their support to Thomas Erskine.

The second half of the long eighteenth century witnessed the decline of the mob as an accepted political and social force in London. Shoemaker has given a convincing explanation for the decline of the mob: while improved policing and the ideal of politeness held by the upper and middle classes were contributing factors, 'it is the transformation of London's public life caused by the changing relationship between the individual and the community which best explains the decline of the multifaceted activities of the mob in the second half of the eighteenth century.'<sup>30</sup> Shoemaker's emphasis upon the community invites more localised study of the mob, to uncover local variations across London and explore the importance of the particular community in which an individual lived. Most of the biggest disturbances in London touched Chancery Lane in some way. This was often due to Chancery Lane's position between Westminster and the City, and the ritual processing of riots typically involving 'parades of itinerant bands, marching (or running) through Shoreditch, the City of London, Westminster or Southwark, gathering fresh forces on the way'.<sup>31</sup> In 1772, a mob made up predominantly of boys rushed up Chancery Lane breaking windows indiscriminately, whether they had been illuminated in support of the crowd or not (although their precise interests have unfortunately not been recorded). George's Coffeehouse suffered

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<sup>29</sup> George Rudé, 'The London 'mob' of the eighteenth century', *The Historical Journal*, 2, 1 (1959), p.13.

<sup>30</sup> Robert B. Shoemaker, *The London mob: violence and disorder in eighteenth-century England* (London and New York, 2004), p.298.

<sup>31</sup> Rudé, 'The London 'mob' of the eighteenth century', p.2.

particularly bad damage with 11 panes broken, as did the chambers of Lincoln's Inn facing out on to Chancery Lane.<sup>32</sup>

Chancery Lane was also in an area of London where the mediation of relationships between court and port could be challenged, by interfering with the ritual passage from one to the other through Temple Bar. Processions, such as those accompanying heralds announcing the outbreak of war or peace described in the previous chapter, invited popular expressions of agreement with or challenge to the sentiments being conveyed. Furthermore, the presence of public legal offices, Lincoln's Inn and the chambers of important legal figures such as Lord Mansfield and Lord Erskine made it a site at which a crowd could show their approbation of or opposition to outcomes of individual trials, as well as expressing their perception of the legal system as a whole. Finally, chaos on the streets caused by their use for commercial activities could also draw a crowd. Unlike present networks of food supply which are invisible to the point almost of secrecy, eighteenth-century methods of delivering food to the capital enforced a juxtaposition of the separate worlds of countryside and metropolis. An over-driven ox went charging through the streets taking in Chancery Lane before it was eventually secured in Gray's Inn Lane, but only after it had tossed two people. 'The number of people who followed the animal, was perhaps greater than ever was known on a like occasion.'<sup>33</sup>

Public punishments also drew a crowd. During the war of independence with America, a French spy, Francis Henry de la Motte, was hanged at Tyburn. He then had his head cut off and his heart removed and thrown into a fire. He had been taken from the Tower on the morning of the execution, stopping at Newgate prison on the way to Tyburn. The event caused a sensation in the metropolis and the vast crowds attempting to 'see the Exit of this remarkable Man' resulted in numerous accidents. Public ceremonies were efforts to stage-manage an event but were rarely far from descending into disorder, of an excitable rather than insurrectionary kind.<sup>34</sup> A brewer's cart that was overloaded with men, women and children broke down under their weight at the end of Chancery Lane and the people riding in it were spilled onto the road injuring several people.<sup>35</sup> Chancery Lane's position as a thoroughfare in the middle of the metropolis meant that most large public processions across the capital

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<sup>32</sup> *General Evening Post*, 6 October 1772.

<sup>33</sup> *London Courant and Westminster Chronicle*, 15 August 1781.

<sup>34</sup> Shoemaker, *The London mob*, p.100.

<sup>35</sup> *St. James's Chronicle or the British Evening Post*, 26 July 1781.

would pass through it, making it a good site to examine the gradual changes taking place in the movement of large crowds through London's streets. In 1783, executions were moved to take place outside Newgate prison, to obviate the need for a long and unruly procession across London.<sup>36</sup> The macabre interest of the public remained, but the spectacle was much foreshortened as in 1796, when two convicted murderers were hanged at Newgate and their bodies were taken in a cart to a surgeon's house in Lincoln's Inn Fields, passing through Chancery Lane attended by a 'numerous' crowd.<sup>37</sup>

There were also more fleeting events which began locally and did not involve crowds surging from one part of the city to the other. In cases of crime and particularly theft, the crowd instantaneously brought their own sense of justice to bear, combining judge and jury, then meting out punishment on the spot.<sup>38</sup> In these cases, Chancery Lane's publicity, its role as a place where significant numbers of people might be found shopping or just passing through was helpful to the criminal's ability to find targets, but also to the success of street justice. A man was found picking pockets at a sale in Chancery Lane after relieving several people of their handkerchiefs. Rather than disrupting the sale by involving the law in bringing justice, the organisers delivered the thief 'into the hands of the mob, who gave him the discipline of the horse-pond in Bond-stables.'<sup>39</sup> Ducking in water was a well-known unofficial punishment for pickpockets in eighteenth-century London.<sup>40</sup> Humiliation within the community (not to mention an experience that was probably something akin to waterboarding) was, in this instance, seen as a strong enough deterrent not to bother with recourse to the courts.

Tensions were often heightened in London at times of war and these were experienced in Chancery Lane in a variety of ways. Economic strictures at home often coincided with conflict abroad and could lead to crimes of desperation. An old man, who appeared to be starving, stole two quarter loaves from a baker's basket on Chancery Lane. The cry of 'stop thief' went up but no one could move themselves to detain him, apparently because his look of sheer despair froze them to the spot. He was followed as he fled and soon began to tire, having to drop the loaves. In some cases of mob justice, pity prevailed and leniency was

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<sup>36</sup> Shoemaker, *The London mob*, p.90.

<sup>37</sup> *Whitehall Evening Post*, 24 December 1796.

<sup>38</sup> The following are good examples of crowds acting with a 'legitimizing notion' as described in E. P. Thompson, 'The moral economy of the English crowd in the eighteenth century', *Past & Present*, 50 (1971), p.178.

<sup>39</sup> *Lloyd's Evening Post*, 7 April 1773.

<sup>40</sup> Shoemaker, *The London mob*, p.132.

exercised. The would-be thief could have been caught but for a spectator who ‘threw himself between the mob and the unfortunate fugitive’ and appealed to them to take pity, upon which they gave up pursuit.<sup>41</sup> Failure of the crowd to catch the old man shows that people did not have to be desperate themselves to appreciate the ‘law of necessity’, that the starving must eat, no matter the cost.<sup>42</sup> The incident is also indicative of the growing reluctance of ordinary Londoners to get involved in policing the streets and making arrests, a role which was increasingly taken up by paid professionals, as we will see in chapter four. In fact, Londoners were ever more likely to intercede in cases where they could prevent an outbreak of violence as the above spectator did.<sup>43</sup>

Examples of impressment were often to be found in the area,<sup>44</sup> such as in 1770 when four labourers working at a building at the corner of Chancery Lane and Fleet Street were taken by a press gang.<sup>45</sup> Perceived interference with English liberties could be met with fierce resistance from the general public.<sup>46</sup> Two Light Horsemen attempted to take a deserter from their regiment into custody in a pub in Holborn. The man fled, raising the cry of ‘crimps’! The soldiers caught up with the deserter and cut him severely, but a mob came to his rescue and repulsed the soldiers who were forced to take shelter in a house. They were dislodged and then beaten and chased all the way down Chancery Lane. The incident led to a more general agitation which picked up towards the evening when the military were called out.<sup>47</sup> The next summer the inhabitants of the Liberty of the Rolls were obliged to pay £9.9s.6d as compensation for damages to property in the hundred of Ossulston after riots connected to recruiting houses.<sup>48</sup> Impressment continued to be a cause of violence on London’s streets.<sup>49</sup>

The last large disturbance to be found in the newspaper record that touched upon Chancery Lane in the period up until 1815 was during September 1800, when food price riots took place in the capital. The fact that no further riots were recorded in the area supports the thesis of the declining role of the mob in public life. Nevertheless, acute food shortages were such a

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<sup>41</sup> *The Morning Chronicle*, 13 March 1804.

<sup>42</sup> John Bohstedt, *The politics of provisions: food riots, moral economy, and market transition in England, c. 1550-1850* (Farnham, 2010), p.118.

<sup>43</sup> Shoemaker, *The London mob*, p.49.

<sup>44</sup> Nicholas Rogers, *The press gang* (2007), p.9.

<sup>45</sup> *Lloyd's Evening Post*, 26 September 1770.

<sup>46</sup> Shoemaker, *The London mob*, p.217.

<sup>47</sup> *Morning Chronicle*, 23 July 1795.

<sup>48</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 7 July 1796.

<sup>49</sup> Shoemaker, *The London mob*, p.157-8.

grave problem that they still elicited angry protests. The mob's rage was focused upon markets and shopkeepers such as butchers and cheesemongers. During the second night of rioting, the mob gathered in Fleet Market. Here they rushed into Fleet Street, huzzaing the Hackney coachmen and forcing them to remove their hats. A party of volunteers was approaching down Snow Hill to meet them so they retreated back to Fleet Market, whereupon another group of volunteers advanced upon them. From here the mob charged back into Fleet Street and, pursued by the volunteers, made their way up into Chancery Lane and along Carey Street towards Clare Market, where they attacked the house of a cheesemonger, breaking some windows. The St Clement Danes volunteers were waiting in the neighbourhood and soon moved the mob off again through a passage into Portugal Street and up towards Holborn. From here, the intention was apparently to return to Snow Hill, but knowing there would be volunteers awaiting them, the mob dispersed.<sup>50</sup> In this set of events can be seen a geography of rioting in London. It exhibits two spatial aspects of such disturbances which Charles Tilly has identified as spatially organised policing and the importance of symbolic geography to popular struggle.<sup>51</sup> Food markets were attacked as representative of the immiseration of many Londoners due to rising food prices. Chancery Lane's position between food markets serving Westminster and the City placed it in the mob's path. Meanwhile, mass mobilisation made deployment of the military to suppress riots an increasingly feasible option. The presence of volunteer forces spread throughout the capital provided a numerous, localised and flexible means by which even highly mobile mobs could be contained and deterred.<sup>52</sup> We will now see how Chancery Lane's position in London and the presence of legal infrastructure there were important in three acute periods of disorder, beginning with that surrounding John Wilkes in the late 1760s.

#### **IV: Political hero: Wilkes and liberty in Chancery Lane**

John Wilkes was a notorious radical politician who successfully harnessed mass public support and clashed with Parliament over issues of liberty such as reproducing the text of Parliamentary debates.<sup>53</sup> At the height of the Wilkes disturbances in 1769, a 'cavalcade of

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<sup>50</sup> *Morning Post and Gazetteer*, 20 September 1800.

<sup>51</sup> Charles Tilly, 'Spaces of contention', *Mobilization*, 5, 2 (2000), p.137.

<sup>52</sup> Bohstedt, *The Politics of provisions*, p.230.

<sup>53</sup> Rudé, *Wilkes and liberty* remains the classic account of Wilkes's career and particularly the political movement which coalesced around him, although more recent scholarship abounds. See for instance Brewer,

merchants and tradesmen' set out in their coaches from the Royal Exchange, accompanied by the City Marshal and around 12 constables, to deliver a loyal address to the King.<sup>54</sup> The address was probably composed as a direct response to the formation of the Society of the Supporters of the Bill of Rights, set up to help pay for Wilkes's political expenses and personal debt.<sup>55</sup> The address represented the City's moneyed interest rather than its political representatives, with its 600 signatories including governors and directors of the East India Company, the London Assurance Company, the Royal Exchange Assurance and the Bank of England.<sup>56</sup> A crowd immediately gathered and showed their disapproval of the merchants' message by scratching their carriages and flinging dirt at them. As the procession proceeded, the assailants became more unruly, breaking several carriage windows and dispatching a group to close the gates at Temple Bar. The marshal and constables tried to reopen the gates but were attacked and most of the carriages were brought to a halt. Mrs Harris, the wife of James Harris MP, related in a letter to her son how 'a most infamous riot took place there. Mr Boheme, the chairman of the group, was insulted and forced to quit his coach, then managed to escape into a coffee-house. In the bustle he left the address in the coach, which was carried back to his coach-house'.<sup>57</sup> A number of carriages managed to flee up Chancery Lane, Fetter Lane and Shoe Lane. Of the 130 merchants who set out only a dozen got through to the Palace.<sup>58</sup> The rest were forced to return home. The address was eventually delivered to St James' by water from Whitehall without any accompanying procession.

Barely a month later, Wilkes himself was in the area. This second incident shows how Chancery Lane itself could be a magnet for the mob. As well as being a space of transition in London, it was also a destination by virtue of its legal offices. Wilkes was brought to Lord Mansfield's Chambers in Serjeant's Inn from the King's Bench prison on a writ of habeas corpus, in order to discharge his bail for reprinting the *North Briton*, No. 45. 'A very great number of people waited in Chancery-lane' and when Wilkes emerged they followed his coach as it departed down Strand, huzzaing loudly as they went.<sup>59</sup> The crowd soon unharnessed the horses and pulled the coach themselves. Wilkes was released from the

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*Party ideology and popular politics*; Peter D. G. Thomas, *John Wilkes: a friend to liberty* (Oxford, 1996); Arthur H. Cash, *John Wilkes: the scandalous father of civil liberty* (Yale, 2006).

<sup>54</sup> Description taken from *The annual register for the year 1769* (1770), p.84 and *Public Ledger*, 23 March 1769.

<sup>55</sup> Rudé, *Wilkes and liberty*, p.62.

<sup>56</sup> Rudé, *Hanoverian London*, p.146.

<sup>57</sup> Quoted in Rudé, *Hanoverian London*, p.216.

<sup>58</sup> Rudé, *Hanoverian London*, p.215.

<sup>59</sup> *London Chronicle*, 20 April 1769.

King's Bench prison on 17 April 1770 and while many celebrations were held the *Annual Register* reported that, 'to the praise of the lower order of Patriots', there had been no disturbances.<sup>60</sup> Shoemaker tells us that after the disorder associated with Wilkes, particularly in 1768, politicians and the press were less likely to appeal to the crowd.<sup>61</sup> On this occasion Wilkes' supporters do seem to have come out into the street to celebrate and at least one situation almost got out of hand but reason prevailed. A mob of Wilkes supporters demanded that the windows be illuminated in a house in Chancery Lane. Just as they were becoming more riotous, an onlooker suggested they would bring greater glory to Wilkes's name by behaving like gentlemen. The mob responded by giving a shout and leaving, causing one newspaper to describe them as 'uncommonly quiet and moderate'.<sup>62</sup> This example gives us evidence of how crowds might respond to a process of negotiation. We now turn to our second hero, Admiral Keppel.

### **V: Military hero: Admiral Keppel and Chancery Lane**

One event which sparked a series of disturbances around Chancery Lane was the court martial and acquittal of Admiral Augustus Keppel. Keppel was commander of the Channel fleet but was court-martialled after a dispute with his second-in-command, Sir Hugh Palliser. The latter was a protégé of the first Lord of the Admiralty, the Earl of Sandwich, who was also the personal nemesis of Admiral Keppel. Opposition leaders such as Rockingham and Portland flocked to Keppel's cause. The matter had become deeply politicised and 'the celebrations on Keppel's acquittal expressed widespread disillusionment with the North administration'.<sup>63</sup> On the evening of 11 February 1779 there were widespread illuminations in London to celebrate Keppel's acquittal; 'the most pleasing and elegant that were exhibited were those at the corner of Chancery-lane, which, without aiming at singularity, shewed due honour to that brave man, and indicated the goodness of the intention.'<sup>64</sup> These were taken down the next day, but such was their reputation, people sent to the house for them to be put back up for the general illuminations, a repeat which 'gave much satisfaction to the

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<sup>60</sup> Quoted in Rudé, *Wilkes and liberty*, p.149.

<sup>61</sup> Shoemaker, *The London Mob*, p.145.

<sup>62</sup> *Independent Chronicle*, 18 April 1770.

<sup>63</sup> Kathleen Wilson, *The sense of the people: politics, culture, and imperialism in England, 1715-1785* (Cambridge, 1995), p.259. The affair and its political importance are discussed by Wilson in greater detail pp.253-61.

<sup>64</sup> *General Advertiser and Morning Intelligencer*, 13 February 1779.



spectators'.<sup>65</sup> Chancery Lane was clearly a place where such festive displays of political allegiance would gain exposure and be noticed.

Keppel met with many of the leading figures in the City of London to receive their congratulations shortly after his acquittal. A procession was held from his house in Audley Square to a dinner in the London Tavern. The event was celebrated by the general populace. A 'glow of ungovernable and wild triumph sat in every face' and the people insisted on pulling the Admiral's coach themselves for much of the way.<sup>66</sup> Underlining its importance as a route of transition through London, emissaries of the Ministers were accused of planting drays and carts in narrow parts of the Strand, particularly between Temple Bar and St Clement's church. Two men in royal livery were then seen peering out of the end of Chancery Lane and the surrounding alleyways. They were presumed to be the King's servants, spying on the blockades and reporting their disruptive effect. The same report also stated that the people would be too liberal to retaliate, and would in fact ensure free passage. It threatened that the London crowd would continue to give free passage when ministers were brought to justice and another procession for the execution of the ministers took place.<sup>67</sup>

That evening, many households continued to display their support for Keppel by following the Mansion House in illuminating their windows by night. There was 'not the least riot or disturbance in the City' but the same could not be said for Westminster. A mob gathered in Soho and went via Covent Garden and Drury Lane and through Temple Bar,

when they turned up Bell-yard, and from thence into Chancery-lane; [our reporter] says they demolished with sticks (which seemed to have been got for that purpose) stones, &c. all the lamps and panes of glass within their reach, particularly the glasses over the doors. Luckily however, the guardians of the night in Chancery-lane were more active than those on the other side Temple-bar, for though the mob consisted of some hundreds, the constables, assisted by a few friends and two or three watchmen, in all only eight, faced this banditti, and took a few into custody, whereupon the rest made their flight like so many frightened rats into the first hole they could find for safety. It not appearing that any one could prove the fact on those secured, it was thought adviseable, as the mob was then dispersed, to send them to their different homes.<sup>68</sup>

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<sup>65</sup> Ibid., 13 February 1779.

<sup>66</sup> Ibid., 22 February 1779.

<sup>67</sup> Ibid., 22 February 1779.

<sup>68</sup> *Gazetteer and New Daily Advertiser*, 22 February 1779.

The geography of policing in London comes into focus here, with different areas offering very varied resistance to disorderly behaviour. We now turn to the Gordon riots, the zenith of violent rioting in the eighteenth century and a turning point in crowd politics.

## **VI: Religious anti-hero: Chancery Lane and Lord George Gordon**

Where the disturbances associated with the Keppel affair were later praised in some quarters as a legitimate expression of public opinion, the Gordon riots were condemned across the whole political spectrum.<sup>69</sup> The Gordon riots of 1780 were the culmination of a campaign to repeal the Catholic Relief Act passed by Parliament in 1778. The level of destruction and failure of the authorities to curb the excesses of the rioters make these few days a turning point in policing and attitudes to the mob in London. They began after a large crowd led by Lord George Gordon marched to Parliament with an anti-Catholic petition. Several days of rioting followed, in which the houses of a number of prosperous Catholics were destroyed, numerous prisons were attacked and an attempt was made to capture the Bank of England.<sup>70</sup> Chancery Lane was at the centre of the area in which the Gordon riots raged, caught up both as a thoroughfare for the mob to move from one part of the city to the other and as a target in itself, due to the presence of the Middlesex Sheriff's office and various legal buildings. It was affected throughout: on Friday 2 June a 'Romish Chapel' just to the west of Lincoln's Inn Fields was destroyed<sup>71</sup>; on 6 June a mob passed down Holborn on its way to setting Newgate Prison on fire; several people armed with iron bars roamed around the Holborn area during the day of 7 June extracting money from shopkeepers. Most shops shut as a precaution and the local economy must have been severely disrupted. On the evening of 7 June the mob stated an intention to demolish Gray's Inn, Temple and Lincoln's Inn. The house of Lord Mansfield, Chief Justice of the King's Bench was attacked that night and as Stryker explains, 'The Inns of Court, like Mansfield's home, represented to the frenzied crowds a citadel of justice.'<sup>72</sup>

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<sup>69</sup> Nicholas Rogers, 'The Gordon riots and the politics of war' in Ian Haywood and John Seed (eds.), *The Gordon Riots: Politics, Culture and Insurrection in Late Eighteenth-Century Britain* (Cambridge, 2012), pp.33-4.

<sup>70</sup> Fuller accounts can be found in Ian Haywood and John Seed, 'Introduction' in Ian Haywood and John Seed (eds.), *The Gordon Riots: Politics, Culture and Insurrection in Late Eighteenth-Century Britain* (Cambridge, 2012), pp.1-8 and Colin Haydon, *Anti-Catholicism in eighteenth-century England, c.1714-80* (Manchester and New York, 1993), pp.204-44.

<sup>71</sup> William Vincent [Thomas Holcroft], *A plain and succinct narrative of the late riots and disturbances in the cities of London and Westminster, and Borough of Southwark*, (1780), p.23.

<sup>72</sup> Lloyd Paul Stryker, *For the defence: Thomas Erskine, one of the most enlightened men of his times, 1750-1823* (1947), p.84.

A military detachment was duly stationed in Temple and the old Six Clerks' Office on Chancery Lane was converted into a temporary barracks for the Northumberland Militia under the command of Lord Algernon Percy, stationed for the defence of Lincoln's Inn. This regiment remained in the Inn from the seventh to the seventeenth of June, when their place was taken by the West Riding York Militia. By the twentieth, a Captain's Guard was deemed sufficient for the defence of the Inn, with the option for more reinforcements available if necessary.<sup>73</sup> The gentlemen of the Inns of Court also took up their own defence, arming themselves and keeping watch around the walls.<sup>74</sup> Despite the armed presence, a distillery on Holborn owned by the Catholic Mr. Langdale was set alight and several rioters died from drinking unrectified spirits they managed to procure there.<sup>75</sup> One eyewitness described the following apocalyptic vision: 'let those who were not spectators judge what the inhabitants felt when they beheld at the same instant the flames ascending and rolling in vast and voluminous clouds... particularly from the bottom and middle of Holborn where the conflagration was horrible beyond description.'<sup>76</sup>

The aftermath of the Gordon riots gave local residents' organisations added impetus, in that they began to define themselves more clearly as arbiters of a newly felt intolerance towards chaotic behaviour. Shoemaker summarises this point well: '[t]he formation of associations of householders was a key development in the history of the London mob, since communities were now more sharply divided between rioters and those who wished to preserve order.'<sup>77</sup> One reason that the rioting was felt particularly keenly around Chancery Lane was that the Sheriff of Middlesex's office was located in Tooke's Court, in the middle of the block between Chancery Lane and Fetter Lane. After the Gordon riots, the residents of Tooke's Court, Castle Yard and Cursitor Street, just east of Chancery Lane, collected a subscription of £50.19s which they presented to Lord Algernon Percy to be distributed amongst the Northumberland Militia. A Militia patrol had been applied for by the inhabitants at the height of the rioting when the office of the Sherriff of Middlesex was under attack. The report of the subscription in the *Morning Chronicle* sarcastically noted that 'it is wonderful that neither the Sherriff, Under-Sherriff, or his Deputy, have subscribed one single shilling'.<sup>78</sup>

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<sup>73</sup> *The records of the Honourable Society of Lincoln's Inn: the black books IV* (1899), p.xiii.

<sup>74</sup> *Whitehall Evening Post*, 8 June 1780.

<sup>75</sup> Eugene Charlton Black, *The association: British extraparliamentary political organisation, 1769-1793* (Harvard, 1963), p.162.

<sup>76</sup> Vincent, *A plain and succinct narrative of the late riots*, p.32

<sup>77</sup> Shoemaker, *The London mob*, p.148.

<sup>78</sup> *Morning Chronicle and London Advertiser*, 19 June 1780.

With the failure of the existing infrastructure of policing, other buildings had to be utilised as temporary jails and billets for the militia. People accused of participating in the riots, several of whom had been seized by Alderman Wilkes, were taken to Lincoln's Inn and apprehended by the Northumberland Militia who were billeted there.<sup>79</sup> The Militia's presence had been costly to the Inn, who paid for £364.12s of provisions during their ten day stay, with costs also appearing for knives, forks, trenchers, beer, porter, replacement mugs for those broken by the militiamen, and straw, presumably to sleep on.<sup>80</sup> The financial repercussions of the riots were long-lasting. Over a year later a group of locals led by the future recorder of London, John Silvester, were refusing to give money to relieve those who had suffered losses because of the riots.<sup>81</sup> In February of 1782 a general meeting of inhabitants of the Liberty of the Rolls had to be called to finally agree rates for compensation, but eight months later the clerk of the peace was still agitating for the remainder of the riot reimbursement money.<sup>82</sup> Once again, the interests of individual and locality did not align. The Gordon riots will be returned to in later chapters, due to their importance in the development of policing and political associations in London. We now turn to an event which helps to describe the further decline of riotous political protest in the 1790s.

## **VII: The 1790s and the decline of the crowd**

By the 1790s, radical politicians rarely turned to crowd protest to show the strength of their cause. Alternative methods of political expression, such as voluntary societies (covered in chapter six) and public meetings were a more attractive way of expressing political grievances.<sup>83</sup> Crowds still occasionally gathered but rarely at the behest of famous political figures, who would now have recognised that the support of protesters would probably damage their reputation. During the treason trials of 1794, the barrister Thomas Erskine became a hero of the London mob. He frequently found his carriage being drawn from the court at the Old Bailey after a crowd unharnessed the horses, wishing 'in some degree to express their sense of his extraordinary and brilliant exertions'.<sup>84</sup> This pattern continued through the trial of Thomas Hardy and into that of John Horne Tooke. Following the acquittal

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<sup>79</sup> *General Evening Post*, 13 June 1780.

<sup>80</sup> *The black books IV*, p.xiii.

<sup>81</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 6 November 1781.

<sup>82</sup> *Ibid.*, February and 23 October 1782.

<sup>83</sup> Shoemaker, *The London mob*, p.149.

<sup>84</sup> *Morning Post and Fashionable World*, 3 November 1794.

of Tooke in late November 1794, a crowd awaited the counsel for the defence outside the court and when Erskine and fellow counsellor Mr Gibbs came to their carriage, ‘people clustered round it like a swarm of bees’ and dragged it to Serjeant’s Inn on the corner of Chancery Lane.<sup>85</sup> Reporting of such occasions differed greatly. A correspondent to the same newspaper described how coming towards Erskine’s coach, ‘the mob, in their transports to approach it, seemed really like to crush it to pieces... even the wheels were loaded with people’. The start of their trip to Serjeant’s Inn did at least have the advantage of clearing the streets near the Old Bailey.<sup>86</sup>

A poem in the government-supporting newspaper, the *True Briton*, used the ritual journey of Erskine’s carriage to accuse him of demagoguery, reusing the trope of the dishonest lawyer. Support from the mob could be turned against ‘polite’ figures and incorporated into critiques of their actions and values. The verse came in the form of three soliloquies spoken by Ego. The following extract is from the final soliloquy:

The mob shall judge *my* parts and speech;  
To them I speak, and them I teach  
To draw my Coach thro’ thick and thin  
From Newgate-street to Serjeant’s Inn.  
While torches my approach proclaim,  
With SH-N to light the flame.

*Piano*

Huzzas are cheap - I know the fare,  
They’ll draw for half a crown a pair;  
And I shall ne’er be such a ninny  
Not to buy same for half a guinea.

*Pianissimo*

Tho’ by the by, I wish the Wags  
Who take my *Fees*, would leave my *Nags*.

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<sup>85</sup> *Morning Post and Fashionable World*, 25 November 1794.

<sup>86</sup> *Ibid.*, 27 November 1794.

A footnote is appended to the final line explaining that the mob had apparently stolen his horses.<sup>87</sup> Association with the mob could now be used as a source of vitriolic criticism in a way that was not nearly so effective in the Wilkes riots. While Wilkes effectively mobilised mass support, such unruly behaviour would have been embarrassing to upholders of the law such as Erskine or self-consciously respectable working-class radicals like Thomas Hardy. The destructive Gordon riots proved fundamental in this change of attitudes and even witnessed Wilkes acting as a magistrate attempting to quell the rioters.

This chapter has helped to highlight some of the conflicting agendas pursued by the people practicing politics around Chancery Lane. Focus upon a particular space has brought together several types of political activity (parish meetings, voting and street demonstrations) that are too rarely related to one another. It has shown how Chancery Lane sat within several spheres of influence which could cause conflict. It has also started to explain how the politics in this area were in part determined by a political geography of London, as well as the local conditions specific to Chancery Lane. The chapters that follow will delve deeper into the local political dynamic, which can tell us something new about the relationship between a small urban community and its role in constituting the surrounding metropolis. Further explanation of other facets of daily life in Chancery Lane will help to build up a more complete picture of the political consequences of locality. The next chapter will begin to explore the topography of Chancery Lane in detail and help to bring greater texture to our understanding of it as a political space. It will describe how local organisations including the vestry and Lincoln's Inn attempted to shape street life, which will provide insight into the relationship between the interest groups described above. These will include both local and transient users of Chancery Lane and as such will place Chancery Lane in the context of improvements to the whole metropolis.

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<sup>87</sup> *True Briton*, 29 November 1794.

## Chapter 2: Topography

### I: John Gwynn and the ideal of 'improvement'

In 1766 John Gwynn published a plan of London entitled *London and Westminster Improved*. His lofty ambition was to produce a unified design, 'by which means not only the value of private property would be considerably increased, but these improvements become conducive to health as well as publick convenience.'<sup>1</sup> Miles Ogborn has described this work 'as a vision that sought to construct a particular aesthetic, practical, and political foundation for a new set of specialists of space to make themselves and remake the city.'<sup>2</sup> John Gwynn's great plan for remodelling London contained two changes involving Chancery Lane: 'Carey-Street is continued into Vere-Street, and widened at the end next to Chancery-Lane.' Also, 'Chancery-lane, at the end next Holborn, is widened,... and if a dwarf-wall, with iron-rails was made, instead of the garden-wall in Chancery-Lane, it would have a very good effect'.<sup>3</sup> These adjustments were accompanied by a suggestion to make a proper entrance into Lincoln's Inn Fields by widening Searle Street, at its south-east corner, all the way to the Thames, and driving a passage through to Holborn from the north-east corner of the square. Creating 'one of the most convenient communications in the whole town', a north-south thoroughfare would be opened up including an elegant West End style square, the kind of place Chancery Lane was so often compared to but could never really become. Most of Gwynn's plan never came to fruition and attempts to pass new legislation to improve London's streets were mostly concerned with issues of local accountability and the powers accorded to parishes in deciding how to spend the paving rates.<sup>4</sup> This was equally true of Chancery Lane, where the layout of the major streets has a strong resemblance today to the way it was in the seventeenth century. There were some changes to the alleys and gardens found within blocks, but the layout of the main streets remained largely unchanged.<sup>5</sup> While many buildings were

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<sup>1</sup> John Gwynn, *London and Westminster improved* (1766), p.v.

<sup>2</sup> Miles Ogborn, 'Designs on the city: John Gwynn's plans for Georgian London', *The Journal of British Studies*, 43, 1 (2004), p.17.

<sup>3</sup> Gwynn, *London and Westminster improved*, p.99.

<sup>4</sup> Miles Ogborn, *Spaces of modernity, London's geographies, 1680-1780* (New York, 1998), p.101.

<sup>5</sup> For a description of the area in 1750, see Hugh Phillips, *Mid-Georgian London: a topographical and social survey of central and western London about 1750* (1964), pp.186-90.

knocked down, built and redeveloped, the map of this area was never fundamentally redrawn. New buildings in the north of Lincoln's Inn were the largest building development.<sup>6</sup>

It may seem odd to highlight the importance of a plan that for the most part went unrealised in the area around Chancery Lane. Its interest for our purposes can be found in Ogborn's contention that Gwynn's was not 'a utopian plan in the sense that it did not sweep away the old city to replace it with something entirely new.'<sup>7</sup> Gwynn's plan was more an attempt to upgrade the infrastructure already in existence and in that way was more exemplary of a way of thinking about the city than as an influential design. Arguments about the suitability of Chancery Lane as an urban environment between 1760 and 1815 shared much with Gwynn's particular aesthetic, practical, and political foundation. While there were many calls to sweep away the existing topographical layout, these uniformly failed. Ogborn explains how in Gwynn's plan 'the benefits of circulation and geometric regularity were to be achieved, not by wholesale destruction and rebuilding, but by incremental changes to the existing street pattern. Gwynn planned to move buildings, widen narrow streets, and straighten curved ones.'<sup>8</sup> The justifications of private emolument and public health and convenience that many shared with Gwynn were put to work successfully by arguments for this kind of less thoroughgoing 'improvement'. Local people were generally more interested in controlling the street environment than the layout, through such ongoing and repetitive actions as paving, cleaning and lighting. Residents sought to manage the way people used the space available, rather than overhaul its layout completely. I would argue that Gwynn's aim was not so much to remake the city as to refine it, which is exactly what happened in Chancery Lane. In talking about the social implications of his plan, Gwynn shows that his hopes were to rationalise, not revolutionise, existing socio-spatial relations:

[i]n settling a plan of large streets for the dwellings of the rich, it will be found necessary to allot smaller spaces contiguous, for the habitations of useful and laborious people, whose dependence on their superiors requires such a distribution; and by adhering to this principal a political advantage will result to the nation; as this intercourse stimulates their industry, improves their morals by example, and

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<sup>6</sup> The difference they made can be seen by comparing figure 1 in which they had not yet been built, with figure 3 which shows the new buildings.

<sup>7</sup> Ogborn, 'Designs on the city', p.22. Ogborn also attributes this judgement to John Summerson, *Georgian London* (1991).

<sup>8</sup> Ogborn, 'Designs on the city', pp.21-22.



prevents any particular part from being the habitation of the indigent alone, to the great detriment of private property.<sup>9</sup>

These themes of the economic dependency of the poor and the good effects the gentry might have upon them were longstanding in their importance to arguments about the regeneration of Chancery Lane. Gwynn's plan sought to 'extend an idealized Westminster cityscape across the adjoining areas.'<sup>10</sup> Westminster was hailed as a triumph of urban design that could be endlessly reproduced, miraculously transporting its socio-economic composition as well. Respectable tenants were prized over and above their economic value, with higher rents from shops more easily attainable, but less desirable.<sup>11</sup> Newly gentrified areas would then benefit from the economic and moral effects of the newly introduced gentry, who would lead by patronage and presence. This dream ignored the fact that Westminster had itself been built with 'little collaboration or cooperation' and consisted 'of independent clustered communities.'<sup>12</sup>

The reality of transposing this ideal of Westminster was rather more complicated than the idea. Shaping the topography of Chancery Lane, an area of transition between Westminster and the City, was a constant struggle between the private interest of resident and visitor, and a variety of organisations representing the needs of both. The growing population and economy of London in the eighteenth century encouraged an acute public awareness of the need for a built environment which promoted orderliness and reflected the moral and aesthetic mores of a civilised, commercial society. For example, a newspaper report on the progress of the population of London described how the streets were gradually improved with an order obliging the residents to pave the upper part of Chancery Lane contained in an act of 1541. 'This attention to the state of the ways seems to indicate an increase of the traffic and wealth of the city, and therefore probably also of the number of inhabitants.'<sup>13</sup> Written in 1800, the observation seems to owe more to what the author saw around him than assiduous scholarship of the earlier period. The bustling chaos of commercial traffic indicated a country becoming richer, but not necessarily improving. Gwynn wished to impose his vision of a particular aesthetic on the messy commercial spaces of quays and markets, suppressing

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<sup>9</sup> Gwynn, *London and Westminster improved*, p.viii.

<sup>10</sup> Ogborn, 'Designs on the city', p.21.

<sup>11</sup> Donald J. Olsen, *Town planning in London, the eighteenth and nineteenth centuries* (Yale, 1964), p.20.

<sup>12</sup> Julie Schlarman, 'The social geography of Grosvenor Square: mapping gender and politics, 1720-1760', *The London Journal*, 28, 1 (2003), p.10.

<sup>13</sup> *Evening Mail*, 29-31 January 1800.

unplanned, uncoordinated streetlife and replacing it with the methodical movement of goods and people.<sup>14</sup> The streets were supposed to be reserved for constant and orderly progression around the city and were not supposed, nor designed to be a site for social and economic activity.

## II: Improving Chancery Lane

However, even the simple act of travelling through the streets could be given an intensely moral interpretation. A Christian take on the popular genre of London walking tours shows how moving about the city was conceived as an analogy for our journey through life and the moral challenges we encounter along the way:

[e]very street has its name, so every relation has its particular duties annexed to it; as in walking you should take heed lest you fall, so in life you should narrowly observe the *path* you walk in, as well as the *manner* how you walk, lest you stumble on the rocks of Presumption, or are brought to sink in the slough of Despair, as going along, you are exposed to and may meet with various unforeseen accidents and misfortunes, so you will (you *must* expect it) meet with many obstacles and hinderances in your *christian* course, with various trials and afflictions to try your patience, and prevent your falling into a lethargy of sin, or an unconcern about Religion and the state of your soul.<sup>15</sup>

In a similar vein, another author identifies Chancery Lane as a particular danger. The following lament came at the end of the period under examination here: '[w]e now enter again on the stormy latitude of the law. *Lincoln's-inn* is left a little to the south. *Chancery-lane* gapes on the same side, to receive the numberless *malheureux*, who plunge unwarily on the rocks and shelves with which it abounds.'<sup>16</sup> The writer suggests that the poor street environment encourages aimlessness in the unfortunates who populated London's streets and that such a setting will elicit a fallen morality in those that follow its ways. While the street pattern remained largely unchanged from 1760 until this comment in 1813, efforts had been made to improve the paving and lighting, and to widen and straighten the road. Yet these changes went not so much unappreciated as unnoticed.

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<sup>14</sup> Ogborn, 'Designs on the city', p.35.

<sup>15</sup> George Wright, *Walking amusements for chearful Christians. To which are added, various pieces, in prose and verse: with a map of the roads to happiness and misery* (1775), p.112-13.

<sup>16</sup> Thomas Pennant, *Some account of London* (1813), p.247-8.

Changes were made to the street environment within the context of the new Westminster Paving and Lighting Commission, instituted by Act of Parliament in 1762, which covered the parts of Chancery Lane that lay within the parish of St Andrew's Holborn and the Liberty of the Rolls. The Commission provided a new layer of governance that was meant to standardise a service that had previously been the responsibility of private householders. It was also supposed to collect rates over a large enough area such that streets with rich or poor inhabitants could both be maintained to a higher standard. In Ogborn's assessment, 'the legislation had everything that was necessary to resolve the problem of the noncoincidence of private and public interests (newly defined in terms of clean streets for the whole of Westminster), and to achieve [the] uniformity'.<sup>17</sup> Despite some initial successes in improving Westminster's streets, the new legislation was soon put under strain when parishes began to reassert themselves as more properly representative of householders and with greater legitimacy as a rate-gathering body. While these wider struggles over parochial power and public space were ongoing, little happened in terms of renewing the oft complained-of conditions in Chancery Lane, and it was only repaved in 1769 once the Commission's powers were already waning.

It is notable that Ogborn speaks of firm conviction in favour of 'clean streets for the whole of Westminster', as Chancery Lane was not in Westminster, nor was that part of it in the City even covered by the new legislation. Chancery Lane, spanning the divide between the City and Westminster, did not sit happily in either camp and was geographically marginal to both. It was in a difficult position to profit from the process Jerry White has described in which the two boroughs attempted to outdo each other. The following hierarchy of London provides a further layer of intrigue:

contempt is expressed for the cits inhabiting the environs of the Royal Exchange, or residing within the sound of Bowe Bell, St. Bennet's, Sheer-Hog, Pudding Lane, and Blow-bladder Street by the inferior retainers of the law in Chancery-Lane, Hatton Garden, and Bedford Row; and these again are considered as people living totally out of the polite circle by the dwellers in Soho, and the aspiring tradesmen settled in Bloomsbury, Queens, and Red Lion squares, in the first flight from their counting houses in Thames Street, Billingsgate and Mark Lane.<sup>18</sup>

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<sup>17</sup> Ogborn, *Spaces of modernity*, p.97.

<sup>18</sup> *Olla Podrida* (Oxford), 28 July 1787; Issue XX.

Chancery Lane's social position was analogous to its place in London, sandwiched between West and East, between upper and lower-middle or lower classes. The lawyers existed as a group apart, not fitting easily into either the topographical or class systems of their day. Ogborn describes how Gwynn's plan was in part an attempt to assimilate into town planning a new ordering of society in eighteenth century Britain, of three classes rather than two ranks, a change necessitated by the developing wealth and status of these newly emerging groups, demanding 'substantial changes based on the social and spatial division of the city between royalty, merchants, and the urban gentry and nobility (necessarily interspersed with the virtuous poor).'<sup>19</sup> By creating suitable dwellings for aspiring tradesmen in the City, he hoped to maintain the spatial distribution of London's classes as they already stood. Town planning was still in its infancy as an occupation and planners were clearly preoccupied with the importance of social categories.

White places great importance on the cultural stereotyping of the lowly cits in creating and sustaining a divided London in the popular imagination, a stereotype which was communicated from the London stage throughout the eighteenth century.<sup>20</sup> The same problem with stereotyping could be applied to the dishonest lawyer. Take for instance the claim of Drowsy, a character from *Love and money; or, the fair Caledonian*, a play of 1798, that 'I have a natural inclination for mischief, for I liv'd three years with a pettyfogging lawyer.'<sup>21</sup> Such attitudes should be borne in mind throughout this discussion, as the trope of 'legal London' clearly permeated any eighteenth-century imagining of the area around Chancery Lane. More will be said later in chapter three about the corporate identity of lawyers. For now it will suffice to point out that 'creation of magnificence was to be pursued furthest in Gwynn's plan through a transformation of the civic, institutional, and governmental architecture of the city.'<sup>22</sup> It will be seen how such magnificent construction in Chancery Lane was almost exclusively associated with the legal profession. It was through these architectural representations that a newly powerful but very different set of specialists, lawyers as opposed to architects, tried to make themselves magnificent.

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<sup>19</sup> Ogborn, 'Designs on the city', p.23.

<sup>20</sup> Jerry White, 'City rivalries and the modernisation of eighteenth-century London, 1720-1770', *Literatur in Wissenschaft und Unterricht*, 43, 2/3 (2010), pp.84-6.

<sup>21</sup> Robert Benson, *Love and money; or, the fair Caledonian. A musical farce, in one act, as performed at the Theatres-Royal, Drury-Lane, and the Hay-Market* (1798), p.24. For more on satirical treatment of lawyers see Penelope J. Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', in P. Chassaing and J-P. Genet (eds.), *Droit et société en France et Grande Bretagne: law and society in France and England* (Sorbonne Publications, Paris, 2003), pp. 103-26.

<sup>22</sup> Ogborn, 'Designs on the city', p.21.

White argues that dynamics of urban renewal in this period should be understood in terms of ‘a public of collectivities’, as opposed to Ogborn’s description of the negotiations of individual citizens in the public sphere.<sup>23</sup> While the dichotomy of Westminster and the City provided the dominant collective urban identities of late eighteenth and early nineteenth century London, other localised collectivities existed as well. Local experience was tied up in both cultural narratives and a more prosaic struggle over responsibility and accountability. Where large collectivities brought a weight of funding and expectation that could instigate grand reconstruction projects, the more day-to-day management of the streets was negotiated in a more fragmentary way. In Chancery Lane, changes to the street environment only came after two periods of public debate, during the second half of the 1760s and in the early 1790s. These changes consisted of repaving in the part of Chancery Lane covered by the Westminster Paving Commission in 1769 (from the City border north) and then in 1799, the removal of several old houses in the City jurisdiction at the southern end of Chancery Lane, allowing the junction with the Strand to be straightened and widened. The timing of two periods of heightened anxiety about the street environment that precipitated the developments of 1769 and 1799 suggest the influence of concurrent political strife, coinciding as they do with the Wilkes riots in the 1760s and then the crisis decade of the 1790s. It seems plausible that ordering the street environment might become an acutely desirable aim as public life seemed to be in a state of disorder. Each of these periods culminated in some action being taken to produce improvements, although in neither case was this effective enough to silence public critics of Chancery Lane. In both instances, debates leading up to the changes were partly about who was actually responsible for the problems identified. By the early nineteenth century, local residents had had enough of being held to account for the lack of progress and attempted to assert their own control over the street in which they lived and worked. This development was particularly important for the legal community, as the failure to sanitise Chancery Lane was often used by wider society to impugn the respectability of lawyers. We will now explore some of the problems which residents and other users of Chancery Lane identified.

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<sup>23</sup> White, ‘City rivalries’, p.83.

### III: A dangerous thoroughfare

Throughout this period, the poorly managed streetscape not only made the area dangerous but was giving the street and its users a bad moral reputation. Chancery Lane was described as a ‘great thoroughfare’ in the newspapers of the day, a fact mentioned in one article in the context of being an attractive spot for robbers to operate. One particular group had a member of their gang knock over passers by, with the rest pretending to help their victim up whilst relieving the person of their personal effects.<sup>24</sup> Chapter four will detail how Chancery Lane had some problems with crime and a fairly high prevalence of prostitution, though there were more notorious areas in London such as Drury Lane. It was however a busy road, a fact which was at times merely vexatious, but could become hazardous to the point of tragedy. In this sense, Chancery Lane appears to have been exceptional, as traffic moving quickly down London’s two main thoroughfares of Strand and Holborn swung in and out of its particularly narrow openings. The narrowness of Chancery Lane was highlighted in a rather curious manner when Master of the Rolls Lloyd Kenyon offered the Rolls Gardens as a venue for a ballooning experiment. An alternative venue was sought when the organiser, Daines Barrington, realised that there would not be enough room to manoeuvre in two sixty foot poles needed for the experiment. When the alternative fell through, the Rolls Gardens was decided upon, although the poles would have to be sawn in half and bolted together again to fit them through Chancery Lane.<sup>25</sup>

In the perilous nature of its traffic at least, Chancery Lane did bear direct comparison with Drury Lane. The corner of Queen Street and Drury Lane was, according to Gwynn, popularly known as the Devil’s Gap<sup>26</sup>; it had a rival in the Fleet Street end of Chancery Lane, ‘which has long been thought one of the most dangerous Passages in this City; by which it has acquired the Name of the Second Devil’s Gap.’<sup>27</sup> The connection between traffic problems, sinfulness and lawyers was identified and satirised by a spoof Methodist sermon of 1777: ‘[t]he *Devil’s Ditch*; that’s among the Jockeys at Newmarket: and the *Devil’s Gap*; that’s among the other Jockeys, the Lawyers at Lincoln’s-Inn-Fields.’<sup>28</sup> A picture of the corner of Fleet Street in Chancery Lane dating from before old buildings were removed by the City in

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<sup>24</sup> *Gazetteer and New Daily Advertiser*, 13 December 1784.

<sup>25</sup> Royal Historical Manuscripts, *The manuscripts of Lord Kenyon* (1894), Letters 1316A/B, pp.517-8

<sup>26</sup> Gwynn, *London and Westminster improved*, p.84

<sup>27</sup> *St. James's Chronicle or the British Evening Post*, 16 July 1765.

<sup>28</sup> George Alexander Stevens, ‘A Methodist sermon’ in *The complete London jester, or, wit's companion* (1777), p.73.

1799, shows the ‘grotesque bracketed front’ of the houses at this spot (see figure 6). The picture also includes a number of ‘public characters’ who were well known locally and were almost as permanent a part of the street scene as the buildings themselves. Some of these people mirrored the ‘grotesque’ nature of the buildings, their various disabilities all too common among the beggarly poor of London.<sup>29</sup> They include a dwarf, Jeremiah Davies, originally of Wales, known for his freakshow feats of strength, and men missing both one and two legs.<sup>30</sup> The man without any legs, Samuel Horsey, was as much a fixture in the area as any local resident, as he had been a beggar around Holborn and the Strand for over thirty years, from around 1785.<sup>31</sup> The unimproved buildings and the motley crowd combine to give the impression of a streetscape in need of improvement.

Part of the danger came from commercial traffic, including animals. A poor shoe cleaner was gored by an ox and it was thought unlikely that he would recover.<sup>32</sup> An over-driven ox ‘tossed a woman in Carey-street, and ran up Chancery-lane into Holborn, where it gored a boy in the thigh in a terrible manner.’<sup>33</sup> Mention of Clare Market, near the south-west corner of Lincoln’s Inn Fields, suggests this was the destination of at least some of the commercial traffic. Wherever the animals were headed, even being indoors did not provide complete safety. Another ox managed to get into a judge’s chambers in Serjeant’s Inn, although it did no damage.<sup>34</sup> This victimless incursion must be seen as a lucky escape. A woman was attacked by a rogue ox inside the Crown and Baptist coffeehouse after she had fled inside to escape the whole drove.<sup>35</sup> She was eventually rescued by one of the drovers and attended to by an apothecary, but was still dangerously ill almost a week later.<sup>36</sup> Encounters with traffic were occasionally fatal; an eight year old boy was killed by a coal cart at the end of Carey Street<sup>37</sup> and a man died after being struck by a heavily laden meat cart.<sup>38</sup> Traffic accidents were not confined to injuring those on foot. For instance, ‘a dray ran foul of a Gentleman’s chariot’, tearing off a wheel and knocking the coachman to the ground.<sup>39</sup>

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<sup>29</sup> Tim Hitchcock, *Down and out in eighteenth-century London* (London and New York, 2004), p.108.

<sup>30</sup> John Thomas Smith, *Ancient topography of London: containing not only views of buildings ... but some account of places and customs either unknown, or overlooked by the London historians* (1815), p.50.

<sup>31</sup> Hitchcock, *Down and out in eighteenth-century London*, p.110.

<sup>32</sup> *Lloyd's Evening Post*, 3 September 1773.

<sup>33</sup> *Westminster Journal and London Political Miscellany*, 8 January 1774.

<sup>34</sup> *Gazetteer and New Daily Advertiser*, 21 July 1772.

<sup>35</sup> *Morning Chronicle and London Advertiser*, 10 April 1778.

<sup>36</sup> *Ibid.*, 16 April 1778.

<sup>37</sup> *Lloyd's Evening Post*, 23 March 1781.

<sup>38</sup> *London Chronicle*, 10 March 1792.

<sup>39</sup> *Lloyd's Evening Post*, 11 April 1764.

**Figure 6:** From John Thomas Smith, *Ancient topography of London: containing not only views of buildings ... but some account of places and customs either unknown, or overlooked by the London historians* (1815).





Coaches were also a significant danger to other people. Two ladies were thrown down by the pole of a 'chariot' whilst crossing Chancery Lane. The '*inhuman puppies* within' told their driver to carry on without thought of the ladies' condition.<sup>40</sup> A variety of measures to prevent further tragedy were put forward each time something similar occurred. In this case, the writer felt that those with coaches should warn their drivers that they would be dismissed if they turned corners too quickly, or without notifying pedestrians. Not long afterward, another woman was knocked over prompting a call for greater regulation by policing. 'If the active city constable would take up a dozen or two of the coachmen, who turn furiously in and out of Chancery-lane, and almost daily break the limbs and sacrifice the lives of men, women, and children, he would be doing an act of service to the public.'<sup>41</sup> If the casualty rate is probably an exaggeration, the danger was real and continual. In 1789 a man was hit by a coach turning in to Chancery Lane and was killed on the spot.<sup>42</sup>

In a later incident one coach crashed purposefully into another, after being upbraided while trying to turn up Chancery Lane in a dangerous fashion. The shafts broke on the coach that was hit, throwing its two occupants to the ground, one of them suffering a dislocated shoulder. The offending coachman managed to escape a crowd led by the uninjured man, although suffered the dual misfortune that the men he had hit were Bow Street officers and that his coach was identified in its flight.<sup>43</sup> The coachman was charged and sentenced to three months in Newgate prison. The injured officer also sued the owner for damages and was awarded £15.15s at the behest of Lord Kenyon, judge at the trial and former Master of the Rolls.<sup>44</sup> Recourse to the law may have been effective in gaining punishment and restitution in individual cases. Yet, prosecution, policing and self-restraint of coachmen were never going to be adequate measures to prevent the same thing happening again. Governance of individual practice seemed to require more than social conventions and laws. Only reconstruction of the urban space could give greater room for manoeuvre and reinforce desirable behaviour. We will soon see that it was clear to contemporary commentators that genuine improvements to the physical safety of Chancery Lane would require a number of changes to the streetscape.

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<sup>40</sup> *General Advertiser and Morning Intelligencer*, 24 March 1778.

<sup>41</sup> *Ibid.*, 22 January 1779.

<sup>42</sup> *World*, 30 November 1789.

<sup>43</sup> *General Evening Post*, 27 June 1799.

<sup>44</sup> *Whitehall Evening Post*, 23-25 October 1800.

#### IV: Comparisons with Westminster and the case for change, 1760-1767

Writers making the case for changes to the street routinely made negative comparisons between Chancery Lane and Westminster. There is commonly perceived to be a divide in the class, social status and mode of living between the east and west ends of London in the latter part of the eighteenth century as the Corporation of London's *Conservation report* of 2004 relates: '[i]n the Georgian City of London, people continued to live in buildings with commercial elements - living "over the shop" - with rich and poor in close proximity. This was in contrast to the increasingly aristocratic and socially stratified development in the West End.'<sup>45</sup> Yet here we are dealing with an area that is a transition between the two, and as such may have relied more heavily on traffic moving from Westminster to the City and vice versa to peddle its wares, which ranged from the humdrum to the exotic. At number 93 Chancery Lane, curry powder was available, supplied by a native of India.<sup>46</sup> At Mr Hanwell's, number 119, one could purchase a turtle, brought to London by the Jamaican fleet.<sup>47</sup> Tradesmen were certainly leaving their mark on the topography of the area in the late eighteenth century:

[t]he street frontages all the way between Holborn and Fleet Street were by this time occupied by tenements, shops and taverns giving the area an increasingly urban character. The lanes between these private spaces gradually became the largely surviving network of courts and alleys which are so characteristic and important to this area. The gardens became smaller and less significant to the function and appearance of the area.<sup>48</sup>

Many of the advertisements placed very frequently by Chancery Lane shopkeepers in the newspapers of the day were addressed 'to the nobility'. This was clearly a plan to confer respectability on the shop itself by dint of association, but was also an attempt to woo a noble customer base that presumably had some realistic chance of success. An article (which reads suspiciously like an advert) in the *Morning Post* in 1810 suggested that with the King's expected recovery there would be a change in fashion, as anyone like Princess Amelia who wore dour clothes as a mark of respect would lead a return to a brighter wardrobe. It was confidently expected that business would therefore be thriving at Thomas & co. of Chancery Lane.<sup>49</sup> Another article (also probably an advertisement) attempted royal association, saying that Mrs Thomas', as the shop was now styled, was as much a topic of general conversation

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<sup>45</sup> Corporation of London, *Chancery Lane conservation area character summary* (2004), p.8.

<sup>46</sup> *Morning Herald and Daily Advertiser*, 19 March 1785.

<sup>47</sup> *Ibid.*, 10 August 1782.

<sup>48</sup> Corporation of London, *Chancery lane conservation area*, p.8. For a view of the street frontage see figure 7.

<sup>49</sup> *The Morning Post*, 27 December 1810.

as the Prince Regent's order that in matters of dress, British manufacturing should be supported.<sup>50</sup> The custom of legal professionals was also seen as a commercial advantage by some businesses. When Mrs Hatch, the owner of the Baptist Head Coffeehouse on Chancery Lane put it up for sale, the advert proudly stated that it was 'frequented by the Professors of the Law, Commissioners of Bankrupt and other Gentlemen'.<sup>51</sup> Ogborn describes how '[t]he improved streetscape with its newly open and attractive shop-fronts was also a vital part of the processes of commodification that linked politeness to new forms of consumption.'<sup>52</sup> Opening up the streets would encourage the gentry in, but by emulating Westminster more completely, the gentry might become so comfortable as to feel at home.

Chancery Lane was left in the unenviable position of being under the power of both Westminster and the City but tended to by neither. Not only was there a jurisdictional divide, Chancery Lane was alternately accused of failing to be as genteel as Westminster or as commercial as the City. Instability in the identity of the area was probably added to by the difficulty of pinning down the social standing of the increasingly wealthy legal community and the respect that should be afforded their role as an important service industry. Lawyers would have been vital both as estate managers to the gentry and as advisers to merchants. However nothing in the area, including (perhaps particularly) the corporate identity of the legal profession, was successfully used to create a sustained and coherent narrative about the need for a better street environment. Where Westminster and the City spurred improvement with both a sense of their own needs and in opposition to one another, Chancery Lane's story was not one of thrusting improvement or threatened status, but of ongoing, woeful inadequacy. Despite articulating real need, this did not seem to provide much impetus for change.

Returning to the particularly poor spot at the corner of Chancery Lane and Cursitor Street, a call was made in 1764 to install lighting to alleviate the dangers of poor paving and traffic on dark nights, whilst also expressing surprise that 'so many genteel inhabitants in that neighbourhood should suffer this neglect so long.'<sup>53</sup> This was also a notorious spot for prostitutes in the area and so improved lighting might have had the added bonus of driving away the women of the town (see chapter five). The complaint about the state of the street at

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<sup>50</sup> *The Morning Post*, 3 June 1811.

<sup>51</sup> *Morning Chronicle*, 20 June 1800

<sup>52</sup> Ogborn, *Spaces of modernity*, p.115.

<sup>53</sup> *Gazetteer and New Daily Advertiser*, 8 September 1764.

this junction was soon reiterated, adding that Chancery Lane, ‘that disagreeable thoroughfare’, should also be widened. The lack of impetus in introducing improvements was blamed, in contrast to the above complainant, on the lack of genteel people affected by the poor state of the road: ‘the carriages of the nobility and gentry (who, supported by fortune, pride, and ambition, consider themselves, tho’ wrongfully, as the most valuable part of his Majesty’s subjects) seldom, if ever, passing that way, must greatly retard so laudable an undertaking, for the breaking of a poor man’s limb is nothing regarded.’<sup>54</sup> Such candour was rare, but the influence of the nobility in improving London’s streets emerges as constant. This could be implicit, in comparing Chancery Lane unfavourably to the streets and squares of the West End. A similar kind of snobbery can be identified in the reverse argument, that without widening the street and ameliorating its standard of paving and lighting, the nobility, with their economic and social worth, might stay away. Improvement of the streets was not just about safety or aesthetic quality, it was tied up with notions of class and respectability.

Opening up Chancery Lane to provide better access was not only encouraged to make it more amenable to the sensibility of the gentry. In 1765, rumours began that Cursitor Street was to be extended so that a way was made through to Fetter Lane as ‘there is not one passage of the kind in all Chancery Lane, though a place of so public resort for people of all professions.’<sup>55</sup> Emphasising the ‘public’ importance of Chancery Lane broadened the argument for change by making it inclusive of a much wider socio-economic milieu. Rather than focusing exclusively upon aristocrats, the suggestion is of designing an urban space which befitted a more modern, commercial economy. The use of the word professions is particularly instructive as it brings to mind the importance of the service economy, built mostly around the heavy presence of lawyers, but also of law stationers and auction houses, found in this area. The presence of public buildings, such as the offices of the Court of Chancery, was another reason for access to be made easier.

A number of interested citizens were also complaining about the southern end of Chancery Lane. A scheme was conceived in January 1765 to pull down the old buildings at the bottom of Chancery Lane, ‘which have long been deemed a great Nuisance’, and to widen the passage as far as the Six Clerks’ Office.<sup>56</sup> A knowing correspondent to the *Gazetteer and*

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<sup>54</sup> *Gazetteer and New Daily Advertiser*, 5 January 1765.

<sup>55</sup> *St. James’s Chronicle or the British Evening Post*, 15 August 1765.

<sup>56</sup> *Ibid.*, 22 January 1765.

*New Daily Advertiser* feared it would be a long time before this plan was put into execution. Instead, it was recommended that the poor paving at the entrance to Chancery Lane was attended to by the Commissioners of Sewers, as this seemed a less intractable problem.<sup>57</sup> It would appear that by April workmen ‘were pulling down the fronts, and making them up of new, with beams, bars, and deals of wood; and no doubt when this is finished, the roofs will be next repaired.’ This observation was also made by a correspondent to the *Gazetteer and New Daily Advertiser*, who signed himself ‘PERAMBULATOR’, a reminder of the connection between walking the streets and improvement. Far from being a positive report, the intention was to complain that the street was still not being widened and that the buildings were not being rebuilt with brick or stone. ‘Perambulator’ pointed up the contrast with Westminster, where a law had been passed stipulating the use of such materials for building. Better buildings were important, ‘especially in such a public place as Chancery-lane, where there are but too many old ruinous buildings.’<sup>58</sup> The gentlemen of the vestry of St Dunstan’s in the West soon had a plan under consideration to widen that same Fleet Street end of Chancery Lane.<sup>59</sup> Later in 1765, paving was added to the issues that were complained about and once again Westminster was held as a model to be followed. Going by coach from the newly paved Strand through Temple Bar and into roads paved by the City was evocatively described as like ‘going out into a boisterous sea, from a calm and peaceful river’.<sup>60</sup> This latest correspondent to a newspaper had been keeping their eye out in the streets and noted a number of coaches breaking down in the vicinity of Chancery Lane. A dire warning was offered that the ladies and gentlemen of Westminster might no longer risk their carriages and themselves and stop entering the City for goods.

By May 1766, the City had embarked on its own paving scheme which was heavily motivated by competitive feeling towards the improvements made in Westminster, from which the legislation itself was largely copied. According to White, shopkeepers and inhabitants of Snow Hill, Holborn and Newgate requested their streets be given priority when upgrading began: ‘‘since the new Paving of the Strand your Petitioners as well as many of the Inhabitants of Smithfield and other places ... have sensibly felt a great and general diminution of their Trade’ as the carriage-owning classes deserted them for an easier journey within

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<sup>57</sup> *Gazetteer and New Daily Advertiser*, 28 January 1765.

<sup>58</sup> *Ibid.*, 23 April 1765.

<sup>59</sup> *St. James's Chronicle or the British Evening Post*, 16 July 1765.

<sup>60</sup> *Gazetteer and New Daily Advertiser*, 9 October 1765.

Westminster.<sup>61</sup> The new City Commissioners of Sewers and Pavements were soon being implored not to miss out the southern end of Chancery Lane which fell within their jurisdiction. Such was the reputation of this piece of road that one author ‘need not describe how bad it now is: it is in every respect a very dirty and dangerous place’ and ‘the worst part of which is in the city.’<sup>62</sup>

The motivation for all these complaints stemmed in part from the very poor upkeep of the Chancery Lane streetscape. But they were not only about the superficial issues of paving and lighting or more fundamental changes involving straightening and widening the thoroughfare, because when these issues were addressed and improvements were made it did not prevent the same suggestions being repeated. Even more revealing was an often unspoken sense of hierarchy of different areas of London and the value attached to them as fundamentally better or worse urban spaces. The value of an area was assessed using a complicated combination of street layout, land-use and the socio-economic roles of the people living and working there. And just as there was a hierarchy between areas of London, microscopic variations existed in the social standing of a person’s exact place of work or residence:

I have with much impartiality, trouble, and severe study, laid down a sort of table of precedency, and marshaled the usual places of residence in their successive order, beginning with the lowest. First then, of those who occupy only part of a tenement, stand, the holders of stalls, sheds, and cellars, to them succeed the residents in garrets, whence we gradually descend to the second and first floor, the dignity of each story being in the inverse ratio of its altitude; it being always remembered, that those dwelling in the fore part of the house, take place of the inhabitants of the same elevation renting the back rooms; the ground floor, if not a shop or warehouse, ranks with the second story. Situations of houses I have arranged in the following order: Passages, alleys, courts, streets, rows, places, and squares.<sup>63</sup>

Chancery Lane had the status of a street in this ranking, placing it well below the social status of the great squares of the West End. Worse, the network of courts and alleys extending between and behind the buildings on Chancery Lane lowered the standing of the area by their proximity. Unlike the new developments in the West End, the variation in types of residence created a broad social mix and a wide variety of economic activity within a very small space. From this perspective the only reliable way to elevate areas like that surrounding Chancery

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<sup>61</sup> White, ‘City rivalries’, p.97.

<sup>62</sup> *Gazetteer and New Daily Advertiser*, 17 June 1766.

<sup>63</sup> *Olla Podrida* (Oxford), 28 July 1787; Issue XX.

Lane was to reshape the geometry of the streets, to produce a more spacious and regular design such as Gwynn's.

Westminster was not the only place held up as a source of negative comparison. The next call for improvement compared London's poor planning to the well-structured and easily navigable streets and rivers of cities in the American colonies. It took a satirical tone, suggesting the Common Councilmen recommend to Parliament that the various eccentricities and inadequacies of London's design be transposed to the colonies 'to render their Cities as unwholesome and absurd as that of dear Mother Country.'<sup>64</sup> The streets of London were found to be worse than impractical. Their design was bizarre and their inhabitants immoral. One of the particulars of the plan was 'that all the North West Avenues be choked up, made narrow and serpentine like Fetter Lane, Chancery Lane and Snow-hill, as an Impracticability of the Quality and Gentry coming in to this City is imagined by every staunch Citizen to be of infinite Benefit to Trade'. The phrase 'choked up' belongs to a long tradition of using bodily and medical metaphors to represent problems in the street environment, with particular emphasis on the lungs and cardiovascular system. Winter describes how the spectre of bad air had been identified as a driver of urban disease since at least the second half of the sixteenth century and '[e]ven in horse-drawn London lungs were thought to be at risk.'<sup>65</sup> The tirade against London's environment continues with precisely this anxiety, 'it being an undoubted Fact that a free Circulation of Air is necessary to preserve the Lives of Children; and as the Death of most Children is owing to this Stagnation, 'twill be a Means of Depopulation in our Colonies, which the Mother Country for its own Sake encourage as much as possible.'<sup>66</sup>

The argument that the state of thoroughfares between the West End and the City was dissuading the gentry from travelling east and lavishing their custom upon tradesmen was repeated. 'The Nobility and Gentry commiserating the deplorable situation of the City, desire to inform them, that they cannot expect a successful retail business from the Court end of the tow, till they create a proper avenue into the City. At present, 'tis true, the communications are dreadful, consisting only of Chancery Lane, Fetter-lane, and Shoe Lane, all miserably paved, narrow at all ends, and dangerously serpentine.'<sup>67</sup> Not only was Chancery Lane jeopardising its own success, it was contributing to the failure of the City and dividing rather

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<sup>64</sup> *Public Advertiser*, 21 March 1767.

<sup>65</sup> James Winter, *London's teeming streets, 1830-1914* (1993), p.7.

<sup>66</sup> *Public Advertiser*, 21 March 1767.

<sup>67</sup> *Gazetteer and New Daily Advertiser*, 7 October 1767.

than connecting London's metropolis. The complaint came with an accompanying plan to drive new avenues through to Cheapside. Even as such grand schemes were devised, most involving a third communication to join Holborn and Strand running east-west, the sort of coordination that could even begin to make such an idea realistic was evaporating. Chancery Lane had not yet derived any benefit from the Westminster Paving Act, but already a process had begun by which "running warfare" between the parishes and the commission ended in a reassertion of vestry power.<sup>68</sup>

The difficulty of persuading richer and poorer areas to share the tax burden for improving the streets was highlighted when St George the Martyr tried to completely separate its parish affairs from the much poorer St Andrew's Holborn in 1767. It was stated in Parliament that St Andrew's was 'inhabited by the lower Sort of People, who are not of Ability to contribute to the Rates necessary for relieving the Poor, repairing the Highways, and cleansing the Streets'.<sup>69</sup> Parliament's attempts to coordinate parochial affairs were often undermined by the most rich and powerful parishes looking after their own interests. Parishes also acted in concert to ensure that legislation would be formed so as to fulfill their shared but separatist values. For its part, the Liberty of the Rolls joined with several other parishes in petitioning Parliament regarding the forthcoming Act that would consolidate the four paving acts of 1762-5 into one.<sup>70</sup> As usual, the Master of the Rolls, at that point Sir Thomas Sewell, was consulted on the matter. The petition was noted in Parliament on 2 April and as a result Sewell was made a Paving Commissioner, thereby able to exert his influence more directly on behalf of the Liberty.<sup>71</sup>

## **V: One step forward, or Chancery Lane repaved, 1769**

Towards the end of the 1760s, arguments for change finally turned to action and as local pressure reached its peak, it was finally agreed that Chancery Lane needed to be repaved. How was a decision finally reached? Firstly, the idea that Chancery Lane was dangerous extended to it being deemed a fire hazard. After building legislation was brought in to make

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<sup>68</sup> Ogborn, *Spaces of modernity*, p.103.

<sup>69</sup> Quoted in Paul Langford, *Public life and the propertied Englishman, 1689-1798* (Oxford, 1991), p.453.

<sup>70</sup> Westminster Archives, London, LR/K/1/325, Minutes of meetings of the inhabitants and the workhouse committee, 20 March 1767.

<sup>71</sup> *Journals of the House of Commons*, XXXI, 2 April 1767, p.269 and WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 7 April 1767.



new construction incorporate fire safety measures such as partition walls, a correspondent added that ‘ways should be opened , that assistance and help may be easily come at, in case such accidents happen.’<sup>72</sup> Chancery Lane was singled out as offering a particular problem, with its narrow openings at both ends. Happily, the correspondent had heard that plans were afoot to make a way through from Cursitor Street to Fetter Lane which would improve access for fighting fires and would be a great improvement anyway. Work should begin immediately, he proclaimed, ‘as little or no detriment can accrue to private persons.’ It is poignant that the writer felt the need to make such a claim, which comes across as an attempt to pre-empt objections from concerned individuals. Arguing for changes to the topography of Chancery Lane involved more than explaining why they were necessary. It also meant detailing what they were for and, perhaps most importantly, who was responsible. For instance, much effort was expended on persuading the inhabitants that the state of the road was their responsibility and cajoling them into taking action.

Institutional action and simple persuasion were deemed such a failure that one person decided to place pressure back on the individual, and inserted an advert in a newspaper threatening to indict anyone living on Chancery Lane who failed to maintain the path outside their house.<sup>73</sup> Soon afterwards the residents of the part of Chancery Lane within the City pleaded ‘with humble submission’ for the pavement to be fixed as they were experiencing problems with flooding, ‘and by the number of carriages up and down so great a thoroughfare, in so narrow a place, render it also extremely dangerous to passengers.’<sup>74</sup> The issue of who was responsible for maintaining the streets was still far from being clear-cut. Attempts were being made to impose efficiency and standardisation through new layers of bureaucracy such as the Westminster Paving Commission, but there was still a strong sense that individuals should be expected to exercise their more ancient duty to help maintain public spaces. Yet another letter to the *Public Advertiser* in 1768 expressed astonishment that Chancery Lane, ‘that opulent Neighbourhood’, had still not been repaved considering it ‘is a Place of such very general Resort, particularly of the Gentlemen of the Law, and forms so extensive a Communication with some of the most considerable Streets in Town, the Courts and Offices of Law, &c.’<sup>75</sup> The same letter also gave the clearest expression that efforts to repave Chancery Lane were failing due to the intransigence of residents: ‘[p]rivate Interests and private Animositities ought

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<sup>72</sup> *Gazetteer and New Daily Advertiser*, 27 January 1767.

<sup>73</sup> *Public Advertiser*, 31 October 1767.

<sup>74</sup> *Gazetteer and New Daily Advertiser*, 11 January 1768.

<sup>75</sup> *Public Advertiser*, 31 May 1768.

surely to fall before public Accommodation and Utility; and it seems a little unpleasant to remark, that the Persons to whom we should naturally look for Leaders in such Undertakings, should be the only ones most singularly tardy to shew their Unanimity and Love of Improvement.’

At the beginning of August 1769, the inhabitants of the upper east end of Chancery Lane wrote to the Westminster Paving Commissioners, necessitating a meeting of all the residents to canvass their opinion on the matter.<sup>76</sup> Finally, on 17 August 1769, it was reported that a general meeting of the inhabitants of Chancery Lane had unanimously agreed it should be repaved and the work would begin within a week.<sup>77</sup> In 1769, Chancery Lane was repaved from the north end, down to the City border. This was too late to avoid the continued wrath of public opinion. Ogborn describes how in Westminster the furious debates over paving were so widely followed they became ripe for satire.<sup>78</sup> Ogborn’s example involves satire aimed at the number of Scots in government. In the case of repaving Chancery Lane, satire was directed at the group who, in the popular imagination, represented the area in the same way that politicians did Westminster; the lawyers. On the same day that the residents signalled that repaving would begin, the following poem was published:

A CARD. To the Commissioners of the new Pavement.  
The lawyers inhabiting Chancery-lane  
Have apply’d for new pavement again and again.  
And amongst other *Pleas*, in support of their *Cause*,  
They say, thro’ their street is the course of the laws;  
Now no one will doubt, what is past all contending,  
That the Ways both of Laws and of Lawyers want mending:  
The Commissioners, therefore, are humbly implor’d,  
That so useful a Work may begin at their Board.<sup>79</sup>

The first thing to note is the tone of mockery adopted towards inhabitants for relying so heavily on another organisation to improve their street. The wit of this poem is partly directed at the dishonesty of the legal profession and its jealously guarded tradition of self-

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<sup>76</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 1 August 1769.

<sup>77</sup> *Middlesex Journal or Chronicle of Liberty*, 17 August 1769.

<sup>78</sup> Ogborn, *Spaces of modernity*, p.98.

<sup>79</sup> *London Chronicle*, 17 August 1769.

regulation.<sup>80</sup> But it also highlights the idea of improving the urban environment as a step towards moral reformation. More usually directed at the manners of the poorest in society, urban improvement was connected in this poem to a reformation of professional integrity. Frustration directed towards lawyers soon gained further credence as ‘the Hon. Society of Lincoln’s-inn have determined on making an area before their Chambers fronting Chancery-lane, instead of the ground being laid into the footway as the Commissioners had intended.’<sup>81</sup> Problems related to Chancery Lane lying in several jurisdictions surfaced throughout the saga of its repaving and the extra-parochial presence of Lincoln’s Inn added a new dimension.

The benchers of Lincoln’s Inn immediately had a plan drawn up, to dig up the new pavement and replace a curb and railings removed by the pavers, which was the first move in a dispute that would last five years and eventually be taken to Parliament.<sup>82</sup> The benchers of Lincoln’s Inn were tough negotiators and very rarely conceded anything without a quid pro quo. When asked to pay a rate for the paving of Chancery Lane in 1772 they replied that no payment would be made until a patch of ground on the Lane, but outside the Inn’s garden wall, was acknowledged as the Inn’s possession, put in doubt by the removal of some posts by the Commissioners of Paving.<sup>83</sup> Their urgency probably stemmed from plans to redevelop the Inn, including the addition of new buildings, being considered at that time (see chapter 3 for further details). The benchers’ call for a declaration of ownership was repeated, saying they would pay the money as soon as their claim to the land was set down in the Paving Commission’s books.<sup>84</sup> Late in the year, the society nominated a solicitor, Mr Pardoe, ‘in case any extraordinary demands be made from the Commissioners of Paving’.<sup>85</sup> Mr Pardoe was soon called into action to appeal against the rating of part of the Inn by the parish of St Clement Danes, stating their payment of the sum owed toward paving Chancery Lane as one of several objections.<sup>86</sup> Delaying tactics were soon being used on the hearing brought before the Westminster Commissioners, with documentary evidence assembled in case the delays did not achieve their objective.<sup>87</sup>

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<sup>80</sup> Using the physical space of Chancery Lane as a metaphor for the state of corporate self-governance of the legal community will be explored further in chapter three.

<sup>81</sup> *Lloyd’s Evening Post*, 30 August 1769.

<sup>82</sup> *The records of the Honourable Society of Lincoln’s Inn: the black books* III (1899), 7 September 1769, p.400.

<sup>83</sup> *Ibid.*, 6 May 1772, p.411.

<sup>84</sup> *Ibid.*, 1 June 1772, p.412.

<sup>85</sup> *Ibid.*, 14 December 1772, p.414.

<sup>86</sup> *Ibid.*, 23 January 1773, p.415.

<sup>87</sup> *Ibid.*, 16 April 1773, p.416.

The issue was taken further when Samuel Phipps esq, a barrister of the Inn, was asked to prepare a draft of a bill for Parliament to gain recognition of the Inn's interpretation of their relationship with the local area and of their responsibility to pay taxes and duties.<sup>88</sup> A payment was ordered to be made to St Clement Danes in early 1774, but it was at the very low rate which the Inn had been advocating from the beginning.<sup>89</sup> In the summer of the same year, the demand was made to the Paving Commissioners for the removal of the pavement from the piece of land previously claimed in Chancery Lane.<sup>90</sup> We will see how this argument became more acute when concerning the more expensive poor and watch rates. Lawyers were a strong presence in the locality, but it was far from obvious that their interests, particularly when physically and institutionally separated in an Inn of Court, meshed with those of the wider community. At the same time as the disputes with Lincoln's Inn were going on, other challenges were mounted to the status of the Westminster Paving Commission and it began losing yet more powers. 1771 saw the establishment of district committees of commissioners and by 1782 St George's, Hanover Square, one of the richest parishes covered by the Commission, created a distinct Commission of its own. Several individual streets and squares applied for exemption during the 1770s and were generally successful, unless there was powerful internal opposition.<sup>91</sup> The Liberty of the Rolls made a similar move when, in 1785, the chairman and vestry clerk asked the Master of the Rolls about taking power from the Commissioners for Paving and simultaneously passing a bill for the regulation of the nightly watch.<sup>92</sup> A committee was appointed to look into the state of the lamps and paving and to consider whether an Act of Parliament to bring these under the control of the Liberty would be of benefit, though nothing came of the idea.<sup>93</sup>

## **VI: Renewal renewed, 1785-1800**

The works undertaken certainly had some effect as there was little mention of the issue of paving in the press for over a decade and a half. In 1787, a scheme was conceived for the Duke of Bedford that would connect his estates around London with broader, straighter roads and 'would tend to beautify and benefit the metropolis, as much as it would improve the

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<sup>88</sup> Ibid., 28 July 1773, p.417.

<sup>89</sup> Ibid., 21 January 1774, p.418.

<sup>90</sup> Ibid., p.423.

<sup>91</sup> Langford, *Public life and the propertied Englishman*, p.454-5.

<sup>92</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 29 March 1785.

<sup>93</sup> Ibid., 8 April 1785.

Bedford estate.’<sup>94</sup> The idea was ‘[t]o open the passage from Coventry-street into Leicester-fields, and from thence to King-street, and crossing the Garden to open Little Russell-street, the lower part of Carey-street, and break a street from Chancery-lane, through to Fetter-lane, and from thence break and widen the streets all the way to Pater-noster-row, by which a middle avenue will be made into the city.’<sup>95</sup> The author must have been aware of the development of Bedford Square from 1776 and hopeful that a similarly grand scheme might be a possibility elsewhere on the Bedford estate.<sup>96</sup> Focussing on the holdings of a single landowner, rather than the whole of London as Gwynn had, must have seemed a more realistic prospect. The absolute power of the private owner might be prevailed upon to supersede the many competing claims that any plan carried through by a public body would attempt to resolve.

In the spirit of competition which White describes, in 1791 the *Public Advertiser* began an extended campaign beginning with a call for the Corporation of London to ‘emulate the intended improvements of Westminster’ and ‘open’ Chancery Lane as well as several other streets between Temple Bar and Whitechapel Church. Two of the benefits which Gwynn had identified were once again restated. ‘Health and convenience make many such communications necessary.’<sup>97</sup> By 1792 a similar work of improvement to that put before the Duke of Bedford was being called for repeatedly, with a wide road going from the west end, passing through ‘Lincoln’s-inn-fields into Chancery Lane, the south end of which might be widened towards Fleet street; this would form the most convenient and the most beautiful communication of any city in Europe’.<sup>98</sup> The scheme would basically pay for itself: ‘the increased [sic] rents would be in time an ample compensation.’ It was around this time that John Fordyce, Surveyor-General of Crown Lands, was germinating the idea for Regent Street as a way to increase revenue from the Crown’s land in London.<sup>99</sup> Economic benefits which would accrue to landowners were partly responsible for the genesis of these grand plans, but they also enjoyed more widespread interest and support. One member of the public, yet another perambulating improver, took it upon himself to calculate the length of street in

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<sup>94</sup> *World and Fashionable Advertiser*, 9 November 1787.

<sup>95</sup> *Ibid.*, 9 November 1787.

<sup>96</sup> George Rudé, *Hanoverian London, 1714-1808* (1971), p.14.

<sup>97</sup> *Public Advertiser*, 17 October 1791.

<sup>98</sup> *Ibid.*, 7 April 1792 and 11 October 1793.

<sup>99</sup> H. J. Dyos ‘The object of street improvement in Regency and early Victorian London’ in David Cannadine and David Reeder (eds.), *Exploring the urban past: essays in urban history by H.J. Dyos* (Cambridge, 1982), p.81.

Chancery Lane that needed to be widened, as he had been instructed 'to make observations in his walks in the streets' by Thomas Pennant's *History of London*.<sup>100</sup> The actions of these citizen-surveyors and their contribution to public debates are evidence of a widespread public conversation about the problems of urban design.

At the same time as the plan was made for the Bedford estate, the residents of the Liberty of the Rolls were having problems with the streetlamps in the area. The first complaint came from the constable and headborough who felt the lamplighters were not doing their job.<sup>101</sup> The contractor responsible for the lighting clearly felt he had done something about the problem as a month later he asked for the complaint to be withdrawn. He was refused.<sup>102</sup> By the 1790s individuals were starting to complain more and more about the lamps but the Liberty was impotent; all complaints were referred on to the Paving Commissioners. That is where Mr Hodgson was referred when he wanted a lamp by his house.<sup>103</sup> In 1793 a more general complaint was sent to the Commissioners along with a report of the number of lamps found to be unlit.<sup>104</sup> The new trend for evidence-gathering was continued when Mr Rosser complained that the closest lamp was too far from his home in Bell Yard. Blundell the beadle was sent to measure the distance to provide weight for any ensuing dispute with the Commissioners.<sup>105</sup> Yet another complaint was made to the lamp contractor in 1795 along with the threat that if nothing was done the Commissioners would once again be informed.<sup>106</sup> For an area like the Liberty of the Rolls that was capable of close local scrutiny, the extra layer of governance provided by the Westminster Paving Commission was clearly a source of frustration. The litany of complaints above clearly show that the parish was still the first port of call when disgruntled locals felt adequate services were not being provided, but the only action that could be taken was to pass on information.

During the early 1790s, commentators increasingly gave the impression that Chancery Lane was a space running out of control: crumbling and disorderly. By 1793 there were several houses at the Fleet Street end again close to falling down<sup>107</sup> and the same old complaints

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<sup>100</sup> *Public Advertiser*, 20 July 1792.

<sup>101</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 16 August 1787.

<sup>102</sup> *Ibid.*, 19 September 1787.

<sup>103</sup> *Ibid.*, 7 November 1792.

<sup>104</sup> *Ibid.*, 6 November 1793.

<sup>105</sup> *Ibid.*, 3 December 1794.

<sup>106</sup> *Ibid.*, 4 March 1795.

<sup>107</sup> *Diary or Woodfall's Register*, 15 August 1793.

resurfaced: ‘the Fleet-street corner of Chancery-lane is, from its narrowness, become an intolerable nuisance; and that scarce a day or night passes without some serious accident.’<sup>108</sup> By 1796 it was decided that Chancery Lane would be straightened and widened, along with several other roads connecting Holborn and Fleet Street.<sup>109</sup> This seems to have been followed by a period of intense lobbying of Parliament by the Liberty of the Rolls, mostly carried out by the Master of the Rolls. As a consequence, residents’ committee member and local attorney Alexander Brodie was made a Paving Commissioner.<sup>110</sup> The intention to apply for an amendment in the Act of Parliament for various improvements in the area was reported late in 1797<sup>111</sup>, although the Temple Bar committee, while agreeing that changes were needed, decreed that they were too expensive to begin immediately.<sup>112</sup>

A petition presented by the Common Council to the House of Commons, acknowledging earlier arguments, stated ‘that one great Cause of Obstruction in the Passage between the Cities of *London* and *Westminster* arises from the confined Entrances into *Chancery Lane*, and, in order to remove that Inconvenience, it is necessary that the North and South entrances of that Street, the North Side of *Fleet Street*, from *Chancery Lane* to *Temple Bar*, and the East End of *Carey Street*, where it communicates with *Chancery Lane*, should be widened’.<sup>113</sup> Late resident John Wilmot esq., ‘having been a long time witness to the dangerous situation of the end of Chancery Lane’, bought several properties necessary to widening it and upon his death these were offered to the Corporation of London at the same price at which they were bought<sup>114</sup>, which was agreed to three months later.<sup>115</sup> The City estimated the total cost at £2,400 and said it would not take action until £600 had been donated. The vestry of St Dunstan’s in the West had collected £500 by November with another £50 pledged by Lincoln’s Inn.<sup>116</sup> It was not until 1800 that the dangerously precarious buildings (see figure 7) at the corner of Fleet Street and Chancery Lane were ordered to be pulled down by the Court of Aldermen.<sup>117</sup>

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<sup>108</sup> *Morning Post*, 31 March 1794.

<sup>109</sup> *Star*, 27 August 1796.

<sup>110</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 17 August 1797.

<sup>111</sup> *London Packet or New Lloyd's Evening Post*, 25 September 1797.

<sup>112</sup> *True Briton*, 14 October 1797.

<sup>113</sup> *Journals of the House of Commons*, LIII, 17 November 1797, p.84.

<sup>114</sup> *St. James's Chronicle or the British Evening Post*, 19 June 1798.

<sup>115</sup> *Ibid.*, 25 September 1798.

<sup>116</sup> *The records of the Honourable Society of Lincoln's Inn: the black books IV* (1899), p.74-5.

<sup>117</sup> *Whitehall Evening Post*, 1-3 July 1800.

**Figure 7:** From John Peller Malcolm, *Anecdotes of the manners and customs of London during the eighteenth century*, volume 1 (1810).





### VIII: Localism reviving, 1800-1815

In the Liberty of the Rolls, the early nineteenth century was marked by difficulties with keeping the streets clean and orderly and frequent referral of these issues to the Paving Commissioners. The central impetus behind the identification of these problems was a Mr Payne, probably the son of the carpenter William Payne mentioned in the previous chapter, who began complaining about the Liberty's lamplighters and scavengers (the scavengers were responsible for keeping the streets clean) in 1802.<sup>118</sup> The failure of the scavengers was exacerbated by residents; the people of White's Alley were causing such a nuisance by setting out dust and other dirt that the committee threatened to have them summoned to the police office in Hatton Garden.<sup>119</sup> Later that year Mr Payne voiced further frustration about the people of Shire Lane leaving goods on the pavement, who were sent letters threatening them with legal proceedings.<sup>120</sup> By the summer of 1802, the inhabitants' committee had made application to the Commission of Pavements concerning the scavengers' neglectfulness.<sup>121</sup> It took seven months before a decision was made that proceedings would be initiated against the scavengers for failing in their duty.<sup>122</sup> This seems to have made little difference as their inadequacy was registered once again and the committee decided, rather belatedly, to find out exactly how often the scavengers were supposed to attend.<sup>123</sup>

In 1805 another petition concerning the lamplighters and scavengers was drawn up and the vestry clerk was commanded to make application again to the Commission of Pavements. At the same time, approval was sought for putting a street sign up in Bell Yard.<sup>124</sup> A few years on and some progress was made in simple improvements to the street environment. The fire ladders were to be painted, the water pump repaired, water plugs and pipes distributed and street signs put up in all streets, lanes and alleys.<sup>125</sup> A year later the vestry clerk wrote to the Commissioner of Sewers to ask for the sewer gratings to be replaced, which were particularly poor opposite Carey Street.<sup>126</sup> Around this time a campaign was also under way to clear Bell

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<sup>118</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 6 January 1802.

<sup>119</sup> *Ibid.*, 3 February 1802.

<sup>120</sup> *Ibid.*, 22 September 1802.

<sup>121</sup> *Ibid.*, 23 June 1802.

<sup>122</sup> *Ibid.*, 2 February 1803.

<sup>123</sup> *Ibid.*, 1 June 1803.

<sup>124</sup> *Ibid.*, 3 April 1805 and 1 May 1805.

<sup>125</sup> *Ibid.*, 3 August 1808.

<sup>126</sup> *Ibid.*, 7 June 1809.

Yard of carts, which were obstructing its northern end. Initially the constable was asked to intervene but complaints persisted and prosecution was threatened.<sup>127</sup>

In May 1809 Mr Payne gave notice of his intention to apply to Parliament during the next session for an act for the better watching, cleaning, paving and lighting of the Liberty.<sup>128</sup> In practice, this meant returning all of these tasks to the management of the Liberty, from the discredited Paving Commission. The residents' committee agreed that this was desirable and formed a committee of twelve ancient inhabitants to monitor the progress of the bill through Parliament, as well as applying to the Master of the Rolls for his support. In a show of the organisation and pragmatism involved in the process of regaining local control of the street environment, it was decided that the expense of obtaining the act would be paid over the next four years.<sup>129</sup> After the legislation had been passed a more comprehensive breakdown of payments was produced, with two-fifths of the money to be paid by the paving board (£25 a year), two-fifths by the overseers of the poor (£25 a year) and one-fifth by the watch board (£12.10s a year).<sup>130</sup> In 1811 it was reported to the committee that the astronomical sum of £600.10s.5d was still owed to the vestry clerks for 'soliciting and affirming' the Act of Parliament.<sup>131</sup> What compelled the committee of inhabitants to take such trouble and expense?

The fragmentation of oversight that had been consolidated by earlier legislation was partly responsible. A petition was read in Parliament from the householders and other inhabitants of the Liberty of the Rolls complaining that most of the surrounding parishes had reverted to choosing commissioners for lighting and paving resident in their own parishes, rather than still falling under the 1762 Westminster Paving Act and the additional legislation connected to it. From perusing the petition, 'it is apprehended the paving, lighting and cleansing thereof can be better superintended and performed by Commissioners to be appointed by the Inhabitants within the said Liberty, and of persons resident in the same, than by the Commissioners appointed under the said Act'.<sup>132</sup> Efficiency was clearly another consideration. The frequent applications to various commissioners over the course of the

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<sup>127</sup> Ibid., 2 November 1808 and 6 July 1809.

<sup>128</sup> Ibid., 8 May 1809.

<sup>129</sup> Ibid., 12 July 1809.

<sup>130</sup> Ibid., 3 October 1810.

<sup>131</sup> Ibid., 3 July 1811.

<sup>132</sup> *Journals of the House of Commons*, LXV, 7 February 1810, p.48.

previous decades show the bureaucratic processes that could be cut by local management of local space.

The matter was not only referred to a Commons Committee but also to the Master of the Rolls and William Mellish, MP for Middlesex. The consultation of these two in passing the act points to perhaps the most important issue at stake: accountability. Raising and spending taxes at a local level was an important principle for those who believed that this role of the parish conferred legitimacy on the whole system of government. Conversely, local legislation leant the authority of Parliament to parish personnel.<sup>133</sup> Arguments about taxation and accountability must have grown in poignancy as the expansion of public debt continued to snowball during the Napoleonic wars. Yet accountability also had an added dimension for the people of Chancery Lane. Even if they were represented by the MP for Middlesex in the eyes of Parliament, in the popular imagination they were associated with either Westminster or the City, mostly on the grounds of whichever showed their case in the worst light. And they were also tarnished indelibly as lawyers; their dirty street arose, it seemed, from their even grubbier profession. Managing their streetscape might also allow them to manage their reputation.<sup>134</sup> The trustees nominated to oversee the transition to local committee management, with particular concern for property such as paving slabs and lamp posts that was changing hands, were all part of the legal community: John Silvester (Recorder of London), Isaac Espinasse (bencher and soon to be treasurer of Gray's Inn), John Hanson (attorney, all of Chancery Lane) and Alexander Brodie (attorney, Carey Street).

The Act itself stipulated that 'if any Person shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, any Ashes, Dust, Dirt, Rubbish, Offal, Dung, Soil or other Filth or Annoyance, or shall set or place any Stall, Board, Wheelbarrow, or other Barrow, Chopping Block, Basket, Wares, Merchandize, Cask, or Goods of any Kind whatsoever, or shall hoop, wash, or cleanse any Pipe, Barrel, Cask, or Vessel in or upon any of the Carriage or Foot Ways' or block up the carriageway with a variety of vehicles described with similar verbosity, they would be liable for a fine of up to twenty shillings.<sup>135</sup> They also risked having their goods, wagon or other property seized and removed by a person appointed by the

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<sup>133</sup> Joanna Innes, *Inferior politics: social problems and social policies in eighteenth-century Britain* (Oxford, 2009), p.94.

<sup>134</sup> This idea will be explored further in the following chapter.

<sup>135</sup> An act for better paving and lighting, for establishing a Nightly Watch, for regulating the Poor, and recovering the Poor Rates within the Liberty of the Rolls in the County of Middlesex. 18 May 1810, p.1978.

committee and not returned until the fine was paid. Those caught in the act of what was essentially fly-tipping, could be sentenced to up to thirty days hard labour if they could not pay the fine. These potentially draconian penalties directly addressed the problems with carts and dirt raised by residents during the 1800s. The exact role, timetable and fines for neglect of duty for the scavengers were also laid out in full.<sup>136</sup> These specifics, which correspond so closely with earlier complaints, suggest they were drawn up with some input from the residents' committee. Not only do they give a clue as to how the legislation was formed, they also reveal the specific concerns surrounding uses of public space. The source of anxiety appears to have been the use of public thoroughfares for private commercial activities. Where there used to be worries about vehicles going too fast, there was a new concern about static occupation of the road.

The bill told the story of legislative change, detailing the initial paving act in the second year of George III's reign and going on to list those in the third, fourth and fifth years, fine-tuning the legislation and '*extending the Provisions of the said Acts to the Surrey side of Westminster Bridge and for enlarging the Powers of the said Act with respect to Squares*'.<sup>137</sup> After this initial burst, further acts were passed in the eleventh and thirtieth regnal years. The latter put so-called 'optional streets' under the management of parochial committees, with the careful qualification that these were still controlled by the Paving Commissioners. All of this legislation was repealed by the Act of 1810. Almost exactly one year later, the Liberty sent out its first tender ('Proposals in writing, sealed up') for paving, lighting and cleansing the streets. Specifications were rigorous, requiring the carriage way to be paved with nine inch granite or pebbles laid in gravel and the foot pavement to made of Purbeck squares with a 'moor stone kirb'. Lighting involved the provision of around 115 globular glass lamps to be lit with a broad wick burner and cleaned at least once a fortnight. All applicants had to give security as proof they would carry out the contract faithfully.<sup>138</sup> A new era of local responsibility for the street environment had begun.

It will come as no surprise that complaints about Chancery Lane continued well into the nineteenth century. *Suggestions for the architectural improvement of the western part of London* published in 1834 suggested that '[e]very one must be aware of the extreme

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<sup>136</sup> Ibid., p.1982-3.

<sup>137</sup> Ibid., p.1967.

<sup>138</sup> *The Morning Chronicle*, 20 May 1811.

inadequacy of Chancery lane as the principal and (with the exception of the still narrower and more crooked lane, called Fetter lane) the only means of direct communication between the two great high ways of Fleet street and Holborn; the southern extremity of this lane forms a pass constantly exposed to great and even dangerous obstruction.<sup>139</sup> This was followed by a call for Gwynn's plan to drive a street through from Strand to Searle Street, opening the East side of Lincoln's Inn Fields, to be put into effect. Chancery Lane was still being singled out in 1852 as a source of congestion in London, where two vehicles could not drive abreast and traders' paraphernalia was still being left lying around.<sup>140</sup> During the late eighteenth and early nineteenth century, individuals, municipalities, nor circumstances were the sole architect shaping the space of Chancery Lane. It took the confluence of all three before change, however modest, was effected.

It will be seen in the next chapter that the architecture around Chancery Lane did change during this period, but it was mostly down to individual developments funded by the legal community. Local institutions like the Liberty of the Rolls residents' committee had neither the power nor the inclination to coordinate town planning. Meanwhile, the less onerous task of managing the paving and cleaning of the streets as a collective had run aground on sectional, parochial interests. White details the ways in which Westminster and the City produced grand set-piece improvements, spurred on by competitive instincts, but in the interstice between the two, the residents of Chancery Lane felt better off taking their problems of dirt, dangerous paving and overflowing commercial activity in hand. Other institutions such as the Westminster Paving Commission might have been capable of producing more thoroughgoing improvement. However, locals found that applying straight to Parliament for a clear mandate for control over the public space of Chancery Lane was hugely preferable to being unfairly blamed for a lack of progress. We will now turn to the lawyers, and how they negotiated their own place in arguments which, as has been shown above, were being used to impugn their reputation.

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<sup>139</sup> Extract from Sidney Smirke, *Suggestions for the architectural improvement of the western part of London* in Leigh Hunt (ed.), *Leigh Hunt's London journal* (1834), p.198.

<sup>140</sup> Jerry White, *London in the nineteenth century* (2008), p.42.

### Chapter 3: 'Legal London' and Chancery Lane

The presence of the legal fraternity provides a central narrative strand in the story of Chancery Lane. Legal London, centred on the area containing the four ancient Inns of Court, was 'hidden from the main streets but conveniently sited between the commercial world of the City of London and the nation's political-cum-legal capital in Westminster.'<sup>1</sup> *Browne's Law List* of 1800 enumerates the mass of legal professionals in the area just around Chancery Lane. This included the Master of the Rolls and his officers in Rolls Buildings, the Petty Bag Office, the Chancery Register Office, the Chancery Report Office, the Examiner's Office, the Office of the Masters in Chancery, the Accountant General's Office, the Six Clerk's Office and the Commissioners of Bankrupts Office. Most of the judges' clerks had offices in Serjeant's Inn and many of the King's Counsel, as well as an assortment of conveyancers and draftsmen, were based in Lincoln's Inn and the surrounding streets. Of 490 counsel listed in *Browne's Law List* in 1800, 13 had offices in Chancery Lane, 18 in the surrounding streets, 6 in Serjeant's Inn and 120 in Lincoln's Inn. Of the attorneys, 38 had their offices in Chancery Lane, 55 in the side roads and courts immediately around it and 73 in Lincoln's Inn.

Over the course of the eighteenth century, total admissions to the four Inns of Court peaked in the 1720s. The second third of the century was marked by a steep decline in numbers followed by a recovery from the 1760s onwards.<sup>2</sup> The 1780s very nearly matched the earlier peak, after which there was another slight decline.<sup>3</sup> Of course not all of those admitted to an Inn were called to the bar, nor did all of those who were called to the bar go on to practise law. The number of attorneys and solicitors is more difficult to state exactly. One estimate puts the number at 4000 in 1730. The first unofficial law list, *Browne's*, which was initiated in 1775, counted 1087 attorneys and solicitors in London and 2040 elsewhere in the country, although this list is almost certainly incomplete. William Pitt the Younger put the number in 1784 at 4400, 1400 of those based in London. Estimates of the total number in 1800 range

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<sup>1</sup> Penelope J. Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', [http://www.penelopejcorfield.co.uk/PDF%27s/CorfieldPdf12\\_Lawyers.pdf](http://www.penelopejcorfield.co.uk/PDF%27s/CorfieldPdf12_Lawyers.pdf), p.7. Also published in P. Chassigne and J-P. Genet (eds.), *Droit et société en France et Grande Bretagne: law and society in France and England* (Paris, 2003).

<sup>2</sup> For an explanation of these trends see Paul Lucas, 'A collective biography of students and barristers of Lincoln's Inn, 1680-1804: a study in the "aristocratic resurgence" of the eighteenth century', *The Journal of Modern History*, 46, 2 (1974), p.235-8.

<sup>3</sup> See Table A1 in Lucas, 'A collective biography of students and barristers of Lincoln's Inn, 1680-1804', p.245.

from 4969 to 5300. By 1821 a more accurate figure of 7090 is given. The rate of increase in the number of attorneys and solicitors was significantly less than that of the British population and cannot be explained by wider demographic changes.<sup>4</sup>

Changes in Legal London were far from uniform. The area under investigation here was exceptional in that Lincoln's Inn was the only one of the Inns of Court to enjoy overall growth during the Georgian period.<sup>5</sup> From the 1760s onwards, the numbers entering Lincoln's Inn followed a broadly similar trend to the Inns as a whole, the difference being that while in the 1700s Lincoln's Inn contributed 15% of total admissions, by the 1760s this figure had risen to 26%. Explosive growth in the numbers admitted during the next two decades meant that by the 1780s, Lincoln's Inn accounted for 46% of the total. This was followed by a decline to 32% of admissions in the 1790s. Of all those entering an Inn of Court from 1760 to 1799, 36% joined Lincoln's Inn.<sup>6</sup> Its popularity may have been influenced by the character of the area itself: both the grandness of architecture in Lincoln's Inn and the economic fillip of being near the Court of Chancery during its out of term sittings.<sup>7</sup> And despite the Court being otherwise held in Westminster Hall, Chancery Lane – as the name suggests – was host to the bureaucratic heart of the court. The Master of the Rolls, the junior of the two judges for the court of Chancery (the senior being the Lord Chancellor), resided here. The ten Masters in Chancery had their offices in Southampton Buildings, at the north-east corner of Chancery Lane. They were responsible for all administrative tasks, as opposed to the purely judicial role of the judges. The Six Clerks, who were officers of the court responsible for record-keeping, had their offices in Chancery Lane. Swelling their number, each of the six had a maximum of ten under-clerks, collectively known as the Sworn or Sixty Clerks (although in practice they often numbered far less than the full complement of sixty).<sup>8</sup>

Corfield describes legal London as the 'locational headquarters' of the legal profession.<sup>9</sup> Chancery Lane did not just house the offices and chambers of lawyers, it was also part of a

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<sup>4</sup> Harry Kirk, *Portrait of a profession, a history of the solicitor's profession, 1100 to the present day* (1976), p.108.

<sup>5</sup> David Lemmings, *Professors of the law, barristers and English legal culture in the eighteenth century* (Oxford, 2000), p.63.

<sup>6</sup> See Table A1 in Lucas, 'A collective biography of students and barristers of Lincoln's Inn, 1680-1804', p.245.

<sup>7</sup> David Lemmings, *Professors of the law*, p.64.

<sup>8</sup> For the workings of the court of Chancery, see Michael Lobban, 'Preparing for fusion: reforming the nineteenth-century Court of Chancery, part I', *Law & History Review*, 22 (2004), pp.392-97.

<sup>9</sup> Penelope J. Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', p.7.

hub at which legal professionals and their clients could exchange information and ideas and stay connected with their interests both nationally and internationally. For instance, one gentleman of the law travelling to Paris and Flanders advertised his willingness to transact business, and told anyone interested to apply to Mr Hatch at the Anchor and Baptist Head Tavern in Chancery Lane.<sup>10</sup> Another, travelling to Philadelphia, offered to undertake any errands that did not take him more than three days away from his destination, with application to be made to a law stationers' in Southampton Buildings.<sup>11</sup>

What of the social standing of the lawyers who lived and worked in this area? We saw in the previous chapter how a contemporary commentator situated Chancery Lane within the geography of London's social hierarchy and characterised its residents as 'the inferior retainers of the law in Chancery-Lane, Hatton Garden, and Bedford Row'.<sup>12</sup> Occupying the physical space between the City and the West End, the legal community were situated identically on a sliding scale of respectability, placing them as middling sorts. However, the contemptible moniker of 'inferior retainers' suggests that more complicated feelings lie behind this simple ranking system. The first point to note is the identification of lawyers as a professional class enjoying a huge rise in wealth and status throughout the eighteenth century, as typified by John Silvester, for a long time a resident of Chancery Lane. A common serjeant of London from 1790, Silvester's career took a leap forward in 1803 when he was made Recorder of London and a bencher of the Middle Temple. Silvester's progress was symbolised when in 1812 he moved from his house in Chancery Lane to new lodgings in Bloomsbury Square, rented from the Duke of Bedford.<sup>13</sup> He was created a baronet in 1814.<sup>14</sup>

The second key point is the hostility which lawyers provoked. Antagonism arose because of ongoing mistrust of the lawyer's role in society and the perception that their greater wealth and power was not concomitant with increasing professionalism and respectability. The strength of identification between the physical space of legal London and the legal profession in the popular imagination meant that the physical space of legal London was often considered to be a reminder of, or even a proxy for notions of the corruption of lawyers and

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<sup>10</sup> *Daily Advertiser*, 18 August 1778.

<sup>11</sup> *Morning Chronicle*, 23 February 1800.

<sup>12</sup> *Olla Podrida* (Oxford), 28 July 1787.

<sup>13</sup> London Metropolitan Archives, CLC/521/MS07067.

<sup>14</sup> Allyson N. May, 'Silvester, Sir John, first baronet (1745–1822)', *Oxford Dictionary of National Biography* (Oxford, 2004), [<http://0-www.oxforddnb.com.catalogue.urls.lon.ac.uk/view/article/67764>, accessed 23 April 2012].



the law. A Christian walking tour of London from 1775 urged that when the reader passed through any of the Inns of Court, they should

reflect on the perjury and corruption that abound among men; our promises are too often no sooner made and broken, and the agreements we enter into, set aside and of little or none effect unless secured by writings drawn between man and man. Consider the laws of God as the standard and rule of all our actions; He is the great Lawgiver.<sup>15</sup>

As the legal community themselves recognised, persuading the wider public that lawyers were in fact respectable and trustworthy professionals was vital to gaining public confidence and maintaining their rise to prominence.

As legal knowledge became increasingly vital as part of the service economy, networks of lawyers came to mesh with those of the ruling classes, as well as the landowners and merchants whose business affairs often relied on the law. The importance of law and arcane legal niceties to the burgeoning commerce of eighteenth-century Britain alarmed many commentators of the time:

the law is here the *paramount* profession, to which every thing is referred for decision... The ancient feudal system has interwoven into its texture such a mass of abstruse learning, and branched out doubts and difficulties into such numerous sub-divisions – the increase of commerce among a people greedy of opulence and power, but jealous of their liberties and rights, guarded by gigantic folios, under the denomination of acts of parliament, involved in endless contradictions and super-induced innovations – *all these* have together extended it's fibres almost to infinity, so that the professors can alone comprehend them; and they are become, even to the *Professors*, a wilderness.<sup>16</sup>

[T]he progress of luxury keeps pace with that of civilization; and even at the conclusion of the 18<sup>th</sup> century, man, with all his boasted refinement, continues still to prey on man. The human race are subject to different kinds of oppression, in the different stages of civil society: and the English, as well as other European nations, have, in different periods, groaned under – arbitrary power – the terrors of superstition, and – the chicanery of the law.<sup>17</sup>

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<sup>15</sup> George Wright, *Walking amusements for cheerful Christians. To which are added, various pieces, in prose and verse: with a map of the roads to happiness and misery*, (London, 1775), p.65.

<sup>16</sup> Leman Thomas Rede, *Strictures on the lives and characters of the most eminent lawyers of the present day* (1790), p.95.

<sup>17</sup> A. Grant, *The progress and practice of a modern attorney; exhibiting the conduct of thousands towards millions!* (1795?), p.5.

Such concerns about the over-complication of the law were compounded by difficulties in accessing the legal system experienced by the average citizen. Not only was the cost of bringing a dispute to court an issue, Shoemaker explains how the functioning of the courts became more exclusionary: '[i]n the courtroom, testimony by witnesses and defendants was increasingly controlled by lawyers or supplanted by expert professionals, especially surgeons. As the role of ordinary people in day-to-day policing and prosecution was marginalised, it is not surprising that the law lost its central place in Londoners' thoughts when they considered how to respond to perceived wrongs.'<sup>18</sup>

The writer of the second extract above is quite clear that the chicanery of the law was not just a problem with the structure of society, it had a willing cast of agents preying on their fellow men: 'this blessed assemblage of discounters, attornies, and bailiffs'.<sup>19</sup> This 'set of leeches' was identified more fully at the end of the same book which was about the malpractice of attorneys.<sup>20</sup> A list of lawyers was provided, taken alphabetically from *Browne's Law List*. The miscreants aren't named but each is given a short description that would apparently allow any lawyer or clerk to identify them. The list is said to represent only a few of the pettifoggers practicing. The main sources of untrustworthiness are specific malpractice ('A discounter'); suspect associates ('Keeper of a brothel', 'A clerk to a crimp'); lowly origins ('A footman', 'A coal-heaver'); the wrong background ('A Jew, who changed his name') or a combination of the above.<sup>21</sup> Another work entitled *Advice to a certain Lord High Chancellor, twelve judges, 600 barristers, 700 English and 800 Irish students of the law, and 30,000 attornies!* purported to make plain secrets which the reader 'can not find in all the writings of Lyttleton or Coke' and lay bare the system used by all legal professionals in their dealings with the community, something never before committed to paper.<sup>22</sup> The anonymous author innocently claimed that his instructional guide might also 'remove the groundless prejudice of multitudes against the profession at large, and particularly that respectable class of it denominated Attornies.'<sup>23</sup> By this time the label of attorney was held in such ill repute that

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<sup>18</sup> Robert B. Shoemaker, *The London mob, violence and disorder in eighteenth-century England* (London and New York, 2004), p.237.

<sup>19</sup> A. Grant, *The progress and practice of a modern attorney*, p.8.

<sup>20</sup> *Ibid.*, p.8.

<sup>21</sup> *Ibid.*, pp.194-97.

<sup>22</sup> Anon., *Advice to a certain Lord High Chancellor, twelve judges, 600 barristers, 700 English and 800 Irish students of the law, and 30,000 attornies!* (Dublin, 1792), p.vi.

<sup>23</sup> *Ibid.*, p.vi-vii.

many (particularly those of a higher social class drawn into the profession by the increasing amount of money to be made) simply styled themselves as solicitors instead.<sup>24</sup>

In *Advice to a certain Lord High Chancellor*, barristers are persuaded to be pompous and self-aggrandising, and it is reserved for the attorneys to relate that ‘your first care must be to look around you, and settle on some method of making the most of your money, and of getting into good business.’<sup>25</sup> There follows a list of grasping, underhand methods to relieve people of their money and even to create new business by attempting to start arguments, preferably with the assistance of another attorney. Learning a few phrases of law-Latin was suggested in an attempt to give the impression of learning. The attorneys came out worst because their schemes are generally to be directed at the general public rather than other members of the legal profession. However, *Advice to a certain Lord High Chancellor* was highly uncomplimentary in its portrait of each branch of the legal profession in turn. It ended with the insistent message that the reader ‘not profanely suppose that my precepts are the offspring of a wild and creative imagination, but salutary rules, collected from long observations on the conduct of those persons who have attained to the first honours and the highest emoluments of the Law.’<sup>26</sup> The advice of this work will be returned to, for the most distinguished judges to the lowliest attorney’s clerk.

While satirical treatment of lawyers was generally prone to ‘polemical excess’,<sup>27</sup> contemporary criticisms relating to the Court of Chancery seem more justified. As Lobban explains, ‘[b]esides inherent faults in its structure, the Chancery also suffered from the ancien régime’s corruption as an institution, which guaranteed that it would be plagued by expense.’<sup>28</sup> The backlog of cases was notorious. In 1784/5 there were 1544 bills of complaint and 3612 active cases, increasing to 2335 and 6014 respectively in 1818/19.<sup>29</sup> The Court of Chancery was in part a victim of its own success. Its ability to handle cases involving multiple parties and different questions, and also the option to apply equitable remedies such as injunctions over and above the awarding of damages, made it an increasingly important institution in the context of rapid commercial growth.<sup>30</sup> The number of solicitors admitted to

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<sup>24</sup> Michael Birks, *Gentlemen of the law* (1960), p.144.

<sup>25</sup> Anon., *Advice to a certain Lord High Chancellor*, p.32.

<sup>26</sup> *Ibid.*, p.51.

<sup>27</sup> Penelope J. Corfield, *Power and the professions in Britain 1700-1850* (1995), p.47.

<sup>28</sup> Lobban, ‘Preparing for fusion, part I’, p394.

<sup>29</sup> Henry Horwitz, *Chancery equity records and proceedings, 1600-1800* (1995), p.29.

<sup>30</sup> Lobban, ‘Preparing for fusion, part I’, p391.

practise in the Court of Chancery was falling until the middle of the eighteenth century but picked up from 1770 onwards.<sup>31</sup> Nevertheless, the Chancery was seen as an opportunity for lawyers to amass huge fortunes thanks to the unnecessarily lengthy and expensive procedure involved. Failure to reform these procedures, an impasse which seemed to benefit the legal profession, made the Court of Chancery a ripe target for satire. One cartoon depicted a chancery suit held up by two devils, tempting a group of leering, red-faced lawyers, who are jostling for position to seize the opportunity being proffered (see figure 8). A similar sentiment towards Chancery suits would be echoed in Dickens' *Bleak House* fifty years later. Corruption in the Court of Chancery had an even wider cultural resonance than mention in novels. For example, pugilists used the phrase 'in chancery' to describe a situation in which one fighter had their opponent trapped in a headlock, then repeatedly punched them in the face. George Cruikshank depicted this brutal scene along with the title *A Chancery case* making the link to the court explicit (see figure 9).

Popular resentment towards the workings of the Court of Chancery helped to create an association between the area around Chancery Lane and the worst excesses of legal corruption. In a newspaper report of a case heard in the common law courts, in which a couple had failed to gain restitution for monetary assistance they had given to a girl in difficulties, it was suggested they could 'consult the doctrine of Chances in Chancery-lane, where 'tis thought they may find Equity, notwithstanding the difficulty, expence and delays with which she is surrounded.'<sup>32</sup> In *The heiress*, a play of 1786, a lawyer named Alscrip boasts of his ability to keep clients from interfering with (or even understanding) their own case. He simply read the words of the client back to them: 'I was the best reader in Chancery Lane for setting the understanding at defiance – Drew breath but once in a quarter of an hour, always in the wrong place, and made a single sentence of six skins of parchment'. When his colleague Mr Rightly suggests that English law, in all its greatness, should be accessible to all, Alscrip exclaims 'Law understood! Zounds! wou'd you destroy the profession?'<sup>33</sup> Chancery Lane was presented by its critics as a competitive environment for cheating and

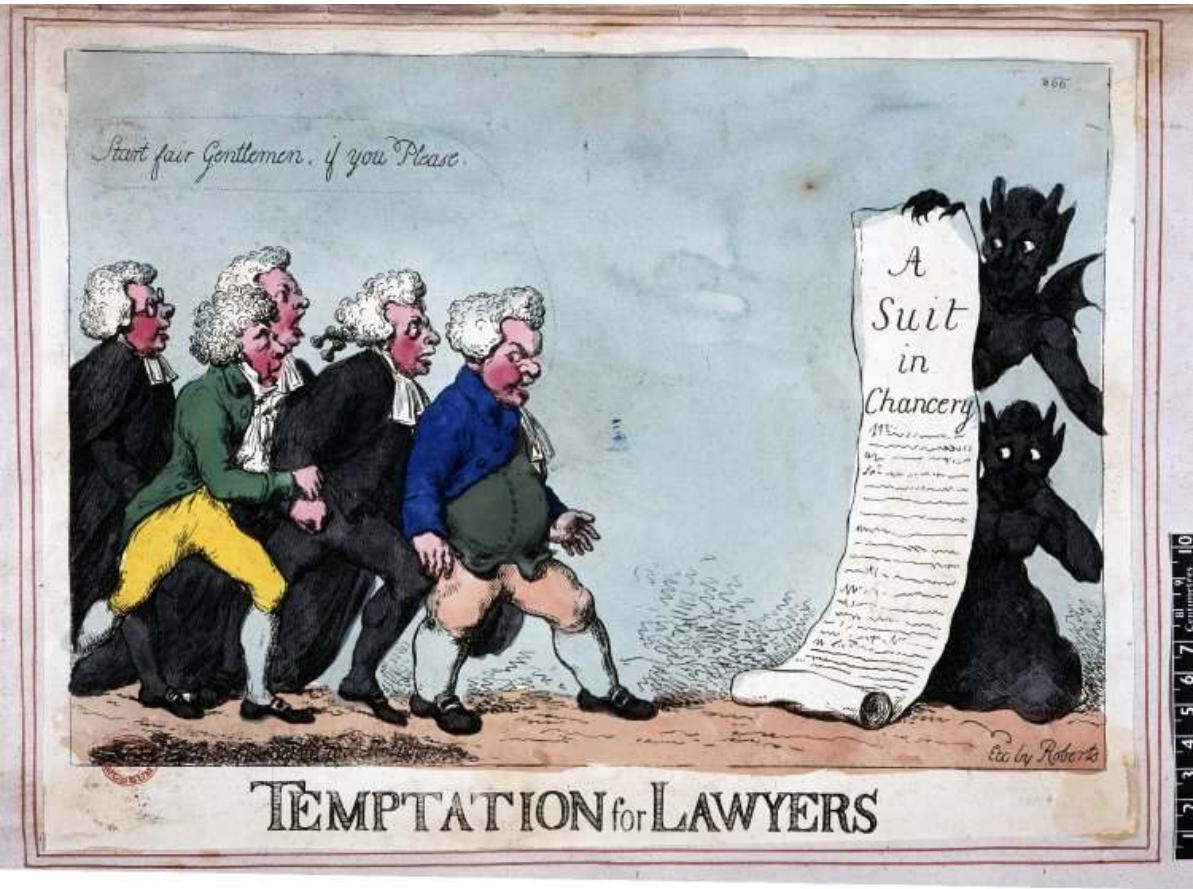
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<sup>31</sup> Birks, *Gentlemen of the law*, p.142. Lobban's explanation of the importance of the Court of Chancery gives us reason to believe that the rise in numbers of solicitors on the rolls of the court was not just because, as Birks claims, 'the atmosphere of the court was pleasing.'

<sup>32</sup> *Lloyd's Evening Post*, 28 May 1773.

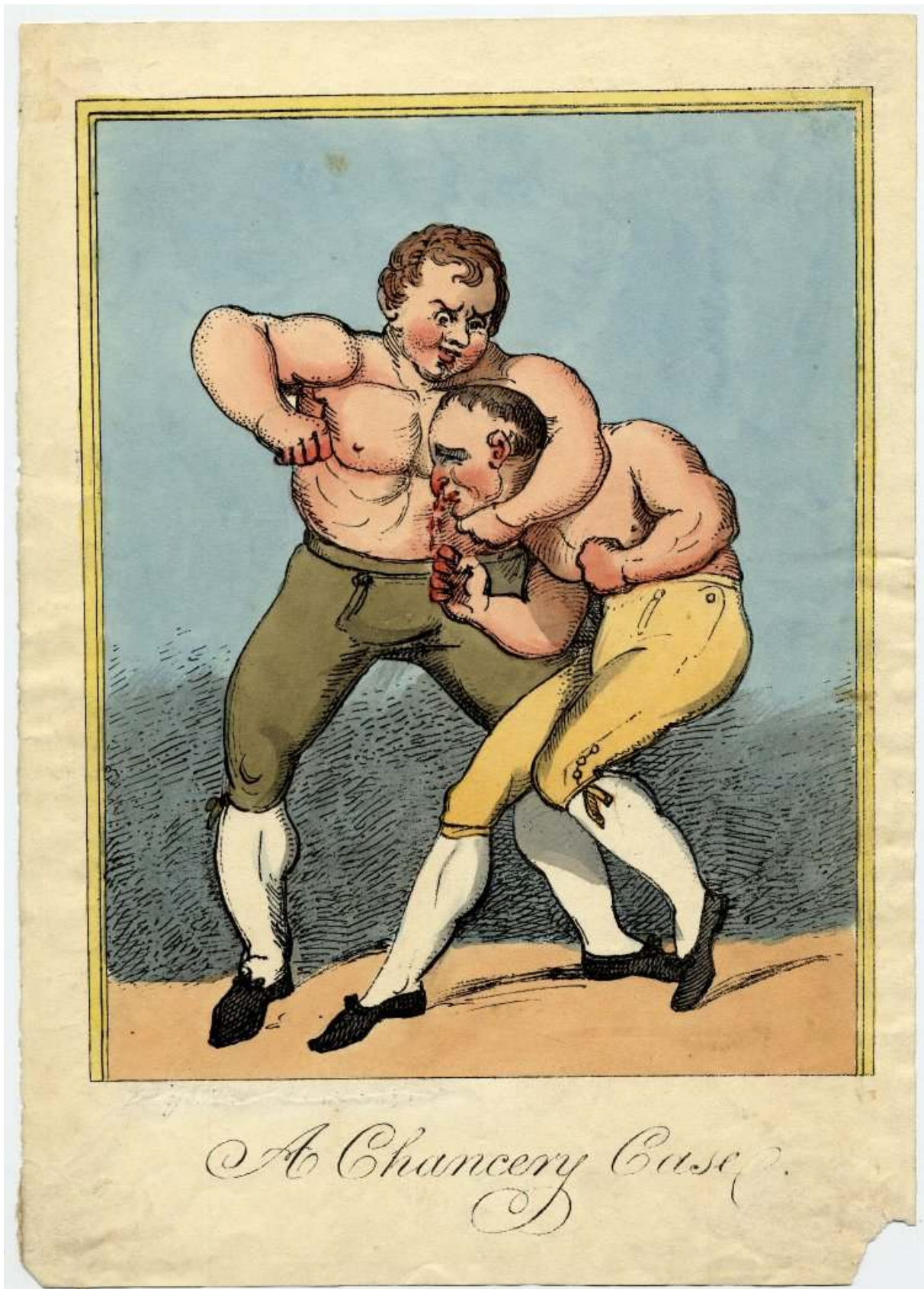
<sup>33</sup> John Burgoyne, *The heiress* (1786), p.62.

**Figure 8:** Piercy Roberts, *Temptation for lawyers* (1803?), BM Satires 10198. Courtesy of [www.britishmuseum.org](http://www.britishmuseum.org).





**Figure 9:** George Cruikshank, *A Chancery case* (1818), BM Satires 13122. Courtesy of [www.britishmuseum.org](http://www.britishmuseum.org).



dissembling, while the self-regulation of the legal profession was seen as little more than an attempt to maintain the mystery of legal knowledge. The professional education of lawyers was also considered to be at a historically low ebb. To the further detriment of the educational opportunities available in the Inns of Court,

they [parliament] increased the salaries of the judges and masters in chancery, the consequence of which is, that neither judges nor masters now attend at chambers as regularly as they were accustomed to do. Formerly their houses were near the inns of court; it is otherwise at present with respect to many of them. Formerly they thought it worth while to attend at chambers for the single shillings they received for summonses, &c. but now they reject such trifles to the great prejudice of the suitors, and delay of justice.<sup>34</sup>

This chapter will examine some of the individual lawyers and the professional networks they maintained, both within the local area and with the wider world. It will look at how the legal community interacted with other residents in the locality and how the needs and interests of the lawyers helped to shape the environment of Chancery Lane. It will be shown how legal institutions attempted to use their presence in the area, particularly through the architectural shaping of the buildings they owned, to form positive perceptions of the legal profession. It will then be discussed how their attempts at self-representation were easily subverted, particularly through the use of satire. Commentators in the press as well as residents involved in parish politics were unimpressed that the lawyers often separated themselves from local issues, and were unwilling to involve themselves (particularly as landowners) in reshaping the character of the area. We will see that Chancery Lane was an important site for the self-organisation of lawyers in their attempt to gain power and wealth, but also acceptance, and how an important part of their rising status was an ongoing struggle to convince the rest of society of their increasing respectability.

## **I: Living amongst lawyers**

It is difficult to say how the prevalence of lawyers in an area affects daily life. Anecdotal evidence does suggest that the large number of lawyers around Chancery Lane gave other locals increased awareness of legal procedure, and at least some extra confidence in engaging with lawyers and the courts. This was not least because many people's work related to the

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<sup>34</sup> Sir William Dugdale, *The history and antiquities of the four Inns of Court; namely, The Inner Temple, Middle Temple, Lincoln's Inn, and Gray's Inn* (1780), p.xiii-xiv.

law and lawyers, for instance the numerous clerks and legal stationers working on or near Chancery Lane. Innes describes the career of a Protestant carpenter who became involved in local policing, politics and various moral crusades during the second half of the eighteenth century. She states that ‘Payne’s early acquaintance with courts and legal procedures must have arisen from his position as a small businessman, contracting for work, and having debts to collect.’<sup>35</sup> Living in Bell Yard just off Chancery Lane, at the heart of ‘lawyer’s London’, must also have had an educative effect.<sup>36</sup> Another local tradesman, James Richardson, left evidence of the commercial relationship locals built up with lawyers. A receipt for a pauper’s casket he sold to Lincoln’s Inn reminds us that the legal institutions must have been important customers. More interestingly, the receipt is on headed paper proclaiming Richardson to be carpenter and builder to Serjeant’s Inn, drawing on this ongoing association as a source of respectability.<sup>37</sup> Like Payne, Richardson was civically active in the local area as a member of the residents’ committee, workhouse committee and as we will see in chapter six, was part of an anti-sedition committee in the early 1790s.

There is also some evidence that people in the Chancery Lane area were subject to the threat, sometimes carried out, of the lawyers’ propensity to turn to litigation more easily than the wider population. Although presumably unusual, an episode in which an attorney sued for damages against his own client, who had slapped him with a hat during a meeting between the two in a coffeehouse in Chancery Lane, shows how those with easy recourse to the law could potentially misuse it. Thankfully, the judge who heard the case was unimpressed. Assault was admitted by the defendant, but bringing the case was considered ‘frivolous’ and so damages were awarded for the princely sum of one penny.<sup>38</sup> In another incident, the paving of Chancery Lane was, as we have seen, repeatedly complained about. Residents were not felt to be attending to their public duty and eventually ‘[a] near inhabitant’ attempted to speak a language his neighbours would understand, placing an advertisement in the paper threatening to indict them if they would not fix the road and path in front of their houses. The author of the threat was well acquainted in the area but held a maxim above popularity: ‘publick Good shall ever be considered over private Emolument.’<sup>39</sup> Use of the courts was one

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<sup>35</sup> Joanna Innes, *Inferior politics: social problems and social policies in eighteenth-century Britain* (Oxford, 2009), p.290.

<sup>36</sup> *Ibid.*, p.282.

<sup>37</sup> Lincoln’s Inn Archives, London, F2b/55.

<sup>38</sup> *Oracle*, 14 July 1792.

<sup>39</sup> *Public Advertiser*, 31 October 1767.



way that the lawyers of Chancery Lane looked to change the actions of their fellow residents and the environment in which they lived.

The lawyers' presence in the area was not confined to the courtroom. As Stryker describes, their professional ceremonies and practices were heavily referential to their medieval origins: 'echoes of the days of chivalry... reverberated between Holborn and the Strand, Kingsway and Chancery Lane, not in the imagination only, but in the living customs and the words of lawyers and their apprentices who learned their calling and then plied it here. From this source was derived the title "sergeant-at-law."' <sup>40</sup> Describing a procession of newly created serjeants to Westminster Hall, Lemmings explains that ceremonies were partly conducted in public 'because the new serjeants were being presented as instruments of the crown, whose splendour and majesty was clearly designed to awe the people who watched them parade through the streets of London.' <sup>41</sup> Many of the ceremonies were part of a cycle of processions to mark the passing of the four legal terms. On the first day of the Easter Term in 1778, a procession led by the Master of the Rolls set out from his residence in Chancery Lane to Westminster Hall, including the Masters in Chancery, the King's Council, the Six Clerks and Registers to the Lord Chancellor's house. <sup>42</sup> On the first day of the Trinity term in 1812, the judges and serjeants gathered at Serjeant's Inn from where they went to St Paul's for a service, before going on to the Merchant Taylor's Hall for a dinner with the sheriffs of London and Middlesex. <sup>43</sup> Of course the lawyers also joined in with more widely observed celebrations. On 10 March 1789, the day of the King's message to Parliament and the official declaration of his return to health, there were general illuminations in London. The house of the Master of the Rolls 'was illuminated with a large brilliant star, inclosing the crown and G.R. [George Rex]'. <sup>44</sup> The same building was also used in ceremonies to induct new practitioners into the legal profession. 1794 saw the assembly of more than 1000 men in the courtyard of the residence of the Master of the Rolls to be sworn in as solicitors of the Court of Chancery. Admittedly this was an exceptional year, but it gives an idea of the sheer numbers that might be gathered together in certain legal ceremonies. <sup>45</sup> Other circumstances

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<sup>40</sup> Lloyd Paul Stryker, *For the defence: Thomas Erskine, one of the most enlightened men of his times, 1750-1823* (1947), p.36. Kingsway was not built until much later but the point still stands.

<sup>41</sup> David Lemmings, 'Ritual, majesty and mystery: collective life and culture among English barristers, serjeants and judges, c.1500-c.1830' in W. Wesley Pue and David Sugarman (eds.), *Lawyers and vampires, cultural histories of legal professions* (Oxford and Portland, 2003), p.43.

<sup>42</sup> *Morning Post and Daily Advertiser*, 7 May 1778.

<sup>43</sup> *The Morning Chronicle*, 1 June 1812.

<sup>44</sup> *London Chronicle*, 10 March 1789.

<sup>45</sup> *World*, 14 February 1794.

also arose that needed marking by ceremony such as the passing of a legal luminary. Former Master of the Rolls Richard Pepper Arden (at his death Lord Alvanley) died in 1804 and was buried in the Rolls Chapel. A procession brought him to his place of burial from his home in Great George Street, including outriders, pages, carriages, the hearse and a 'plume of black ostrich feathers'. The procession was also followed by several carriages, including the deceased's with his servants in mourning and those of Lord and Lady Kenyon.<sup>46</sup>

Lemmings contends that 'it appears that the upper branch of the legal profession and the judiciary were drawn more closely within the orbit of the state during the Hanoverian period. Hanoverian barristers tended to be advanced via government service in the House of Commons, rather than through the customary ranks, and with the traditional rituals, of the legal inns.'<sup>47</sup> The anonymous advice meted out to barristers would appear to confirm such a view: '[i]n time you will, no doubt, become ambitious of a seat in Parliament. This you may obtain on easy terms, by flattery and servile submission to the patron of some borough.'<sup>48</sup> If successful, the patron should be cut adrift and the Parliamentary vote placed upon the open market. A barrister seeking advancement from a judge was to allow one of them to cuckold the barrister in question, and attempt to catch him in the act, necessitating a quid pro quo. Lucas describes the phenomenon of the upper branch of the legal profession being drawn into a tighter circle of influence as part of a wider development: 'there was a consolidation of the top personnel in law, church, government, university, wealth, and social prestige into an upper class with a renewed, if not heightened, taste for privilege: during the 1760s a fairly self-conscious "aristocratic resurgence" began, but one that was indoctrinated with the legitimacy of the law of the existing social and political order.'<sup>49</sup>

There is no doubt that lawyers were increasingly present in government circles, although there is a difficulty in determining exactly how many MPs came from the legal profession. More MPs were barristers than were attorneys or solicitors, but it was not always easy to say whether they were practising. Membership of an Inn of Court or a call to the bar did not necessarily mean someone went on to actually practise. Nevertheless, one estimate puts the number of practising barristers returned at each general election between 1754 and 1790 at around 30, with the total who sat in the House over this period at around 120. Around half of

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<sup>46</sup> *The Morning Post*, 27 March 1804.

<sup>47</sup> David Lemmings, 'Ritual, majesty and mystery', p.54.

<sup>48</sup> Anon., *Advice to a certain Lord High Chancellor*, p.14.

<sup>49</sup> Lucas, 'A collective biography of students and barristers of Lincoln's Inn, 1680-1804', p.238-9.

these at some point held judicial office. Only 10 solicitors or attorneys sat in the House during this period.<sup>50</sup> Between 1790 and 1820 300 MPs were barristers, although only about 165 of them practising. Around two thirds of these gained legal office. Not only were more and more barristers becoming MPs, they were also more likely to serve the government. In the same period 23 attorneys and solicitors, ‘a rising profession for able and ambitious men of modest origins’, sat in the House, more than double that in the earlier period.<sup>51</sup> While the period under examination here saw a large increase in MPs who were also legal professionals, this did not represent an historic high. In late Tudor and early Stuart England, 40 to 50% of MPs had attended an Inn of Court; in the period 1734 to 1832 only 20 to 25% had done so.<sup>52</sup>

Two contrasting contemporaries provide an interesting juxtaposition to illuminate Lemmings’ point. These were Lord Kenyon and Sir Richard Pepper Arden, linked with Chancery Lane via their consecutive stints as Master of the Rolls from 1784-88 and 1788-1801 respectively. Both were sufficiently well connected to the ministry to be included in *The Rolliad*, a political satire in the form of a piece of literary criticism of an epic poem echoing Pope’s *Dunciad* of 1728, and aimed mostly at the administration of William Pitt the Younger. It includes a takeoff of the witches’ scene in Macbeth, which in its reworked form describes the passage of a bill through Parliament as a

Still-born Foetus, born and bred,  
In a Lawyer’s puzzled head.<sup>53</sup>

Connecting the mysteries of the law with those of witchcraft, the recipe included ‘[h]alf of Pepper Arden’s nose’ and being cooled ‘with Lloyd Kenyon’s blood.’<sup>54</sup> Kenyon also had the dubious honour of having the work dedicated to him, mostly to facilitate a play on words involving the protagonist of the work, MP John Rolle, and Kenyon’s position as Master of the Rolls. Kenyon’s portrait was included on the frontispiece so that its presence in the

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<sup>50</sup> L. Namier and J. Brooke eds., *The History of Parliament: the House of Commons 1754-1790* (1968), Introductory Essay III: Members accessed at <http://www.historyofparliamentonline.org/volume/1754-1790/survey/iii-members>.

<sup>51</sup> R. Thorne (ed.), *The History of Parliament: the House of Commons 1790-1820* (1986), Introductory Essay III: Members accessed at <http://www.historyofparliamentonline.org/volume/1790-1820/survey/iii-members>.

<sup>52</sup> Lucas, ‘A collective biography of students and barristers of Lincoln’s Inn, 1680-1804’, p.229.

<sup>53</sup> Anon., *The Rolliad, in two parts*, (1795), p.148.

<sup>54</sup> *Ibid.*, p.149.

window of booksellers ‘may thus attract the admiration of the most incurious, as they pass along the streets.’<sup>55</sup> (see figure 10) Both Kenyon and Arden were ridiculed for their route to power and wealth but there the similarities ended.

Another satirical work, *Strictures on the lives and characters of the most eminent lawyers of the present day* by Lemman Thomas Rede, described how Kenyon began his career articulated to an attorney for five years which ‘may naturally be supposed to have damped an imagination not at all remarkable for its brilliancy’. Kenyon entered the Middle Temple (‘his emancipation from the desk’) and after being called to the bar his chief business was as a draughtsman in the Court of Chancery. He was considered astute in his opinions, but when called into court to support them, was exceedingly awkward in his delivery.<sup>56</sup> In a spoof piece of advice for judges it was advised that ‘the elegant and flowing language of Kenyon... be ever the objects of your imitation.’<sup>57</sup> Referring to Lord Kenyon, Rede described how ‘[t]he *Being* whose habits of life enable him to *grope* his way through such a maze, becomes an important character in our courts, and is, in consequence, elected into our senates, and from thence promoted to the justice-seat.’<sup>58</sup> Here Kenyon’s arcane legal knowledge and the power that it brought him was presented as contributing to a culture of mediocrity in the ruling classes. Kenyon’s rise to prominence by the virtue of hard work was repeatedly ridiculed, particularly because of the moral and religious beliefs and personal habits that accompanied his diligence. After a petty dispute escalated, an adversary wrote of Kenyon that ‘we seldom observe in our hereditary peers, those pedantic notions of impracticable morality, or that boisterous impetuosity of manners, which sometimes accompany and disgrace, even in the highest situations, those who have been raised to them from the desk, merely on account of their industry and professional success.’<sup>59</sup> As Hay summarises, ‘[h]e entertained seldom and rarely invited members of the bar to dine. His religious earnestness, lack of a university education, and parsimony all appeared ridiculous in a wealthy lawyer and leading judge.’<sup>60</sup>

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<sup>55</sup> Anon., *The Rolliad*, p.xiii.

<sup>56</sup> Rede, *Strictures on the lives and characters of the most eminent lawyers*, p.97-8.

<sup>57</sup> Anon., *Advice to a certain Lord High Chancellor*, p.3.

<sup>58</sup> Rede, *Strictures on the lives and characters of the most eminent lawyers*, p.96.

<sup>59</sup> T. B. Howell, *A complete collection of state trials*, 20–28 (1816–20) quoted in Douglas Hay, ‘Kenyon, Lloyd, first Baron Kenyon (1732–1802)’, *Oxford Dictionary of National Biography*, (Oxford, 2004); online edn, Oct 2009 [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/15431>, accessed 19 Sept 2011].

<sup>60</sup> Douglas Hay, ‘Kenyon, Lloyd, first Baron Kenyon (1732–1802)’.

Figure 10: Frontispiece from Anon., *The Rolliad, in two parts*, (1795). Image from Eighteenth Century Collections Online.

**THE ROLLIAD,** *k*  
**IN TWO PARTS;**  
**PROBATIONARY ODES**  
**FOR THE**  
**LAUREATSHIP,**  
**AND**  
**POLITICAL MISCELLANIES:**  
**WITH**  
**CRITICISMS AND ILLUSTRATIONS.**  
**REVISED, CORRECTED AND ENLARGED BY THE**  
**ORIGINAL AUTHORS**



**LONDON:**  
**PRINTED FOR J. RIDGWAY, YORK-STREET,**  
**ST. JAMES'S-SQUARE.**  
**MDCCXCV.**

The career of Sir Richard Pepper Arden, and from 1801 1<sup>st</sup> Baron Alvanley, provides a striking contrast. His initial connection with the area came as a member of Lincoln's Inn and then as Master of the Rolls from 1788 to 1801. His early career provides evidence of advancement unrelated to initiation into the mystery of the law as an abstract subject: '[a]t Cambridge he acquired a reputation for conviviality as well as learning, and friendship seems to have been the key to his subsequent success.'<sup>61</sup> In Cambridge during the same period, the younger Pitt's 'later time in college was sociable, and some of his friends... became political associates.'<sup>62</sup> As our earlier satirist described, '[f]rom the *temporary* embraces of ALMA MATER our *recreant knight* threw himself, at once, into the *fast arms* of the *law*: on whose constant, though hard bosom, he has ever since, uninterruptedly, rested.'<sup>63</sup> Arden may have encountered Pitt in Cambridge but it was through their connection as barristers that he established a definitively career-making relationship. Arden had his chambers in Lincoln's Inn and was admitted in 1779, about the same time that Pitt purchased rooms there while preparing for the bar. After being called to the bar, Arden apparently suffered a very lean period, after which 'Mr Arden was much more noted for *having* than *not having* a brief. His practice was confined to the Court of Chancery, and was exceedingly limited and inconsiderable even as a draftsman.'<sup>64</sup> As Master of the Rolls, Arden welcomed Pitt and other ministers to dinner fairly regularly, an event which was reported in the newspapers.<sup>65</sup>

A songsheet (see figure 11), needlessly subtitled 'A Parody', was produced in 1788 to mark Arden's appointment as Master of the Rolls, the only judicial office that would allow him to keep his seat in Parliament. He enjoyed ministerial favour, not least because he carried six votes in the Commons.<sup>66</sup> He was simultaneously knighted and named to the Privy Council. As the advice to judges ran, the key to success was, 'whether you have a seat in parliament or not, to coincide always with the ministerial party: for, so your places are during life, you may still receive an elevation, or have some pretty sinecure bestowed upon you.'<sup>67</sup> The songsheet raised similar satirical themes standard to all lawyers that have already been discussed. The

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<sup>61</sup> David Lemmings, 'Arden, Richard Pepper, first Baron Alvanley (1744–1804)', *Oxford Dictionary of National Biography*, (Oxford, 2004); online edn, Jan 2008 [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/634>, accessed 5 Nov 2010].

<sup>62</sup> J. P. W. Ehrman and Anthony Smith, 'Pitt, William (1759–1806)', *Oxford Dictionary of National Biography*, (Oxford, 2004); online edn, May 2009 [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/22338>, accessed 5 Nov 2010].

<sup>63</sup> Rede, *Strictures on the lives and characters of the most eminent lawyers*, p.85-6.

<sup>64</sup> *Ibid.*, p.86.

<sup>65</sup> *Morning Herald*, 21 February 1789; *Argus*, 23 October 1790; *London Evening Post*, 19 December 1793.

<sup>66</sup> Rede, *Strictures on the lives and characters of the most eminent lawyers*, p.90.

<sup>67</sup> Anon., *Advice to a certain Lord High Chancellor*, p.2.

image of clients' coffers emptying 'our coffers for to fill' repeats other accusations against the Masters in Chancery and the pettifogging attorney. Similarly, the threat to 'scold, confuse and vindicate./ With speech confound the ear' reflects a popular resentment of lawyers' tendency to obfuscate and over-complicate needlessly.<sup>68</sup> The heading 'LAW PROMOTION' is particularly interesting. The two meanings implied – promoting the law and promotion through law – display a perceptive commentator who identified, as Corfield does, that

the prestige of 'the Law' was one weapon that could be freely used as a mechanism of social advancement. Englishmen and women were proud of 'their rights' and of their legal traditions. There was therefore a distinct ambivalence in public attitudes towards lawyers, who were admired as the experts who understood the mysteries of the common law even while they were deplored as blood-suckers seeking money in payment for their advice.<sup>69</sup>

Yet as the illustration makes clear, this satirist sees much more that is deplorable than admirable. The sword of justice is lost amongst the law, which appears to be made of wool or smoke. The law envelops and obscures justice, which has become a mere signpost to the seat of power in Westminster Hall.

It is clear that there was a widespread culture of criticism of the role of lawyers in public life and society in England in the late eighteenth century. A third legal luminary, Baron Mansfield, was a more respected character. He was described in Rede's work as a 'great and superior person' in a surprisingly fawning tone, given the irreverence shown towards Kenyon and Arden.<sup>70</sup> For much of the period under consideration here, Mansfield was Lord Chief Justice of the King's Bench and was briefly Lord Speaker in 1783. Mansfield's chambers were in Serjeant's Inn, Chancery Lane. To give an idea of his chambers' importance as a meeting place, judges would meet here to discuss the verdict in cases such as a forger who was found guilty on a special verdict.<sup>71</sup> In a more famous case surrounding John Wilkes, two Fleet Street booksellers and a publisher went to Mansfield's chambers on Chancery Lane to post bail. They were being tried for vending and publishing the *North Briton Extraordinary*, No. IV.<sup>72</sup> Wilkes himself was brought from the King's Bench prison on a writ of habeas

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<sup>68</sup> Corfield, 'Eighteenth-century lawyers and the advent of the professional ethos', p.2.

<sup>69</sup> *Ibid.*, p.24.

<sup>70</sup> Rede, *Strictures on the lives and characters of the most eminent lawyers*, p.48.

<sup>71</sup> *Lloyd's Evening Post*, 22 January 1768.

<sup>72</sup> *St. James's Chronicle or the British Evening Post*, 9 June 1768.



Figure 11: William Dent, *Law promotion* (1788), BM Satires 7332. Courtesy of [www.britishmuseum.org](http://www.britishmuseum.org).





corpus in order to discharge his bail. A crowd assembled and followed Wilkes' coach as it departed down Strand, huzzaing loudly as they went.<sup>73</sup> Involvement in City politics continued as in 1771, Mr Alderman Oliver was carried before Lord Mansfield by virtue of a writ of habeas corpus and was re-committed to prison as Parliament was still sitting.

Baron Justice De Grey made the same order concerning the Lord Mayor of the City, suggesting they had co-ordinated their decision.<sup>74</sup> This was also a site of international importance. In 1782 the now Earl Mansfield had Henry Laurens brought before him at the order of the Secretary of State. Laurens, erstwhile President of the Congress of America, was to be freed from the Tower of London. He was in ill health, but had Burke's advocacy in the Commons to thank for his freedom. Rumour had it that he was to help negotiate peace between Britain and America, although one newspaper suggested the Ministry was simply attempting to avoid an embarrassing enquiry into Laurens' incarceration.<sup>75</sup>

It should be emphasised that those involved in the legal profession were far from being uniformly wealthy and successful. To take an obvious example of difference within the legal profession, a judge's clerk stole £700 'of his master's' money and fled to Holland, evading examination in Harwich by posing as 'an Attorney in Chancery Lane' with business abroad to attend to.<sup>76</sup> In another instance a clerk, working for 'a bare pittance scarcely sufficient to support nature', wrote to the editor of the *Morning Herald* seeking marital advice. He worried that if he did marry the woman he loved, 'a gaol would be my doom, and a workhouse the asylum for my wife and children', as she too was barely scraping a living.<sup>77</sup> An articulated clerk relied largely on his family for pocket money, although there were 'various customary perquisites and fees to which he was entitled.'<sup>78</sup> Some had enough money to live lives of dissolution and dissipation. In his memoirs William Hickey, born in 1749 an attorney's son, claimed 'I had at the commencement of my clerkship made friends with most of the head waiters in the taverns and coffee houses in Chancery Lane, Fleet Street, and that part of the town'.<sup>79</sup> This stood him in good stead when offered a guinea to find the whereabouts of Lord Thurlow: he simply asked a barmaid of his acquaintance (a woman he claimed was also the *chère amie* of Thurlow) and tracked his man down to the Rolls Tavern in Chancery Lane.

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<sup>73</sup> *London Chronicle*, 20 April 1769.

<sup>74</sup> *General Evening Post*, 4 April 1771.

<sup>75</sup> *London Courant Westminster Chronicle and Daily Advertiser*, 1 January 1782.

<sup>76</sup> *Public Ledger or The Daily Register of Commerce and Intelligence*, 9 March 1761.

<sup>77</sup> *Morning Herald and Daily Advertiser*, 3 September 1783.

<sup>78</sup> Birks, *Gentlemen of the law*, p.164.

<sup>79</sup> Peter Quennell (ed.), *Memoirs of William Hickey* (1975), p.32.

Hickey also had a taste for billiards and his favourite haunts were ‘Windmill Street, Whitehall, the Admiralty, The Angel, at the back of St. Clements, and Chancery Lane, at one or other of which I usually spent at least a couple of hours daily, and sometimes much longer; and I was as well known at all those places as at any of the public offices about Lincoln’s Inn or the Temple.’<sup>80</sup>

The spoof guide for the legal profession introduced earlier in the chapter gave an even more damning picture of the attorney’s clerk, beginning with the story of how the author attained his expertise. He came into his clerkship via a life of crime, picking pockets and selling stolen goods. Having already been locked up in a hulk, he met an attorney in Bridewell prison who gave him the idea of a life in the law after explaining ‘with what security I might plunder in a *legal* manner’.<sup>81</sup> His advice began by saying that if living in the master’s house, a clerk should attempt to ‘Kiss the maid, and, if possible, the mistress too.’<sup>82</sup> Even though they would not comply with the clerk’s desires, the attempt would certainly ingratiate him with them. Echoing Hickey’s predilections, the clerk should, whenever out on errands, spend half an hour at a porterhouse or with his favourite girl and say he faced some unavoidable delay. The canny clerk always made it clear to clients how indispensable he was in the hope of garnering gifts, and got to public offices just before the time when an extra fee might apply so that the difference could be pocketed but the lie not disproved. If a client didn’t know the clerk’s master, he could pocket the whole fee for any work commissioned, bearing in mind that ‘*he* cheats the community, and it is but fair that you should cheat him.’<sup>83</sup>

When attempting to be admitted as an attorney, a clerk might raise the money necessary through promises of sharing their first spoils, but if at all possible should renege on this agreement. Whatever the popular image might suggest, it must be assumed that the majority of clerks were not this corrupt and unlike those who had entered an Inn of Court, a genuine education might be expected. As Birks observes, ‘[t]he clerk who wanted to learn his profession had ample opportunity for doing so, and the majority of clerks were doubtless quite competent by the time they were admitted.’<sup>84</sup> Charles Carroll, an American training to become a barrister at chambers in the Inner Temple, suggested that the only effective way of

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<sup>80</sup> Quennell (ed.), *Memoirs of William Hickey*, p.38.

<sup>81</sup> Anon., *Advice to a certain Lord High Chancellor*, p.44.

<sup>82</sup> *Ibid.*, p.45.

<sup>83</sup> *Ibid.*, p.46.

<sup>84</sup> Birks, *Gentlemen of the law*, p.168.

learning about the law was to be attached to an attorney's office (although if a gentleman, one should pay for this privilege rather than stooping so low as to become an attorney's clerk). He wrote to his father in 1763 saying that those who took the same route as Richard Pepper Arden, studying at university and then taking chambers in an Inn of Court, were so ignorant that they 'are soon disgusted with the difficulties and dryness of the study, the law books are thrown aside, dissipation succeeds to study, immorality to virtue: one night plunges them into ruin, misery, and disease.'<sup>85</sup> The sexual and moral transgressions of those studying at the Inns of Court are widely acknowledged and frequently alluded to though generally only as innuendo, such as Lemmings' reference to the 'more accessible extracurricular activities endemic to the legal quarter of London.'<sup>86</sup> A similar suggestion can be found in Cleland's erotic novel *Fanny Hill*, in which maiden-hunter Mr Norbert, who lives in an unspecified Inn of Court, ruins his constitution 'by his over-violent pursuit of the vices of the town'.<sup>87</sup> The bastardy cases involving lawyers covered in the introduction to this thesis add to the picture of legal professionals finding sexual satisfaction in the local area, as does evidence in chapter five of lawyers visiting prostitutes, but more documentary evidence is unsurprisingly difficult to come by.<sup>88</sup>

Another article suggested that the lawyers of Chancery Lane wished that a pawnbroker would set up amongst them: '[t]here are no set of people whatever better friends to pawnbrokers than the law gentleman, as many of the Clerks step in of a Saturday night, in order to shine at Richmond Gardens, &c. on the Sunday.'<sup>89</sup> The article said that the pawnbroker would easily become rich because the 'geniuses of the quill', despite seeming well off due to their fashionable dress, would nevertheless succumb to their short-term desires and 'procure a temporary guinea for a dinner at a Coffee-house, or a lounge at Vauxhall Gardens.' This vision of inconsequential, dissolute dandies is a very different criticism to that levelled usually at a higher branch of the profession, of mystification of their specialist knowledge. It does however echo accusations of corruption within the profession. In the early nineteenth century, McCalman still finds a significant legal underclass: 'London's gutters, garrets and pot-houses were crammed with over-educated and under-employed solicitors and attorneys

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<sup>85</sup> Quoted in Charles Warren, *A history of the American bar* (Washington, 1911, reprinted 1999), p.194.

<sup>86</sup> David Lemmings, 'Blackstone and law reform by education: preparation for the bar and lawyerly culture in eighteenth-century England', *Law and History Review*, 16 (1998), p.213.

<sup>87</sup> John Cleland, *Fanny Hill or memoirs of a woman of pleasure* (Harmondsworth, 1997), p.157.

<sup>88</sup> See p.176 for evidence of lawyers' weakness for women of the town.

<sup>89</sup> *General Advertiser and Morning Intelligencer*, 21 July 1778.

whose lives were barely distinguishable from those of their struggling clerks.’<sup>90</sup> The legal professionals in this area were of varied background and circumstances, although the behaviour and reputation of individual lawyers was important to how the profession as a whole was perceived. We will now see how legal professionals worked collectively and how their institutions behaved.

## **II: Lincoln’s Inn and poor relief**

The gentlemen of Lincoln’s Inn regarded their walls as more than just a physical barrier to the outside world. They symbolised a separate society with its own rules and privileges which wanted to interact with outsiders on its own terms. Take, for instance, this missive of 1771: ‘Ordered that for the future no carpets be beaten in the Garden . . . but such as belong to the gentlemen of this Society; and that the Steward do appoint a proper time and place in the Garden for that purpose.’<sup>91</sup> However, regulating interaction with the neighbours did not always have such a petty focus and could not always be achieved by locked gates or time restrictions. Lincoln’s Inn had an ongoing dispute throughout the period 1760-1815 and beyond, regarding poor relief with the parishes in which it lay: St Andrew’s Holborn and St George the Martyr, St Clement Danes and the Liberty of the Rolls. The issue of extra-parochiality, by which the Inn was not considered part of any other parish, had been rumbling on throughout the eighteenth century, but appears to have flared up in the 1770s when it was not only taken to court but discussed in Parliament. The lack of an agreed definition of the responsibilities of the Society of Lincoln’s Inn (as it was formally known) to the parishes was highlighted when, in 1768, representatives of St Andrew’s Holborn and St George the Martyr explained that they ‘apprehend that the Society of Lincoln’s Inn is liable to be assessed for the support of the poor, but if not, that the said Society would make them a compliment, without prejudice to their right’.<sup>92</sup> In response, Lincoln’s Inn resolved to apply to Parliament for three new Acts regulating the poor of these parishes.

The Society of Lincoln’s Inn keenly defended the legitimacy of its complete financial independence. In response to claims made in 1770 by the overseers of the poor of St Clement

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<sup>90</sup> Iain McCalman, *Radical underworld: prophets, revolutionaries and pornographers in London, 1795-1840* (Cambridge, 1988), p.83.

<sup>91</sup> *The records of the Honourable Society of Lincoln’s Inn: the black books III* (1899), p.408.

<sup>92</sup> *Ibid.*, p.394-5.

Danes, the Steward of Lincoln's Inn was ordered to reply that 'this Society have never paid any Parochial Duties to any Parish, and do not apprehend any part of their Inn liable thereto'.<sup>93</sup> In 1774, Lincoln's Inn sought parliamentary legislation to enforce their exemption from all parochial taxes.<sup>94</sup> In January the members of the Society of Lincoln's Inn petitioned Parliament, saying it had been wrongly 'charged with parochial dues and offices' by the parish of St Clement Danes.<sup>95</sup> The petition followed an almost identical one from Gray's Inn against the claims of St Andrew's Holborn and St George the Martyr. Langford places these attempts by Inns of Court to separate themselves from the parochial responsibilities placed upon them within a broader movement in London at the time, whereby richer areas attempted to pay rates in isolation from poorer ones: '[l]egislative procedure made it possible for almost any community to apply for statutes safeguarding its own position. The rampant particularism of the age concealed differences of class as much as locality.'<sup>96</sup> We have already seen how this occurred in the case of the Westminster Paving Commission in the preceding chapter on topography. Yet it needs to be added to Langford's explanation of Lincoln's Inn as separatist, that it was more than just differences of money or class that caused them to pursue exemption from parochial rates as vehemently as they did. The lawyers were also asserting their corporate identity and associated privileges at a time when they were consolidating their gentrification and defining themselves as a self-regulated profession.

Unsurprisingly given their professional background, the masters of the bench (Benches), who made up the ruling body of Lincoln's Inn, wasted little time in gathering evidence to defend their position and on 28 January ordered 'that the several instances wherein this Society have relieved their poor members, officers and servants, when they have been unable to provide for themselves, be collected from the different books of this Society, and that a copy of all such Orders be delivered to Mr Pardoe [their solicitor], in order to support the allegations in the Petition of this Society, now depending in Parliament.'<sup>97</sup> Their petition stated that they had never received parochial benefits, nor paid any rates. What is more, each chamber was being treated as a different messuage, greatly increasing the rates payable, and 'in consequence thereof, the Members may be called upon and made to serve Parochial and other Offices, inconsistent with, and intirely subversive of, their original design and

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<sup>93</sup> Ibid., p.405.

<sup>94</sup> Paul Langford, *Public life and the propertied Englishman, 1689-1798* (Oxford, 1991), p.453.

<sup>95</sup> *The London magazine. Or, Gentleman's monthly intelligencer.* (1774), p.521.

<sup>96</sup> Langford, *Public life and the propertied Englishman*, p.453.

<sup>97</sup> *The black books III*, p.419.

institution'.<sup>98</sup> One of their witnesses to Parliament described all the ways in which the Inn was self-regulating with regards to the poor, watch and paving rates, but made an unfortunate error by claiming that he 'never knew of any children being dropped', by parents or guardians who couldn't or wouldn't look after them, in the Inn. Parliament did not realise at the time, however some of the instances when this did happen are now correctly cross-referenced in the records of Lincoln's Inn. One that is not shows a 10 shilling payment in 1744 to the beadle of St Andrew's Holborn for the removal of a dropped baby.<sup>99</sup>

The bill was introduced by the Solicitor General Alexander Wedderburn, also a Bencher of Lincoln's Inn, but petitions against it were brought to Parliament by St Andrew's Holborn and St Clement Danes.<sup>100</sup> Its second reading was postponed and it was eventually dropped, although it is not recorded why.<sup>101</sup> The Inn were taken to court by the parish of St Clement Danes over payments of the poor rates and lost, having to pay all of the costs of the parish, whereupon they may have given up on the bill.<sup>102</sup> The debate in Parliament about the Gray's Inn bill gives an idea of what MPs thought on the subject. By the second reading of the Gray's Inn bill, the society had gained a decision in their favour in the court of King's Bench the day that the bill was being read. The MP who revealed this fact, Mr R. Whitworth, felt that the Benchers 'had no other ground for their being excused, than "they were *lawyers*, and the nature of their study would not allow them time to serve parochial offices, or pay parochial dues."' Whitworth added that 'was the House to allow of this bill, he made no doubt but they would receive petitions from every square and rich street in London, desiring to be exempt from contributing to the support of the poorer part of the parish.'<sup>103</sup> Whitworth was apparently 'very severe on the gentlemen of the robe, who, he said, ought to be the supporters of the laws of the land; but, when they found those laws affected them in the least, they were the first persons who endeavoured to break through them'.<sup>104</sup> In a similar vein, William Burke MP 'said there was an old proverb, that *a good lawyer was a very bad neighbor*'.<sup>105</sup> Lawyers had a popular reputation as a social menace that derived from the

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<sup>98</sup> Ibid., p.475.

<sup>99</sup> Ibid., p.334.

<sup>100</sup> *Journals of the House of Commons*, XXXIV, 14 February 1774, p.456 and 15 February 1774, pp.462-3.

<sup>101</sup> Julian Hoppit (ed.), *Failed legislation, 1660-1800 extracted from the Commons and Lords journals* (1997), p.428.

<sup>102</sup> *The annual register for the year 1774*, 2<sup>nd</sup> edition (1778), p.169. An act of Parliament confirming the extra-parochiality of the Inn was eventually passed in 1829.

<sup>103</sup> *The London magazine*, p.521.

<sup>104</sup> Ibid., p.521.

<sup>105</sup> Ibid., p.522.

characteristics of their profession, including their knowledge and their jealously guarded corporate self-regulation. We have seen how the fragmented jurisdictions were important to the workings of the area around Chancery Lane and Lincoln's Inn was perhaps the most active body in guarding itself from outside intrusion.

In 1775 the Liberty of the Rolls began legal proceedings against the gentlemen of Lincoln's Inn in an attempt to force them to pay poor relief.<sup>106</sup> Serjeant Davy, a previous member of the workhouse committee, and Mr Bearcroft were hired as counsel for the Liberty.<sup>107</sup> In an attempt to force the issue, John Fielding led a raiding party of three members of the Liberty of the Rolls residents' committee, at least one of whom was an overseer of the poor, to remove a chair (a rather curious choice) from the chambers of one of the lawyers. The chair was held as ransom, and unless the poor rates were duly paid, it would be sold to make up the shortfall.<sup>108</sup> Fielding had previous experience having been involved in a similar raid in 1774 with representatives of the parish of St Clement Danes, when a number of pictures were removed from another set of chambers.<sup>109</sup> On both occasions the intruders were charged with trespassing. Fielding and the men of the Liberty of the Rolls were held in custody at the Marshalsea for their troubles. Defended by attorney and vestry clerk of the Liberty of the Rolls David Jennings, they were found guilty and had to pay damages of £87. As part of the evidence, the jury had to walk around the border of the Liberty following the ancient tradition of perambulation to decide whether the chamber was rateable. The perambulation was a ritual in which members of the parish made an annual circuit of its boundary, visiting and indicating markers in a physical display of jurisdictional limits. A perambulation made by the parishioners of St Andrew's Holborn was used as evidence before Parliament during the case described above.<sup>110</sup> A later case established that the boundary markers for St Dunstan's in the West in which the Liberty of the Rolls lay had stood upon the grounds and even the houses in Lincoln's Inn 'from time immemorial'.<sup>111</sup>

The original case concerning paying of the rates appeared unresolved when, in December 1776, the Liberty's overseers of the poor were told by the committee of the inhabitants to

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<sup>106</sup> Westminster Archives, London, LR/K/1/326, Minutes of meetings of the inhabitants and the workhouse committee, 7 November 1775.

<sup>107</sup> *Ibid.*, 7 May 1776.

<sup>108</sup> LIA, F2d/64, *Newnham v Fielding*, 1776.

<sup>109</sup> LIA, F2d/63, *Middleton v Fielding*, 1774.

<sup>110</sup> *The black books III*, 8 February 1774, p.476.

<sup>111</sup> *The annual register of the year 1820*, 62, part I (1822), p.172.

demand the rates from the gentlemen of Lincoln's Inn and if they would not pay, to summon and compel them to do so.<sup>112</sup> The debt for the Liberty resulting from the court case (including unspecified monies owed to previous constables and overseers of the poor) was £180. They considered raising the poor rate to 9d in the pound and using the extra money to pay off a £200 loan.<sup>113</sup> Eventually several residents stepped in and put forward £10 each, with £80 borrowed against the poor rate, which consequently had to remain at 9d in the pound.<sup>114</sup> The Liberty lost the case and thereafter refused poor relief to any applicants who were servants of Lincoln's Inn.<sup>115</sup> This state of affairs continued as a porter of Lincoln's Inn was peremptorily turned away by the Liberty in 1783. He was told to look to his employers for relief and his application branded 'very improper'.<sup>116</sup> When he or another porter applied again the next year it was 'ordered the board take no notice of him nor any other servant of Lincoln's Inn', a stricture that was kept to.<sup>117</sup> The Liberty of the Rolls also sent an overseer of the poor and vestry clerk to go and collect the poor rate from the Six Clerks for the Register Office which had recently been built in Lincoln's Inn, opening a new front in the dispute.<sup>118</sup>

In 1797 it was

recommended by three of the Masters of the Bench, to appeal by Counsel at the Sessions House in Clerkenwell against the united parishes of St Andrew, Holborn above the Bars, and St George's, Bloomsbury, and also the Liberty of the Rolls, for having illegally sent their constables into different parts of Lincoln's Inn to take down the names of the inhabitants to serve in the militia; and that in consequence of the said appeal the Deputy Lieutenants ordered that the names of all persons which had been so taken down within the limits of this Inn, should be struck off the different lists.<sup>119</sup>

The constable of the Liberty of the Rolls was again found to be taking down names for the militia in 1807, and in 1808 members of the residents' committee were rehearsing legal precedents suggesting that they had the right to rate Lincoln's Inn for the militia.<sup>120</sup> There were occasions when the Inn did engage with its neighbours. In 1800 the Society of Lincoln's Inn donated £50 to the parish of St Clement Danes 'in consideration of the scarcity of corn

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<sup>112</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 19 December 1776.

<sup>113</sup> *Ibid.*, 23 December 1777.

<sup>114</sup> *Ibid.*, 16 March 1778.

<sup>115</sup> *Ibid.*, 4 January 1780.

<sup>116</sup> *Ibid.*, 2 September 1783.

<sup>117</sup> *Ibid.*, 7 December 1784 and 7 December 1785. Other examples continue through to LR/K/1/328, 5 June 1811.

<sup>118</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 21 December 1780.

<sup>119</sup> *The black books IV*, p.74.

<sup>120</sup> *Ibid.*, p.108-9 and WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 4 May 1808.



and the high price of provisions’, after receiving a request to join an existing subscription for the relief of the poor. St Andrew’s Holborn was also donated £50 and the Liberty of the Rolls £20, seemingly unsolicited.<sup>121</sup> Yet such episodes were very much the exception. The issue of Inns of Court and their exemption from parochial dues continued to be rancorous enough for a resident of St Andrew’s Holborn to publish a book on the subject in 1831, which began by warning that the reader ‘must not anticipate amusement in the perusal of the ensuing pages’ and then ran for another 374 of them before appendices.<sup>122</sup> The book is an attempt to collate material disproving the extra-parochiality of the Inns of Court, but in the introduction stumbles across one reason why all attempts so far had failed: wrangling was ‘beset with technicalities perfectly forbidding to the uninitiated in the mysteries of the law’.<sup>123</sup> While the Society of Lincoln’s Inn did everything in its power to maintain its privileges, it and other legal institutions were well aware of the need to attempt to project a more positive image in wider society. One way they did this was through the design of the buildings they occupied.

### **III: Lawyers and the built environment of Chancery Lane**

‘Critics often called – but in vain – for reform of the slow and costly law courts and a codification of the law itself. Instead, it was the lawyers who controlled access to the legal system and to legal knowledge.’<sup>124</sup> Corfield’s description of reform to the legal system curiously finds a parallel in urban development around legal London. Wholesale reform for the public good, consisting of the widening of Chancery Lane and opening up of the maze of side-streets to improve access and ‘character’, was repeatedly called for. In supporting the creation of a passage fit for coaches from Chancery Lane through to Fetter Lane, one newspaper expressed surprise that such a convenience did not exist in ‘a Place of so public Resort for People of all Professions.’<sup>125</sup> Numerous cosmetic changes were made as lawyers’ offices were rebuilt, but progress in genuinely structural topographical change was much slower in arriving. It eventually would loosely coincide with reforms of the law made later in the nineteenth century.

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<sup>121</sup> *The black books* IV, p.82.

<sup>122</sup> Edward Griffith, *Cases of supposed exemption from poor rates, claimed on the ground of extra-parochiality* (1831), p.vii.

<sup>123</sup> Griffith, *Cases of supposed exemption from poor rates*, p.viii.

<sup>124</sup> Corfield, *Power and the professions*, p.94.

<sup>125</sup> *St. James's Chronicle or the British Evening Post*, 15 August 1765.

Sugarman argues that the legal profession was embodied in a particular visual culture, which ‘testified to its public significance and progress and to the social construction of professional identities.’<sup>126</sup> He refers in part to the symbolic importance of the lawyers’ coats of arms and modes of dress, but also to their ‘spaces of authority’ such as the Inns of Court. The lawyers around Chancery Lane were involved in redeveloping many of the buildings they occupied in the area, particularly during the 1770s. New buildings were put up and old ones restored, in part necessitated by decay, but facilitated by the lawyers’ private financial success and funding from Parliament which recognised their public importance. A document published by the Corporation of London traces back many of the architectural features in Chancery Lane that are still worth preserving today in developments made during the late eighteenth and early nineteenth centuries: ‘[t]he steady rise of the legal profession contributed greatly to the continued prosperity and status of the area, and to the quality of much of the surviving fabric on both sides of the lane. The collegiate character of the surviving Inns is particularly significant.’<sup>127</sup>

Yet contemporary commentators referred to building works in Chancery Lane when they mocked the success of the legal profession as being largely achieved at others’ expense. Such ire was directed particularly forcefully at developments for the bureaucrats of the Chancery. One correspondent to the *Gazetteer and New Daily Advertiser* sarcastically suggested that Chancery Lane should be left in its state of disrepair. ‘*Chancery Lane* is in every respect so like a *Chancery Suit*; it is so very *long* a lane, so subject to *obstructions* and *delays*, one is so *unwilling* to enter into it, so *uneasy* and *unsafe* all the while one is going through it, and so *glad* to get out of it, that the very reflection on this similarity has often, to my great advantage, deterred me from law, and inclined me rather to end a dispute by arbitration.’<sup>128</sup> The author’s attitude was typical of the time and is backed up by current scholarship: ‘[t]he court had seen a decline in litigation in the eighteenth century, during which time lawyers and officers spun out the work they had to maintain income’.<sup>129</sup>

Rebuilding the infrastructure of the court was identified as a way in which the Chancery’s much-derided efficiency could be improved and the vital documents in the charge of the

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<sup>126</sup> David Sugarman, ‘Simple images and complex realities: English lawyers and their relationship to business and politics, 1750-1950’, *Law and History Review*, 11, 2 (1993), p.284.

<sup>127</sup> Corporation of London, *Chancery Lane Conservation Area character summary* (2004), p.8.

<sup>128</sup> *Gazetteer and New Daily Advertiser*, 4 January 1766.

<sup>129</sup> Lobban, ‘Preparing for fusion, part I’, p397.

Master of the Rolls stored more securely. One writer called for the various offices of the Court of Chancery to be brought together in a single new building. The main worry was that as repositories for public records, these buildings were vulnerable to the frequent fires in London with ‘some of them in neighbourhoods where Trades are carried on, which of themselves are dangerous’. The offices around Chancery Lane were criticised particularly for being above or near to pubs and coffee houses. Safety of the contents was not the only argument for placing all these offices under one roof. It would also allow the court to work faster and lend it dignity and gravitas. Furthermore, putting the building in White’s Alley, just off Chancery Lane, would mean it was near to the Master of the Rolls. This would be a significant improvement ‘as that place is chiefly inhabited by very indifferent people, and not one good house in the whole Alley.’<sup>130</sup> The inhabitants of the Liberty of the Rolls supported a similar plan to build new offices for the Masters in Chancery in White’s Alley almost thirty years later. They wrote a letter to the Master of the Rolls asking him to exert his influence to get the project pushed through ‘as it would be of much benefit to the Liberty’. A note in the margin added the Master Richard Pepper Arden’s reply, namely that he ‘should be happy to serve the Liberty but Southampton Buildings was the site determined on’.<sup>131</sup> Although it was never realised, it is still important to note the ideal that public building could be used to sweep away the dwellings of undesirables and remove them from the area.

In 1772 it was decided by Parliament that the Rolls Chapel would be properly fitted out to receive the records of the kingdom, ‘leaving a sufficient space for the celebration of divine service’, until somewhere better could be found. The documents were being stored too close to the walls and suffering from the damp. A house in Chancery Lane capable of taking a door that opened onto Rolls Yard was hired as an office for transcribing records so that the documents were not transported too far.<sup>132</sup> The King was consulted as to where the records should now be housed and assured that any expense would be covered by Parliament, including £6000 for transcribing damaged documents.<sup>133</sup> Meanwhile, a committee of the House of Commons began inspecting a building in Rolls Yard which contained the Crown Office, the Petty Bag and the Examiner’s Office with a view to tearing it down and building a records office to replace the Rolls Chapel.<sup>134</sup> Consolidating and rehousing the records could

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<sup>130</sup> *Public Ledger*, 8 October 1765.

<sup>131</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 10 April 1792.

<sup>132</sup> *Journals of the House of Commons*, XXXI, 26 May 1772, p.791.

<sup>133</sup> *Bingley's Journal*, 23 May 1772; and *Journals of the House of Commons*, XXXI, 3 June 1772, p.946.

<sup>134</sup> *Bingley's Journal*, 23 May 1772.

be seen as the first step towards the creation of the Public Record Office instituted in 1838 and for which a building was constructed in Chancery Lane between 1851 and 1858 that still stands there today. Reporting the government plan to purchase a house in Chancery Lane for the purpose of transcribing and preserving old records that were starting to waste away, one newspaper complained about how expensive it was to access the records when their upkeep was paid for out of the public purse. It seemed wrong to ‘suffer one individual to aggrandize a fortune by distressing others who can ill spare the compliment.’<sup>135</sup> Like many other of the projects described, there was a feeling that work was carried out on behalf of the nation using public money, but only the lawyers gained.

The Corporation of London report describes how, ‘[a]s part of the expansion of the legal and administrative dominance of the area, Rolls House was redesigned in 1774 by Colen Campbell in the then fashionable Palladian style.’<sup>136</sup> Commentators in eighteenth-century London agreed with the positive aesthetic assessment of the new design, but not uncritically. A contemporary guide to London was much blunter saying the Rolls House ‘has been lately rebuilt in a handsome manner at the public expence.’<sup>137</sup> Almost a decade later, another guide also praised the building, but reinforced criticism of the surrounding area, echoing the earlier writer who called for it to be built over: ‘it is worth a stranger’s curiosity, to visit the habitation of the master of the rolls, which is certainly built with elegance and convenience, and can be blamed in nothing, but its situation; which is, undoubtedly, as bad as the building is good.’<sup>138</sup> In fact, it was in a very convenient position for those living and working in legal London and occasionally acted as a neutral venue for the Inns of Court to coordinate policy. A meeting was held at the Rolls House in 1798 as committees of the four Inns of Court decided upon regulations regarding admission to the Inns.<sup>139</sup>

Whilst changes to the Rolls House were taking place there were also plans underway for a new building in Lincoln’s Inn. The Benchers decided in 1771 to invite four architects to draw

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<sup>135</sup> *Morning Chronicle and London Advertiser*, 21 July 1772.

<sup>136</sup> Corporation of London, *Chancery Lane Conservation Area*, p.8.

<sup>137</sup> There is some discrepancy between dates as the guide is apparently from 1773 but both are presumably referring to the same development. John Nourthouck, *A new history of London: Including Westminster and Southwark* (1773), 'Book 5, Ch. 2: The suburbs of the City', pp. 747-768. Accessed at <http://www.british-history.ac.uk/report.aspx?compid=46779> Date accessed: 22 November 2010. >

<sup>138</sup> James Ralph, *A critical review of the public buildings, statues, and ornaments, in and about London and Westminster. Originally written by - Ralph, architect, and now reprinted with very large additions. The whole being digested into a six days tour, in which every thing worthy the attention of the judicious enquirer, is pointed out and described* (1783), p.69.

<sup>139</sup> *The black books IV*, p.73.

up competing designs for a major new development. This was unusual in that for the previous 200 years, the Inns of Court had turned to builders not architects for any work they felt necessary, concerned as they were with cost. Hradsky suggests that ‘sophisticated new Neo-classical premises’ were considered in the hope that the increasingly aristocratic character of applicants to the Inn might be maintained and strengthened.<sup>140</sup> It may also have been an attempt to update the Old Hall where the Court of Chancery sometimes sat out of term-time, its continuing presence being a significant draw for those thinking of joining Lincoln’s Inn.<sup>141</sup> After totally mismanaging the competition, the Benchers did manage to settle on the ‘refined and yet undemonstrative’ design of architect Robert Taylor.<sup>142</sup> Hradsky gives two reasons why this design may have been chosen, one internal to the building, one external. Internally, no set of chambers was exactly the same, allowing the society to maintain a complex sense of hierarchy, with relative importance signified by the size of the particular chambers occupied.<sup>143</sup> Externally, Taylor’s plan may have appealed because it avoided the ‘swagger and spectacle’ of the others. A sober facade might help to reform people’s opinions of the legal profession, offering an alternative to the popular image of the dissembling, pettifogging lawyer we have seen existed in the eighteenth century. ‘Under scrutiny for dishonesty and overcharging, the Society might well wish to present itself as honest, plain-speaking and non-pompous.’<sup>144</sup> It will not have helped Lincoln’s Inn to improve its reputation for competence or financial probity that work did not start until 1774 and that the full scheme was never completed because the Inn ran out of money. The development that was built, Stone Buildings, was eventually finished in 1843.<sup>145</sup>

One constant feature of Lincoln’s Inn was that it was a walled community and could be closed off from the outside world. This separation from the common bustle of the streets was clearly valued by the lawyers, not least for the aura of gentility it bestowed upon them. But such aloofness was not always easy to maintain. During the redevelopment of Lincoln’s Inn in the 1770s, the majority of a new iron railing being installed was stolen before there was a chance for it to be completed.<sup>146</sup> A resident of the chambers in Lincoln’s Inn complained that

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<sup>140</sup> Robert Hradsky, ‘The 1771 competition for rebuilding Lincoln’s Inn’, *The Georgian Group Journal*, 17 (2009), p.95-6.

<sup>141</sup> *Ibid.*, p.100.

<sup>142</sup> *Ibid.*, p.103.

<sup>143</sup> *Ibid.*, p.104-5.

<sup>144</sup> *Ibid.*, p.104.

<sup>145</sup> *The black books IV*, p.xvii.

<sup>146</sup> *Lloyd’s Evening Post*, 4 March 1776.

the gap left a section of his outer wall which backed on to Chancery Lane ‘naked, and open to the public eye’. There were consequences which ‘it is impossible... to give any but a *Scotch description*’: the spot proved ‘to be very *commodious* to the *truly vulgar*’ producing ‘every hour *pleasant and odoriferous salutations*.’<sup>147</sup> Appealing to the ‘*delicacies*’ of his community, the author gives a clear feeling of division between the respectability of the Inn and the vulgarity of the Lane, a divide he felt should be bolstered physically.

Such pomposity was not universally appreciated and did not go unanswered. After the redevelopment of Lincoln’s Inn, criticism was made that not only was the design very poor, but that penny-pinching had made it dangerous. After a chimney made out of wood caught fire, one newspaper wryly reported that ‘the very Horses in the Chancellor’s Coach started at the Idea that a wooden Funnel could take Fire, and that the Benchers of Lincoln’s-Inn were not infallible.’<sup>148</sup> An essay on architecture at the end of the decade was still mentioning the redevelopment of Lincoln’s Inn as a lost opportunity to widen the north end of Chancery Lane.<sup>149</sup> However, as discussed in chapter two, even into the nineteenth century the area had not been completely transformed and throughout the period 1760-1815, conditions in the physical space of legal London were used by contemporaries as a metaphor for their opinion of lawyers. Continuing imperfections in terms of access and safety were used to highlight the failure of lawyers to improve their profession in line with their supposedly increasing social and economic respectability.

Not all comments were negative. One contemporary guide suggested that while the design of Lincoln’s Inn and its position in London were to its detriment, the fact that outsiders were allowed in at all meant that the Society should not be criticised too strongly: ‘[t]he gardens are far from being admirable, but then they are convenient; and, considering their situation, cannot be esteemed too much. There is something hospitable, too, in the society, in laying them open to public use; and while we share in their pleasures, we have no title to arraign their taste.’<sup>150</sup> Some were more wholehearted in praising Lincoln’s Inn and particularly the fields behind for providing both aesthetic pleasure and open space. Lincoln’s Inn was described as ‘one of the neatest squares in town, and though it is imperfect on one side, that very defect produces a beauty by giving a prospect of the gardens, which are only separated

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<sup>147</sup> *Morning Chronicle and London Advertiser*, 29 October 1776.

<sup>148</sup> *St. James's Chronicle or the British Evening Post*, 19 December 1776.

<sup>149</sup> *Literary Fly*, 1 May 1779.

<sup>150</sup> Ralph, *A critical review of the public buildings*, p.70.

from it by iron rails, and fill the space to abundantly more advantage. No area is kept in better order for cleanliness by day, or illuminations and decorum by night.’<sup>151</sup> The sense of decorum at night clearly compared favourably with the prostitute-ridden atmosphere in Chancery Lane.

Upon hearing about the redevelopment of Lincoln’s Inn, the Lord Chancellor saw an opportunity to build proper offices for the Registers and Accountant General of the Court of Chancery. In 1774 application was made to the Benchers to purchase a plot of land at the southernmost part of the area of redevelopment, next to Chancery Lane. The Six Clerks decided that Lincoln’s Inn would make a convenient base for them too and followed suit. Architect Robert Taylor was asked to alter his plans to accommodate the new buildings and to purchase a pub and bakery at the upper end of the gardens to free up more space.<sup>152</sup> The price of the land was £3000 for the offices of the Registers and Accountant General of the Court of Chancery and £8089 for the Six Clerks.<sup>153</sup> The sale was not popular with some members of the Inn. Several proprietors of chambers looking out onto the gardens were frustrated because their lease would be less valuable, as the new buildings would obliterate their garden view. The group petitioned Parliament to have a bill passed, ensuring that compensation that was promised as part of the price of the land actually reached them and was not diverted elsewhere by the Benchers.<sup>154</sup> Lawyers usually spurned Parliamentary interference in any aspect of their conduct, but the fair division of money amongst themselves appears to have been an exception.

The office for the Six Clerks was completed in 1776. As a history of London from 1775 described, ‘[a] very magnificent edifice is now erecting for this office at the north end of Chancery-lane; the front of it is stone, and when finished will be a very spacious and elegant building.’<sup>155</sup> This aesthetic judgement wasn’t universally shared. One critic observed, ‘[t]he new Six Clerks office is a very plain building, neatly faced with stone. It has no pretence to praise, as containing no attempt to deserve it.’<sup>156</sup> The old office was owned freehold by the Clerks who divided the money made when it was sold on, as compensation for the fact that

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<sup>151</sup> Nourthouck, *A new history of London* (1773), Book 5, Ch. 2, pp. 747-768.

<sup>152</sup> *The black books* III, p.420-25.

<sup>153</sup> *Ibid.*, p.426 and p.428.

<sup>154</sup> *Ibid.*, p.481.

<sup>155</sup> Walter Harrison, *A new and universal history, description and survey of the cities of London and Westminster, the borough of Southwark, and their adjacent parts* (1775), p.539.

<sup>156</sup> James Ralph, *A critical review of the public buildings*, p.70.

their new office would no longer contain accommodation for them. One newspaper felt moved to describe how land sold by the ‘covetous Clerks’ some eighty years before was built upon ‘and thereby darkened their Office and spoiled the whole Street.’<sup>157</sup> The new offices were paid for using the interest accumulated from money that had been left unclaimed by suitors in the Court of Chancery.<sup>158</sup> All this despite the fact that the Six Clerks enjoyed an office that was a well remunerated ‘virtual sinecure’, and in 1785 they decided that only one of them would sit each day and sign all documents on behalf of the others.<sup>159</sup> Meanwhile, the Sworn Clerks were doing little more than delegating work, yet by 1840 some were better paid than a cabinet minister.<sup>160</sup> One commentator combined another attack on the design of the building with a sharp aside complaining about the clerks’ role in bankruptcy proceedings (a sponging house was another name for a debtor’s prison): ‘[t]wo countrymen observing the Six Clerks office, Chancery-lane, inquired of a gentleman passing, if it was not a *prison*? His answer was, *No*; but it is a *sponging-house*.’<sup>161</sup>

Records belonging to the Six Clerks were moved to the new Record Room in Chancery Lane, although the collection was thinned down by sending all the records dating from 1481 to the beginning of the reign of George I to be kept safely in the Tower of London.<sup>162</sup> Their role as the nation’s archivists, essential to security of property and land ownership in Britain, supplemented the importance lawyers enjoyed from their legal knowledge alone. Further threat to the public records allowed the Masters in Chancery to join the several other groups described in changing to new premises. During 1786, thieves broke into the Masters’ Chambers in Symond’s Inn, in which were kept the title deeds and other documents related to estates. Finding nothing of immediate value they set fire to the ground floor of the building.<sup>163</sup> Although the deeds in the upper floors went undamaged, the incident led the Masters in Chancery to meet with the Master of the Rolls and the Lord Chancellor to persuade the government of the necessity of a more secure location for the Chancery offices.<sup>164</sup>

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<sup>157</sup> *St. James's Chronicle or the British Evening Post*, 15 August 1778.

<sup>158</sup> *Ibid.*, 27 August 1778.

<sup>159</sup> Lobban, ‘Preparing for fusion, part I’, p395.

<sup>160</sup> *Ibid.*, p395-7.

<sup>161</sup> *Whitehall Evening Post*, 19 December 1795.

<sup>162</sup> *London Chronicle*, 26-29 September 1778.

<sup>163</sup> *General Evening Post*, 24 June 1786.

<sup>164</sup> *Public Advertiser*, 5 July 1786.



The new offices for the Masters in Chancery in Southampton Buildings were completed in 1795. One report scathingly referred to the Masters as ‘that awful corps of *useful* Citizens’, and described the development as representative of all that is wrong with lawyers and the law.<sup>165</sup> Such bitterness was unsurprising given that the masters’ offices were ‘chronically inefficient’, a situation that was generally perceived to benefit them as the majority of their income came from court fees, an amount which far exceeded their salaried income.<sup>166</sup>

Contemplation of the building, the article sarcastically pronounced, makes one think of

the simple purity of the Laws! and their exemplary administration, their perspicacity, dispatch and cheapness, all equally to be admired! At all times open to the poor and needy; and where the widow and orphan can have nothing further to fear from the oppressor!

Complaints about obscurity, time and cost were key themes in satires about lawyers and the law during the eighteenth century.<sup>167</sup> The inference was also being made that the Masters in Chancery were lining their pockets with the fruits of corruption. Consequently, the most vulnerable in society were unable to afford recourse to the law. Plenty of space was made in the building for the two groups whose affairs were at the complete mercy of decisions made in the Court of Chancery: lunatics and bankrupts. ‘This is an accommodation wanted more than ever; for both of these dreadful calamities... have been most lamentably rife, SINCE THE WAR!’<sup>168</sup> Thus a time of acute national strife was experienced by this group of lawyers as an upturn in custom.

The redevelopment of Chancery Lane symbolised the status of the law in English society. This provided the legal institutions of Chancery Lane with the opportunity to attempt to shape their image. However, efforts at self-representation were always open to less flattering interpretations. The building works that did occur, including major redevelopment of Lincoln’s Inn and the Rolls House as well as new offices for the Six Clerks and the Masters in Chancery, were most obviously supposed to assert the importance of the lawyers and their institutions and improve the functionality of the buildings. They also mirrored the lawyers’ efforts at professional reform, projecting an image of respectability and aloofness. The manner in which the works were carried out was heavily representative of the modus

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<sup>165</sup> *Telegraph*, 20 June 1795.

<sup>166</sup> Lobban, ‘Preparing for fusion, part I’, p393-5.

<sup>167</sup> Corfield, *Power and the professions*, p.48.

<sup>168</sup> *Telegraph*, 20 June 1795.

operandi of the wider legal world. The lawyers coordinated amongst themselves but without any overall plan, leading to accusations that they had spurned a chance to improve the character of the area. Critics also used descriptions of the buildings to satirise the lawyers in the familiar themes of corruption and dishonesty.

#### **IV: Professional reform and politics**

Lawyers had mixed results in developing their image through their buildings around Chancery Lane. It was clearly not enough to win round a sceptical public. Lawyers also tried to respond to the deluge of complaint and occasional vitriol that they experienced by creating new associations aimed at self-regulation of the profession. The lawyers' efforts were in tune with later eighteenth-century ideals of respectability. As Robson explains 'parliament and the judges tried to regulate the attorneys, in the corrective, punitive, fashion of most social legislation of the time, but their efforts met with no very conspicuous success until the attorneys themselves, and society generally, began to demand higher standards of behaviour.'<sup>169</sup> In 1772 a group of gentlemen meeting in 'a certain coffee-house near Chancery Lane' agreed to bring an action against any attorneys or solicitors found to be receiving retaining fees and payment for a specific brief and then not turning up when the cause was heard, nor passing that brief on to anyone else. This practice, or more correctly malpractice, was apparently becoming more common, particularly amongst the most eminent members of the profession.<sup>170</sup> Corfield describes how the 'Society of Gentlemen Practisers had maintained a watching brief. Its early activities were often sporadic and limited in impact, although it had formalised its venue after 1772 at Clifford's Inn and later at Furnival's Inn. Yet it enshrined the principle of association and self-regulation.'<sup>171</sup> Many of its early meetings were in pubs and taverns on and around Chancery Lane.

A similar spirit of professional improvement probably motivated attendance at the Law Society for 'debating cases and questions in law and equity',<sup>172</sup> which met weekly in the Staple's Inn coffeehouse in Southampton Building at the north end of Chancery Lane.<sup>173</sup> The

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<sup>169</sup> Robert Robson, *The attorney in eighteenth-century England* (Cambridge, 1959), p.135.

<sup>170</sup> *Middlesex Journal or Universal Evening Post*, 30 July 1772.

<sup>171</sup> Corfield, *Power and the professions*, p.82.

<sup>172</sup> *Public Advertiser*, 2 March 1780.

<sup>173</sup> Donna T. Andrew, 'Popular culture and public debate: London 1780', *The Historical Journal*, 39, 2 (1996). The importance of these societies to lawyers is mentioned on p.406 and the legal debating societies on p.410.

Law Society was an exclusive affair with nearly one hundred members and membership subject to approval by ballot. In a discussion of debating societies in a legal periodical the *Templar*, the Law Society is placed within a unique, English Enlightenment culture of free speech, tending towards the perfection of society and individual. From this more general history of debate culture, reaching its zenith at the time of publication, the Law Society sprang, ‘calculated in an eminent degree for advantage and improvement’.<sup>174</sup> This article is clearly operating as an advertisement for the Law Society, but is interesting for the manner in which it describes the society in terms of its vital function to the local economic framework of the legal profession: ‘[c]onscious of the want of a proper system of juridical education in the inns of court, they here endeavour to make up for this gross deficiency, and while they prepare themselves for real business, shake off that embarrassment always disagreeable, and sometimes fatal to a counsel in his first attempts.’<sup>175</sup> Society meetings were likened to the ‘solemnity and decorum of Westminster Hall’, while members ‘perform with a degree of learning and ability that would do no dishonour to a court of justice.’<sup>176</sup> Conduct was compared favourably with Parliament, referred to as ‘the first Debating Society in the nation.’<sup>177</sup> The Law Society was presented as emulating or even surpassing other great institutional spaces. This mixture of ambition and exclusivity sums up very well the key features of the upper echelons of the legal profession in Chancery Lane, but obviously excludes the less successful practitioners. It should also be remembered that it is an outlook shaped in part by the very different opinion of critics. Was the divide between the upper and lower branches of the profession reflected in the political outlook of the lawyers?

Lawyers made for a rich source of political patronage in and around Chancery Lane. We have already seen in chapter one that the lawyers in this area voted heavily on the side of the government, but they also brought their influence to bear in other ways. The Attorney General is reported to have written to the deputy treasurer of the Society of the Inner Temple hoping to influence their plumber who lived on Chancery Lane. The plumber, a Mr. Collins, was also a liveryman of London and it was hoped he could be leant upon to vote for Plumbe and Kirkman, the ministerial candidates opposing John Wilkes and Frederick Bull in the

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<sup>174</sup> ‘An essay on debating societies, with some account of the Law Society’ (May 1788) from *The Templar; or, Monthly register of legal and constitutional knowledge*, vol. 1 (1789), pp.164.

<sup>175</sup> *Ibid.*, pp.161-165.

<sup>176</sup> *Ibid.*, pp.164.

<sup>177</sup> *Ibid.*, pp.165.

election of City sheriffs.<sup>178</sup> This episode demonstrates the overlap in Chancery Lane of the political spheres of Westminster and the City. We must now ask what kind of causes lawyers became involved in and whether those working in the legal profession can be said to hold a common set of values. If there was one area of politics in which lawyers had a natural strength, it was in their understanding of the constitution. Expertise of lay men in this area was almost a source of surprise as when Charles James Fox trumpeted to the Commons, ‘[t]he Marquis of Rockingham, though no lawyer, was a man who understood the constitution’.<sup>179</sup>

One example of a political event led by the legal community was a debate in the Old Crown and Rolls Tavern, organised by students of the Inns of Court. Questions for discussion concerned the conduct of the opposition, the omnipotence of Parliament and the merits of triennial parliaments.<sup>180</sup> Typical of the many other debating societies which sprang up in remarkable numbers in 1780, both ladies and gentlemen were welcomed.<sup>181</sup> These were as much social events as they were political, and this particular event offered musical entertainment of ‘clarionets and French horns’ before the debates. The entrance fee was relatively dear at 1 shilling, which the organisers would hope ensured an audience of more respectable sorts. Placing an economic threshold as an entry requirement was partly an attempt to ensure the debate was viewed as respectable and considered. Proving ownership of property was consistent with stability. Reform might be discussed but there would be no tendency towards revolutionary words or activity as the outcome. Debating societies provided a forum in which lawyers could sharpen their rhetorical skills, which would undoubtedly have encouraged the students to organise their event. As Corfield observes, ‘[I]legal London’ was not a hot-bed of intellectualism, certainly. It was, however, the undisputed centre for those who sought an apprenticeship in the art of pleading’.<sup>182</sup>

As was pointed out at the beginning of this chapter, legal professionals were not a homogeneous group. While attorneys were being increasingly recognised as gentlemen, particularly into the beginning of the nineteenth century, their movement up the social ladder

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<sup>178</sup> *Bingley's Journal*, 22 June 1771.

<sup>179</sup> *The Parliamentary Register; or history of the proceedings and debates of the House of Commons*, Seventeenth Parliament of Great Britain: fourth session (21 January 1794 - 11 July 1794), 28 March 1794.

<sup>180</sup> *Morning Post and Daily Advertiser*, 17 April 1780.

<sup>181</sup> Andrew, ‘Popular culture and public debate: London 1780’, pp. 405-423.

<sup>182</sup> Corfield, ‘Eighteenth-century lawyers and the advent of the professional ethos’, p.7.

was hampered by their gradual exclusion from membership of the Inns of Court.<sup>183</sup> While Birks held the attorneys partly to blame for this development, Lucas shows that the upper branch of the legal profession had their own reasons for pulling away: '[a]s for the barristers themselves, one senses a grasping sort of conservatism among them in both behavior and recruitment... The bar was again largely recruited from the gentry, perhaps because "livings" could now be more extensively provided by it.'<sup>184</sup> In 1763, the Inns of Court decided that attorneys and solicitors could not be called to the Bar unless they had ceased to practise for two years, excluding any who relied upon their work for an income. In 1793, Lincoln's Inn decided that attorney's clerks would not be called to the Bar until two years after their articles had expired or been cancelled. Increasing professional separation sharpened the rivalry between the two branches, with the bar succeeding in pushing attorneys out of government posts.<sup>185</sup> The increasing exclusivity of the bar shaped its political outlook and affiliations and 'was such that not only did it remain allied with the monarchy and the gentry and fairly open to the lower orders, but also, through its increased recruitment of clergymen's sons, it must have been somewhat more bound to the Established Church and respectability.'<sup>186</sup>

Robson decries the notion that lawyers were radicalised during the 1790s, noting that

Halévy quotes a single example of an attorney who was secretary of the Corresponding Society, and suggests that the profession as a whole, because of its lack of social standing, 'had every inducement to become a discontented class in revolt against a system which condemned them to a position of social inferiority'. But this [Robson's] study leads to a contrary conclusion, and suggests that the attorneys who were acting as officers in the militia, and as secretaries to Church and King Clubs and Associations for the Protection of Liberty and Property, were more typical of their profession than was John Frost.<sup>187</sup>

Yet Brewer finds evidence of a large contingent of lawyers mixing in reformist milieux: '[a]bout one in ten members of the society [of the Supporters of the Bill of Rights] was a lawyer, by far the largest occupational group, and they played a disproportionately important role in the SSBR because their legal expertise made them the obvious men to compose, draft

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<sup>183</sup> Birks, *Gentlemen of the law*, p.188 and p.195.

<sup>184</sup> Lucas, 'A collective biography of students and barristers of Lincoln's Inn, 1680-1804', p.240.

<sup>185</sup> Birks, *Gentlemen of the law*, p.196-7

<sup>186</sup> Lucas, 'A collective biography of students and barristers of Lincoln's Inn, 1680-1804', p.241.

<sup>187</sup> Robson, *The attorney in eighteenth-century England*, p.153-4.

and engross instruction, petitions and remonstrances.<sup>188</sup> The political activity of those involved in the legal profession around Chancery Lane provides evidence to support both interpretations. Josiah Brown esq., barrister and Editor of the Cases in Parliament, was chairman of the local anti-sedition committee, a 1790s loyalist association.<sup>189</sup> By contrast the attorney Christopher Hull esq. was treasurer of the radical Society for Constitutional Information (SCI) and took subscriptions for their various causes at his house at number 8 Chancery Lane.<sup>190</sup> The secretary of the SCI from 1784 until his arrest in 1794 was Daniel Adams, a law clerk, whose house in Tooke's Court, just off Chancery Lane was regularly used as a meeting place.<sup>191</sup>

The key to connecting these two apparently opposing trends lies not only in the divide between barrister and attorney, it is also explained by the economic imperative of respectability, which was central to lawyers maintaining their professional position whilst jostling for political influence in both the radical and conservative movements. As our anonymous adviser suggested:

[i]n all questions relative to the constitution, be on the monarchical side, for the people have neither places nor pensions to give. Let no patriotic sentiment escape your lips, unless the better to insinuate your arguments in favour of despotism. Liberty you may always term anarchy and confusion - Tyranny a species of government that produces good order at home, and ensures respectability among foreign nations. The antiquity of the English constitution will always supply you with an argument for every abuse of long standing, which disinterested legislators may be desirous to remove.<sup>192</sup>

However, he added the following advice to barristers, 'You may also exercise yourself at Constitution and Revolution Clubs - Among the drones that form them you will be remarkable.'<sup>193</sup> In many cases, as with the SSBR and the SCI, the value wider society placed on legal knowledge helped gain our residents their positions of power. While the legal students debated quite radical questions, they organised their event in a way that ensured its respectability and their own professional advancement. Maintaining a certain distance from

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<sup>188</sup> John Brewer, 'The Wilkites and the law, 1763-74' in Brewer and Styles (eds.), *An ungovernable people* (1980), p.131.

<sup>189</sup> See Westminster Archives, London, LR/K/1/401, Minutes of the Anti-Sedition Committee or *St. James's Chronicle or the British Evening Post*, 20 December 1792.

<sup>190</sup> *Star*, 20 November 1792.

<sup>191</sup> H. T. Dickinson, 'Society for Constitutional Information (act. 1780-1795)', *Oxford Dictionary of National Biography*, online edn, Oxford, Sept 2009 [<http://www.oxforddnb.com/view/theme/42306>, accessed 26 Nov 2010]. For evidence of meetings see, for instance, *Morning Chronicle*, 23 March 1792.

<sup>192</sup> Anon., *Advice to a certain Lord High Chancellor*, p.2.

<sup>193</sup> *Ibid.*, p.13.

anything that had a plebeian whiff about it was important, to the lower branches of the law at least. As Lemmings identifies, '[o]ne important ingredient of the bar's collective self-esteem at the end of the eighteenth century was its enhanced social status. While 'patriotic' barristers like Erskine ... espoused popular causes, in so far as he was becoming more 'polite', the ideal barrister was self-consciously snobbish, rather than virtuous.'<sup>194</sup> Yet as the example of Erskine shows, the exclusivity of the higher reaches of the legal profession was not inimical to constitutionalist radical critique.

In fact lawyers were uniquely well-placed to effectively mount the kind of challenge which Brewer describes as central to the radical cause: '[i]f there was one single general principle that bound nearly all radicals, it was that the magistrate – whether he be a justice of the peace, MP, the king or a lowly parish officer – was a servant of the public, appointed to execute their will and to look after their general good, and that, in consequence, he was accountable to the people in law for his actions.'<sup>195</sup> Erskine explicitly cited his role as a lawyer as proof that he must love the constitution and that the reformist groups he was a part of must be equally loyal: '[i]f it was their purpose to sound the trumpet of alarm, and combine for the subversion of the constitution, was it possible he who was a lawyer, and knew the blessing of the constitution which he enjoyed much advantage from, could have lent his name to any such scheme?'<sup>196</sup> Erskine was a radical and a lawyer, inevitably sharing the same commercial pressures and professional outlook as his colleagues. Erskine displayed his love of the wider order of society when assisting Mr Long, a surgeon living in Chancery Lane, in bringing a libel suit against a caricaturist who not only offended the surgeon himself but also ridiculed the system of educating surgeons in London hospitals. Such an attack on the self-regulation of professional men would have cut close to the bone.<sup>197</sup>

Thus the radical lawyer was not an oxymoron, but someone like John Frost was indeed an exception, in that plebeian radicalism was stigmatising and often inimical to mainstream political success or social acceptance. Daniel Adams was clearly vulnerable to such pressures. He was arrested along with several other leading members of the SCI in 1794, but

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<sup>194</sup> Lemmings, 'Ritual, majesty and mystery', p.57.

<sup>195</sup> Brewer, 'The Wilkites and the law, 1763-74', p.142.

<sup>196</sup> *The Parliamentary Register*, Seventeenth Parliament of Great Britain: second session (31 January 1792 - 15 June 1792), 30 April 1792.

<sup>197</sup> *Lloyd's Evening Post*, 9-12 May 1800.

rather than face a state trial as defendant he turned King's evidence.<sup>198</sup> However, pressure to conform was not only applied from outside the legal profession, by state and society. During the eighteenth century, the upper branch of the law as a whole can be said to have 'consented to and even acknowledged a contraction in the social reach and constitutional trust of the lawyers and the courts.'<sup>199</sup> Nevertheless, the radical mission to point out the gap between the perceived role of public officials and their actual conduct was vital to changes in the way legal professionals conducted themselves. The next chapter takes us from the legal profession to the local people who were breaking the law and watchmen who were attempting to enforce it.

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<sup>198</sup> Albert Goodwin, *The friends of liberty: the English democratic movement in the age of the French Revolution* (1979), p.362.

<sup>199</sup> David Lemmings, 'Ritual, majesty and mystery', p.63.



## Chapter 4: Policing and Crime

We have now seen how the urban environment of Chancery Lane was managed and changed. We have also explored the world of lawyers and how this relates to the standing of the area in the eyes of the rest of eighteenth-century London. The present chapter considers how the inhabitants attempted to maintain order around Chancery Lane. We begin with the words of local man John Prince Smith, barrister at law and resident of the Liberty of the Rolls, from the conclusion to his short book of 1812, *An account of a successful experiment for an effectual nightly watch, recently made in the Liberty of the Rolls, London*: '[b]ut let it ever be remembered, that all institutions are liable to decay. Imminent danger produces active caution, and consequent security, which, in the end, degenerates into laxity and neglect, so that all things seem to revolve in an endless circle of change.'<sup>1</sup> In fact the experiment, which involved hiring extra patrolmen who were in constant motion but on duty for shorter periods, was so successful according to Smith, 'that immediately previous to the establishing of this patrol, several burglaries had been committed or attempted; that the district is now remarkable for the vigilance of the watch, and security of the inhabitants, and that, through its means, great negligence in the lighting of the lamps has been detected.'<sup>2</sup> The inhabitants of the Liberty of the Rolls undertook to improve their watch during the widespread panic about standards of policing in London, following the murder of two innocent families near the Ratcliffe Highway in December 1811. Smith's work was – as its extended title made clear – *Submitted for the consideration of all parochial authorities in the metropolis*. In his dedication to the Master of the Rolls Sir William Grant, Smith added that his tract 'may be serviceable, during the approaching discussion in Parliament of the Report of the Committee for enquiring into the state of the nightly watch and police of the metropolis.'<sup>3</sup>

Smith's account of parish reform was meant to show that further government intervention through legislation was not necessary. He argued that 'a stricter general police must be one founded upon principles which are inconsistent with freedom, and utterly destructive of that tranquillity to the middling and the lower orders, in the pursuit of their lawful occupations,

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<sup>1</sup> John Prince Smith, *An account of a successful experiment for an effectual nightly watch, recently made in the Liberty of the Rolls, London: submitted for the consideration of all parochial authorities in the metropolis, and elsewhere; with a summary of the law respecting the nightly watch* (1812), p.72.

<sup>2</sup> *Ibid.*, p.56.

<sup>3</sup> *Ibid.*, p.iv-v.

which is the essence of true liberty, and the germ of all domestic happiness.’<sup>4</sup> Smith’s tract prefigured the broader outpouring of opposition following the introduction of the Night Watch Bill to Parliament on 8 May 1812.<sup>5</sup> This included numerous petitions to Parliament from parish vestries, including that of St Andrew’s Holborn. The Liberty of the Rolls had only had legislation passed for establishing a nightly watch just under two years before on 18 May 1810. The legislation of 1810 confessed that ‘by the Laws now in being no effectual Provision is made for the establishing, ordering and well governing such Nightly Watch and Beadles, or for raising Monies to defray the Expences thereof.’<sup>6</sup> Ironically, a similar bill ‘for better lighting, watching, cleansing and repairing the Highways, and otherwise improving the Hamlet of *Ratcliffe*’ was passed on the same day.<sup>7</sup>

Another achievement which Smith identified – that of uncovering the lamplighters’ poor performance – is grist to the mill of his depiction of managing the urban environment as a cyclical business. A Chancery Lane lamplighter had been put in prison almost twenty years previously for negligence, which was reported with approval, the newspaper wishing ‘examples of this kind were more frequently made’.<sup>8</sup> Yet in her history of policing in London, Elaine Reynolds is chiefly interested in the section of Smith’s book in which he details the arguments made in the residents’ committee of the Liberty of the Rolls that culminated in their successful experiment. Reynolds describes how ‘these men progressed through almost every possible response to the contemporary sense of alarm and insecurity. Their experience illustrates in microcosm what was at issue in police reform in London by the early nineteenth century. The debate over professional versus amateur policing was being resolved in favour of professionalism’.<sup>9</sup> Reynolds sees in this moment a shift in the dominant approach to policing, which in hindsight it was. However, Reynolds’ account is not complete until it is contextualised by the subjective sense of crisis that local experience communicates, followed by a seemingly temporary triumph in the endless struggle to contain chaos and disorder.

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<sup>4</sup> *Ibid.* p.5.

<sup>5</sup> Ruth Paley and Elaine A. Reynolds, ‘Politicians, parishes and police: the failure of the 1812 Night Watch Bill’, *Parliamentary History*, 28, 3 (2009), pp.375-91. For opposition to the Bill see pp.385-91.

<sup>6</sup> An act for better paving and lighting, for establishing a Nightly Watch, for regulating the Poor, and recovering the Poor Rates within the Liberty of the Rolls in the County of Middlesex, 18 May 1810.

<sup>7</sup> *Journals of the House of Commons*, LXV, 18 May 1810, p.379.

<sup>8</sup> *Diary or Woodfall's Register*, 19 January 1793; Issue 1195.

<sup>9</sup> Elaine Reynolds, *Before the bobbies, the night watch and police reform in metropolitan London, 1720-1830* (Stanford, 1998), p.104.

The history of policing in late eighteenth and early nineteenth century London can be represented by a series of similar tensions, dichotomies such as Reynolds' professional v amateur debate; the conflicting trends of localism and centralisation; and in Smith's words, 'the order and discipline which a wise government may introduce and maintain' as opposed to 'true liberty... that spirit of freedom, which is the proudest birthright of every Englishman'.<sup>10</sup> Another crucial issue was whether householders themselves should be involved in policing their local area. Periods of crisis often elicited temporary enthusiasm for the participation of residents in watching the streets, which soon fell away in favour of paying someone else to do it, when the reality of the time and difficulty involved became apparent. Oversight of the watch was an arena in which all of these arguments were played out. The men who wielded power over local policing expressed their ideas and anxieties in experiments to enhance the role and efficacy of the watchmen; an expression of the debates of a local (exclusively property-owning and masculine) public sphere.

In a more localised context, Smith's book also reveals once again how networks of the legal profession were important to the politics of Chancery Lane. Smith, a barrister of Gray's Inn, thanks the Master of the Rolls for 'the kind attention shewn by you and the Recorder of London to every thing concerning the interest of the inhabitants of your district'.<sup>11</sup> The Recorder of London, John Silvester, was a fellow barrister, member of the committee of inhabitants and lived until 1812 on Chancery Lane as well. Conversations with Silvester are mentioned to back up Smith's argument.<sup>12</sup> Silvester, who was briefly described in chapter three, could be considered an expert on crime in this area. He spent much of his professional life as a barrister at the Old Bailey, where he was unusual in appearing mainly as a prosecutor. He was a proponent of the bloody code (the eighteenth century system of criminal justice which relied upon the deterrent effect of capital punishment) gaining him the nickname 'Black Jack' Silvester and valued law and order over individual rights.<sup>13</sup> As Recorder of London he presided over numerous trials following crimes committed in Chancery Lane.<sup>14</sup> He kept notebooks listing inns and taverns where known criminals could be

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<sup>10</sup> Smith, *An account of a successful experiment for an effectual nightly watch*. p.1.

<sup>11</sup> *Ibid.* p.iv

<sup>12</sup> *Ibid.* p.10 and 17n.

<sup>13</sup> Allyson N. May, 'Silvester, Sir John, first baronet (1745–1822)', *Oxford Dictionary of National Biography*, (Oxford, 2004) [<http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk/view/article/67764>, accessed 29 Oct 2012].

<sup>14</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 6.0, 17 April 2011), 16 May 1804, trial of George Bentley (t18040516-23) and 17 February 1808, trial of Sarah Tanckston (t18080217-97) to give just two examples.

found, in which he identified three places on or around Chancery Lane as houses of resort for footpads (thieves on foot who robbed other pedestrians) and housebreakers, and noted that one could find thieves of every description in Clark's coffee house in Bell Yard.<sup>15</sup> He had also been a victim of crime himself. Conducting business at the Old Bailey, Silvester asked the sheriff the time, saying that he had left his watch at home. A devious man who overheard the conversation went straight to Silvester's house and said that he had been sent to fetch the watch, which the servants duly handed over.<sup>16</sup> These were the kinds of experiences informing richer householders and particularly legal professionals who controlled the watch in this area.

However, the watch was not simply the product of ideas coming out of the inhabitants' meetings but a matter of contestation for the community as a whole, including the watchmen themselves. The streets witnessed many judgements handed out that had little to do with the law and courtroom. To give one example, two men who had escaped from Newgate drew the attention of passers-by from what they must have believed to be a safe haven beneath the sewer grating at the corner of Chancery Lane and were showered with shillings and sixpences, displaying 'the misplaced generosity of *John Bull*'.<sup>17</sup> The watch was an attempt to limit the acceptable social and economic uses of public space. By examining the history of policing and crime in a locality, we can begin to understand how they relate to issues of law, punishment, money and power. We can also see how policing was affected by a particular 'space': a unique topography and group of people. What follows supports Reynolds' narrative of localised professionalisation, but by focusing on a specific locality we can begin to scratch the surface of her "'official' perspective' and glimpse some of the local characters and concerns involved in policing a community.<sup>18</sup> Also, it is important to read this account of local policing in light of the struggles for respectability described in the previous two chapters.

In Chancery Lane, there was a steady professionalisation of the police force throughout this period. The watchmen worked longer hours, were paid more and oversight became stricter. Such changes were relatively piecemeal before 1780. The first section of this chapter will show a fairly responsive system of community policing, with occasional friction caused by

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<sup>15</sup> British Library, Add ms 47466 and Egerton ms 3710.

<sup>16</sup> *The Bury and Norwich Post: Or, Suffolk, Norfolk, Essex, and Cambridge Advertiser* (Bury Saint Edmunds), 16 December 1807.

<sup>17</sup> *Star*, 12 September 1796.

<sup>18</sup> Reynolds, *Before the bobbies*, pp.4-5.

individual crimes. The second section will examine how the area was affected by the Gordon riots and how this experience led to debates about whether local policing could still be effective. It was decided that it could be, but greater efforts would have to be made to increase the numbers of watchmen and their organisation. It will be described how this perception was reinforced by rising crime rates during the 1780s, but how continuing improvement was hampered by financial constraints during the French Revolutionary wars. The period ends with the introduction of legislation, soon followed by the panic caused by the Ratcliffe Highway murders discussed above.

What then was the nature of the crimes committed? Of the 53 cases tried at the Old Bailey that took place in Chancery Lane between 1760 and 1815, almost all were thefts. Most were opportunistic, taking advantage of a lone person in the street in the dark or an open doorway or window. Criminals also used the predictable gathering of crowds to their advantage. A band of thieves, operating between 8 and 10pm before the watch came on, had a routine for ‘one of the Gang to commit a gross Affront upon some Passenger, which drawing a Remonstrance from the injured Party, draws together a Mob’. The other gang members pretended to take the side of the passenger in the ensuing argument, meanwhile stealing snuff boxes, watches and anything else they could lay their hands on.<sup>19</sup> As a large thoroughfare, Chancery Lane provided criminals with plenty of people to rob and the potential for escape into the anonymity of a crowd. What is most notable in the following is that the only crimes specifically mentioned by the residents’ committee are those in which someone living in the Liberty was the victim, most likely a householder. Only the most flagrant occasions of burglary warranted changes to the watching of the streets.

### **I: Managing the watch, 1760-1780**

The committee of the inhabitants of the Liberty of the Rolls took responsibility for appointing the positions of beadle, constable, headborough, overseers of the poor and the committee for overseeing the workhouse. The bulk of their meetings were taken up administering the poor rates, but meetings in which the above positions were being filled drew greater than average attendance and were clearly seen as important. The beadle, constable and headborough were responsible for direct oversight of the watchmen. The beadle was a salaried position but the

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<sup>19</sup> *St. James's Chronicle or the British Evening Post*, 21 August 1777.

constable and headborough served their district without recompense. They were nominated every September from the householders who had not yet served and the nominees put to a vote. If chosen, householders had to either accept the appointment or pay a fine. As specified in legislation of 1810, it was the watchmen's job 'to apprehend and detain all Night Walkers, Malefactors, Rogues, Vagabonds, and other disorderly Persons whom they shall find disturbing the public Peace, or have just Cause to suspect of any evil Designs' and take them to the constable or headborough from whence they could be delivered up to a Middlesex justice.<sup>20</sup> As Innes explains,

[t]he headborough was the junior partner to the constable. Their joint duty was to preserve the peace of the Liberty, execute search or arrest warrants if called upon to do so, and assist in the collection of the land tax. The office was regarded as burdensome: the constable and headborough could recoup expenses from their fellow inhabitants, but were not paid a salary, nor compensated for loss of time.<sup>21</sup>

Reflecting the unpopularity of the role, William Langley, a stationer, attempted to get exemption from serving as headborough as he was an examiner in the Court of Chancery's office.<sup>22</sup> His request was initially denied but Langley returned with a 'writ of privilege' from the Court of Chancery, which was deemed enough to gain him exemption.<sup>23</sup> Yet for some it seems to have represented an opportunity. In Innes' study of William Payne, a carpenter who lived in Bell Yard from before 1760 until his death in 1782, it is described how he was drawn into a career of public service and political activity when called upon to serve as headborough in the Liberty of the Rolls.<sup>24</sup> He would eventually seek a role as a City constable, one of several ways he would continue his interest in policing, including his work as a thief-taker.<sup>25</sup> The paid role of beadle was more desirable. Competition for the job meant that a more stringent selection process could be carried out and in 1762 it was decided that whoever was eventually elected beadle would have to pay the expenses incurred by all the candidates when soliciting for the role.<sup>26</sup>

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<sup>20</sup> An act for better paving and lighting. p.1963

<sup>21</sup> Joanna Innes, *Inferior politics: social problems and social policies in eighteenth-century Britain* (Oxford, 2009), p.292.

<sup>22</sup> Westminster Archives, London, LR/K/1/326, Minutes of meetings of the inhabitants and the workhouse committee, 26 September 1768.

<sup>23</sup> *Ibid.*, 29 September 1768.

<sup>24</sup> Innes, *Inferior politics*, p.292.

<sup>25</sup> This chapter will repeatedly draw on Innes' invaluable life of Payne as his presence is felt in the area around Chancery Lane and as his career intersects with the themes being explored.

<sup>26</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 7 May 1762.

From 1760 to 1780, the main problems confronted by the watchmen and their overseers were minor crises of authority, from localised outbursts of rebelliousness to contraventions of the more upright behaviour expected of the watch and beadle. We begin with an incident that shows how watching the streets could be an unpleasant business. Between two and three in the morning on 28 July 1760, two men assaulted the beadle and three watchmen of the Liberty of the Rolls in Chancery Lane. By September a bill of indictment had been found against the assailants, one newspaper insisting that the watchmen had been beaten so badly that one of them almost died.<sup>27</sup> A motion was passed by the meeting of inhabitants of the Liberty of the Rolls to pay for the prosecution.<sup>28</sup> The rise in such prosecutions was evidence of an increasingly strong protection of the watch, which developed in conjunction with higher expectations of the watchmen's professionalism.<sup>29</sup> A month later the perpetrators of the attack came before the meeting of inhabitants offering to pay each of the victims one guinea and reimburse the committee with any expenditure made so far on the prosecution.<sup>30</sup> The offer was immediately accepted and the legal proceedings brought to a close. Restitution was a more important principle in such cases than an abstract sense of justice.

It was not just the watched who misbehaved. The watchers transgressed too. In 1761 the beadle of the Liberty of the Rolls, John Sparling, was found to be collecting the scavenger's rates and 'misapplying' the money. To continue in his post it was decided he should pay back the embezzled money and provide security for his future behaviour.<sup>31</sup> Later that month, Sparling failed to call a general meeting of inhabitants, prompting the committee to consider dismissing him.<sup>32</sup> He managed to find a benefactor willing to pay back the scavenger's rates, but unsurprisingly unwilling to pay any security on future good behaviour or guarantee against any further embezzlement. Sparling was promptly dismissed.<sup>33</sup> It seems likely that this episode led to the committee's resolution that any constable or headborough found to be neglecting their duties in future would be prosecuted at the expense of the Liberty.<sup>34</sup> There seems to have been an increasing willingness to turn to legal proceedings (in reality the threat was more effective) in the hope of introducing self-discipline into parish policing. Problems

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<sup>27</sup> *Public Ledger or The Daily Register of Commerce and Intelligence* 15 September 1760.

<sup>28</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 9 September 1760.

<sup>29</sup> Reynolds, *Before the bobbies*, p.68.

<sup>30</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 10 November 1760.

<sup>31</sup> *Ibid.*, 14 July 1761.

<sup>32</sup> *Ibid.*, 29 July 1761.

<sup>33</sup> *Ibid.*, 4 August 1761.

<sup>34</sup> *Ibid.*, 23 September 1761.

within the watch were put down to moral failure throughout the period, but were increasingly dealt with using rationalised processes of control.

However, probably the most problematic facet of the watch was the buildings it occupied. The public image of this infrastructure of policing is somewhat counterintuitive: these buildings were often regarded as a magnet for the kind of disorderly or criminal behaviour they were supposed to suppress. This is shown by the following incident. In November 1762 an action was brought against the constables of the Liberty of the Rolls for causing a nuisance by keeping their watchhouse in Chancery Lane.<sup>35</sup> The general meeting of inhabitants clearly had a different interpretation of the role played by the watchhouse in the life of the community and by the time the case was reported in the newspaper, the meeting of inhabitants had started raising a fund to replace it and resolved to seek the advice of the Master of the Rolls.<sup>36</sup> The case came to trial early the following year, with the result that the plaintiffs were nonsuited (found against for lack of evidence). Ample reasons were offered: the watchhouse had been there for more than fifty years, had been built with the consent of local justices and the Master of the Rolls and there was simply nowhere else to put it.<sup>37</sup> This success cost the meeting of inhabitants dearly: a Mr Jefferson was eventually paid £32 for defending the prosecution.<sup>38</sup> Far from concluding the matter, failure in the courts presaged a turn to direct action. Around three months after the unsuccessful trial, the watchhouse was taken apart and the materials it was made of were removed. This all took place on a Saturday morning, after the watch broke up but before 8am.<sup>39</sup> A permanent replacement for the watchhouse was only settled upon in 1765. The committee rented a ground floor apartment from Mr Robinson, a glazier of Bell yard, for £5.5s a year and then took up the option of renting it for a further 20 years.<sup>40</sup>

Only five months later, it was decided that the position of the new watchhouse was inconvenient and that it should be replaced by one erected in Bishop's Court and a new watchbox in Bond's Stables.<sup>41</sup> Settling upon a desirable position continued to be a problem. In 1801 the constable reported to the committee that some inhabitants wanted a new

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<sup>35</sup> *Gazetteer and London Daily Advertiser*, 24 November 1762.

<sup>36</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 10 November 1762 and 12 November 1762.

<sup>37</sup> *London Chronicle (Semi-Annual)*, 24 February 1763.

<sup>38</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 4 September 1764.

<sup>39</sup> *London Chronicle*, 21 May 1763.

<sup>40</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 8 June 1764 and 20 June 1765.

<sup>41</sup> *Ibid.*, 5 November 1765.



watchbox. It was decided to place one in Carey Street opposite Shire Lane.<sup>42</sup> Just over 6 months later, one Mr Dunn wanted the watchbox removed from his premises and his request was assented to. Expenses had to be paid to the parish of St Clement Danes for any inconvenience as it was positioned across the border.<sup>43</sup> It was moved again in 1807 and then removed in 1808 with only the intention to replace it, but no specification of where.<sup>44</sup> Even uses of the watchbox that were unrelated to policing seemed to end in trouble. One Elizabeth Harding was allowed to use it to sit in whilst selling fruit from a stall, however in 1774 the beadle was compelled to dispossess her of the keys after complaints were received that she was behaving abusively towards passers by.<sup>45</sup> The watchbox, and the watchmen too, were not grand symbols of authority set apart from ordinary people but an integral part of the culture of street life.<sup>46</sup>

While the watchbox drew the umbrage of the average citizen, the watch had its attentions drawn to drinking establishments. Alehouses provided a focus for the concerns of the inhabitants' committee as perpetual sites of disorderly behaviour. The committee was concerned about the rowdiness of several local alehouses and the opportunity for regulation of licensed premises and an enclosed space must have seemed a more attainable goal than controlling behaviour in the streets. In 1765, the meeting of inhabitants threatened to return inmates at the Bowl and Pin, Bowl and Pin (sometimes Bowling Pin or Inn) Alley, to the last settlement they had lived in if their behaviour incurred any expenses on the Liberty.<sup>47</sup> This threat seems to have had little effect as the committee received a letter in 1769 complaining that the Bowl and Pin was 'frequented by a noisy, troublesome and disturbing sort, who play at skittles at very unreasonable hours of the night.'<sup>48</sup> A similar situation prevailed at a public house in Bond's Stables and the committee resolved to write to both proprietors telling them to control their customers, or the vestry clerk would be asked to oppose the renewal of their licenses on behalf of the Liberty. Boisterous skittle-playing reared its ugly head again the following spring but as it was a new crowd playing, it was decided that another warning would suffice.<sup>49</sup> In 1789, the committee considered whether to report the Yorkshire Grey and

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<sup>42</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 9 September 1801.

<sup>43</sup> *Ibid.*, 7 April 1802.

<sup>44</sup> *Ibid.*, 4 March 1807 and 3 February 1808.

<sup>45</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 12 August 1774.

<sup>46</sup> Tim Hitchcock, *Down and out in eighteenth-century London* (London and New York, 2004), p.154.

<sup>47</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 31 December 1765.

<sup>48</sup> *Ibid.*, 4 July 1769.

<sup>49</sup> *Ibid.*, 27 March 1770.

the Bowl and Pin for ‘suffering gaming and disorderly people’, and decided to recommend that the latter lose its licence, which had already been suspended by the High Constable.<sup>50</sup> This episode did not resolve the issue as the committee considered opposing the renewal of the Bowl and Pin’s licence again in 1793.<sup>51</sup>

Although parishes organized their watch individually the system was not entirely devoid of cooperation. A man was apprehended whilst attempting to break into a Mr Moon’s house on Chancery Lane. Of the three watchmen who committed the man, two were from the Liberty of the Rolls and one from St Andrew’s Holborn. The operation was an all-round success: the offender was prosecuted and the watchmen were rewarded 10s.6d by the inhabitants of the Liberty of the Rolls for ‘diligently discharging their duty’.<sup>52</sup> In 1789 the neighbouring parish of St Clement Danes told the Liberty of the Rolls they were ‘endeavouring to suppress nuisance in Shire Lane’. It was decided to place a watchman there and to do anything else required to help improve matters.<sup>53</sup> Disputes between neighbouring parishes were just as likely. In 1807, the clerk to the Liberty of the Rolls wrote to the constable of the parish of St Dunstan’s in the West, threatening him with prosecution for allowing a number of prisoners to escape custody.<sup>54</sup>

While there was very little ongoing cooperation between parishes, Sir John Fielding’s involvement in policing the area did provide some continuity. The petty sessions for the Liberty of the Rolls were presided over by two Middlesex Justices. From 1768 onwards, Fielding was generally one of these two.<sup>55</sup> On this occasion in 1768, the petty sessions was held in the Crown and Rolls tavern on Chancery Lane but by 1774 they were being held in Fielding’s Bow Street office.<sup>56</sup> Fielding and his Bow Street runners were also repeatedly involved in tackling crimes in this area. The master of the King’s Head tavern had information that four of his customers were notorious sharpers. He reported them to Fielding who sent some officers round and three of the sharpers were arrested.<sup>57</sup> Fielding’s men were much more effective at intelligence-based policing, and used their informers to uncover

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<sup>50</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 19 September 1789.

<sup>51</sup> *Ibid.*, 5 May 1793.

<sup>52</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 7 July 1767.

<sup>53</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 2 December 1789.

<sup>54</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 4 February 1807.

<sup>55</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 1 September 1768.

<sup>56</sup> *Ibid.*, 8 March 1774.

<sup>57</sup> *London Chronicle*, 27 April 1762.

crimes being committed behind closed doors. Two men who were running a coining operation in Bowl and Pin Alley were sentenced to death in 1780 after several of Fielding's Bow Street runners, acting on a tipoff, caught them in possession of the equipment needed to counterfeit coins and several fakes.<sup>58</sup> Not only were the runners able to carry out detective work to catch criminals, they could also provide technical evidence (particularly in relation to coining) in court to ensure a successful prosecution.<sup>59</sup>

When a criminal was caught in the area, it was possible to take them to Fielding for their secure apprehension. A boy of around nine years old was caught stealing from the till of a chandler's shop in White's Alley and taken to Sir John Fielding's house. Fielding was not at home so the boy was taken back to the Rolls watchhouse, from whence he escaped before the watch came on duty by squeezing between the bars.<sup>60</sup> Fielding also had an ongoing relationship with William Payne, occasionally using him for help with investigations.<sup>61</sup> Fielding's blessing was given (having been actively sought) for at least one of Payne's morally-driven campaigns of prosecution.<sup>62</sup> Thus Fielding's influence in the area was in part the result of individual patronage. But his involvement in the policing institutions of Chancery Lane is perhaps evidence of his magnanimity, given his feelings towards the legal profession. Leslie-Melville quotes him as warning that magistrates should be wary of 'falling a prey to that swarm of low and hungry solicitors who are always lying in wait to take an advantage of their errors'.<sup>63</sup>

Fielding's input seems to have been welcomed, probably because he regarded his work as a complement to parish forces rather than a potential replacement.<sup>64</sup> On the other hand, anything perceived as interference in the Liberty was strongly resisted. In 1771 the inhabitants' meeting resolved to ask the Master of the Rolls whether the high constable of the Holborn division of Middlesex had it within his power to summon the constable and headborough of the Liberty of the Rolls to appear before him.<sup>65</sup> The next year the committee

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<sup>58</sup> *Old Bailey Proceedings Online*, 12 January 1780, trial of John Benfield and William Turley, (t17800112-33). Also reported in *London Chronicle*, 13 January 1780

<sup>59</sup> J. M. Beattie, *The first English detectives: the Bow Street runners and the policing of London, 1750-1840* (Oxford, 2012), p.122.

<sup>60</sup> *Lloyd's Evening Post*, 19 April 1773.

<sup>61</sup> Innes, *Inferior politics*, p.299.

<sup>62</sup> *Ibid.*, p.311.

<sup>63</sup> R. Leslie-Melville, *The life and work of Sir John Fielding* (1934), p.96.

<sup>64</sup> Reynolds, *Before the bobbies*, p.47.

<sup>65</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 5 November 1771.

enquired of the Master of the Rolls as to whether the constable could be summoned to Hicks's Hall, the Middlesex sessions-house.<sup>66</sup> This was closely followed by a decision to make a presentation to the Master of the Rolls, detailing 'incroachments made on the Rights and Privileges of this Liberty'.<sup>67</sup> The matter appears to have eventually been resolved in favour of Hicks's Hall when, a few months later, the Liberty had to pay a fine in consequence of the non-attendance of the constable.<sup>68</sup> This seems a little surprising, considering the Liberty was apparently 'a district exempt from the power of the sheriff of Middlesex, or other officer, except by leave of the master.'<sup>69</sup>

Maintaining an independent watch was vital to sustaining Lincoln's Inn's separation from the surrounding area and independence from neighbouring parishes. As part of the testimony attempting to establish the extra-parochiality of Lincoln's Inn, it was described how the Inn's gates were shut at 11pm each evening and that it had not been known for any constables or watchmen to demand entry after this time, or make any claim to jurisdiction. It was also emphasised that no one had to gain entry at any time to remove vagrants or beggars back to the surrounding parishes, including the beadles working during the day.<sup>70</sup> Policing was provided by watchmen, whose role was identical to those working in parishes, and badge porters, so-called because they wore the arms of Lincoln's Inn as a badge on their breast. The badge porters partly played the role that their name would suggest, but also had to move on idlers, beggars, anyone attempting to buy or sell goods, particularly old clothes, anybody exercising horses, or showing them for sale and people dumping ashes or soil in the courts of the Inn. This last offence was grave enough to cause notices to be put up around the Inn threatening prosecution of offenders and a reward of two shillings and sixpence for any information leading to their apprehension.<sup>71</sup> The purchase of old clothes appears to have been the chief nuisance, with the practice still being fought in 1802.<sup>72</sup> The badge porters and watchmen were better paid than the watchmen in the Liberty of the Rolls; in 1772 their pay was raised from one shilling three pence to one shilling six pence per night and they were paid quarterly rather than biannually. This indulgence was granted to them in return for

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<sup>66</sup> *Ibid.*, 24 June 1772.

<sup>67</sup> *Ibid.*, 7 July 1772.

<sup>68</sup> *Ibid.*, 14 October 1772.

<sup>69</sup> David Hughson, *London, being an accurate history and description of the British metropolis and its neighbourhood, to thirty miles extent, from an actual perambulation*, volume IV of VI (1807), p.128.

<sup>70</sup> *The records of the Honourable Society of Lincoln's Inn: the black books III* (1899), p.477-8.

<sup>71</sup> *Ibid.*, p.xv and p.416.

<sup>72</sup> *The records of the Honourable Society of Lincoln's Inn: the black books IV* (1899), p.92.

greater vigilance.<sup>73</sup> They were often expected to work longer hours when offered extra money and in 1773 were asked to begin their watch at 6pm in winter, 8pm in spring and 9pm in summer, around the time of sunset. This did constitute an extension of their hours and they were paid an extra six pence for the evening watch.<sup>74</sup> Another rise of sixpence per night during the winter months was granted in 1783.<sup>75</sup>

It should not be supposed that the watch was spared any unpleasant experiences because Lincoln's Inn was separated from the highway of Chancery Lane. It was simply not possible to maintain a bubble of gentility in the midst of eighteenth-century London. Almost eighteen pounds was paid in prosecuting and defending suits on behalf of a watchman and badge porter of Lincoln's Inn who were assaulted whilst on duty.<sup>76</sup> It was added that no such money would be paid again unless the Benchers were consulted first. It was natural that the Benchers would want to pass such decisions to maintain tight control of expenditure, but oversight of those carrying out the watch was also sometimes an issue. In 1775 complaint was made that the badge porters were neglectful of their duty.<sup>77</sup> They were exhorted to be more watchful and to obey the chief porter, or they would be proceeded against 'with severity'. It can be inferred however that watching in the Inn was not nearly as strenuous as in Chancery Lane itself, as one of the porters was assigned extra money in 1779 for keeping idle boys out of the garden.<sup>78</sup> Extra payments were also made for help during fires, the Gordon riots, events that might draw a crowd (such as the illuminations to celebrate the King's recovery in 1789 and naval victories in 1797 and the peace of 1802), the funeral of Edward Beachcroft MP (when ashes had to be spread to deal with the ice and the gate guarded) and the Corn Law riots of 1815.<sup>79</sup> The next complaint about the watchmen was not made until 1795, suggesting the better pay and closer control which the Inn could bring to bear, partly due to the enclosed nature of the space being watched, could be effective. This time the steward reported that none of the watchmen had turned up within the first three quarters of an hour of their shift, for which they were ordered to attend the next meeting of the Benchers.<sup>80</sup> It was only in 1807 that anyone felt the need to prepare a comprehensive report on the state of the watch at night

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<sup>73</sup> *The black books III*, p.411.

<sup>74</sup> *Ibid.*, p.416.

<sup>75</sup> *The black books IV*, p.28.

<sup>76</sup> *The black books III*, p.417.

<sup>77</sup> *Ibid.*, p.428.

<sup>78</sup> *The black books IV*, p.13.

<sup>79</sup> *Ibid.*, p.xii-xiii, 44, 70-2, 93 and 139.

<sup>80</sup> *Ibid.*, p.65.

in Lincoln's Inn. The only suggestions recorded for the watchmen were to equip them with a staff, cutlass, rattle and lantern. The 10 junior badge porters were to attend two at a time with one stationed in the old square and one in the new, and 'remove beggars, children, disorderly and noisy persons.'<sup>81</sup> They were also ordered not to go on errands on any pretence and should only leave the Inn for meals.

External pressure was strongly resisted by the Liberty of the Rolls as well, but there were some internal reforms within the watch before 1780. There was a definite trend towards increasing discipline and micro-management. Statistics concerning the number of lost shifts in the watch were collected sporadically until 1766 when this became a regular monthly occurrence.<sup>82</sup> In 1773 it was decided that anyone taking up the position of constable must already have served as headborough, presumably to ensure a certain level of competence and experience.<sup>83</sup> Further change was occasionally called for. One resident, Mr Serjeant Nares, sent a letter to the committee stating that he had been robbed and that this was the consequence of a lack of watchmen, although no action appears to have been taken.<sup>84</sup> Other than numbers of watchmen, the main issue was money. The watchmen themselves expressed the belief that they were not being paid enough and petitioned the committee for better wages.<sup>85</sup> In 1774 the beadle was instructed not to claim expenses for the delivery of 'trifling messages'.<sup>86</sup>

Occasional incidents drew a rougher critique than the usual, peacefully negotiated changes. An attorney, Mr Wimberley, had the whole contents of his house stripped whilst his family were away in the country. Anything the thieves could not carry away they broke up, apparently out of spite.<sup>87</sup> This particular crime elicited an angry letter to the *Morning Chronicle* addressed to Sir John Fielding. The letter highlighted the fact that the house which had been emptied was directly opposite a watchman's sentry box. The author, presumably Samuel Palmer, a vestryman of St Andrew's Holborn above the Bars from 1772 who lived on Chancery Lane,<sup>88</sup> lamented the poor organisation of the watch and 'the scandalous neglect of

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<sup>81</sup> Ibid., p.108.

<sup>82</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 3 June 1766.

<sup>83</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 28 September 1773.

<sup>84</sup> Ibid., 6 March 1770.

<sup>85</sup> Ibid., 9 April 1771.

<sup>86</sup> Ibid., 5 July 1774.

<sup>87</sup> *London Evening Post*, 13 July 1776.

<sup>88</sup> The author's name is deviously encoded as 'LEWMAS REMLAP'. It is safe to assume he is the vestryman mentioned in LMA, P82/AND/B/001/MS04251/003, St Andrew Holborn vestry minute book, 20 April 1772.

the persons appointed to execute the nocturnal civil power'.<sup>89</sup> Other incidents of corruption invited a more radical political, as opposed to rationalist managerial response.

In 1773, the radical *Middlesex Journal* included a letter complaining about the misconduct of bailiffs. It placed them in opposition to the tenets of justice and civic virtue, questioning the legality of their role and even whether the law sanctioned imprisonment for debt. While the elected sheriffs spent £1500 a year discharging their duties, a bailiff in Chancery Lane boasted '2000l per annum, a phaeton, and a fine country-seat'.<sup>90</sup> With this ill-gotten income, extracted from debtors, 'they employ attornies and counsel to plead their cause and defend their iniquities. Thus the useful members of a *free* state are oppressed and destroyed, and the bailiff is enriched, who laughs at the mischief he does, and at the virtue of the sheriffs'.<sup>91</sup> This critique uses the language of civic republicanism to produce a piece very much within the tradition of British discourse about 'old corruption'.<sup>92</sup> It is surprising that republican arguments were not used more often, a factor that could be ascribed to the conservatism of urban improvers, or dubiety about whether they would be persuasive to those with the power to effect change. This might be particularly true in an area dominated by lawyers. Whatever the case, in the *Middlesex Journal* letter, public service is contrasted with unprincipled emolument. It is also remarkable for downplaying hysteria about crime and society more generally. 'In these days of general complaint about the villainous practices of society, and particularly the oppression of sheriffs officers, we should be ungrateful did we not do justice to the good sense and manly spirit of the present worthy sheriffs, who are determined to suppress every villainous practice in their office'.<sup>93</sup> The article goes on to say that a sheriff's officer, George Ormrod of Chancery Lane, was dismissed by the previous sheriffs and yet continued to keep his board as though he had never lost his post. He apparently kept a lock-up house and was later arrested for counterfeiting coins.<sup>94</sup>

Private lock-ups and sponging-houses, the latter used for the imprisonment of debtors, came in for particularly heavy criticism from newspaper commentators. In one dramatic incident, a man was found lying prone in Chancery Lane. It transpired that he had thrown himself out of

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<sup>89</sup> *Morning Chronicle and London Advertiser*, 16 August 1776.

<sup>90</sup> *Middlesex Journal or Universal Evening Post*, 17 July 1773.

<sup>91</sup> *Ibid.*, 17 July 1773.

<sup>92</sup> See for instance Matthew McCormack, *The independent man: citizenship and gender politics in Georgian England* (Manchester, 2005), pp.6-7.

<sup>93</sup> *Middlesex Journal and Evening Advertiser*, 15 February 1774.

<sup>94</sup> *London Evening Post*, 21-23 September 1779.

a window to escape incarceration in a lock-up house where he was being kept as a recruit for the East India Company. The master of the lock-up house was carried before the sitting alderman, who apparently brought several other recruits to testify that the injured man had indeed launched himself from the window.<sup>95</sup> The owner, John Young, pleaded guilty at the Guildhall Sessions for illegally confining the escapee, a sailor.<sup>96</sup> After a month in the Woodstreet Compter, Young was sentenced to a year in Newgate and had to provide security for his good behaviour for a further two years.<sup>97</sup> Not long after he was presumably released, Young was back in court on an indictment for conspiring with a since-deceased Middlesex Justice to ‘enveigle, kidnap, and carry out of this Kingdom several persons.’<sup>98</sup> After hearing evidence of the beatings and mistreatment of the inmates of the lock-up, Young was again found guilty. Without definitive regulation of these private enterprises, confusion and dispute were inevitable. Laver, a sheriff’s officer, kept a lock-up in Chancery Lane (it was at times also referred to as a spunging-house).<sup>99</sup> One detainee there was arrested for debts of £2000, but managed to escape.<sup>100</sup> Laver printed a hand-bill offering £100 for anyone who apprehended the escapee. He was returned, but by another sheriff’s officer, who was rewarded with a silver teapot for his efforts. This officer took Laver to court for not providing the full reward, but only succeeded in keeping the teapot, which was worth less than a quarter of the legal costs incurred.<sup>101</sup> Problems were encountered in watching the streets before 1780 and complaints were made, but ongoing negotiation was enough to hold off the need for fundamental reform. In 1780 a crisis occurred which demanded changes to policing in London.

## II: The Gordon riots and beyond

The Gordon Riots of 1780, already touched upon in chapter one, proved a turning point in the policing of Chancery Lane. Civil authorities had proved themselves inadequate for the task of maintaining order and protecting private property and consequently public confidence in

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<sup>95</sup> *The annual register for the year 1767* (1768), p.56.

<sup>96</sup> *London Chronicle*, 25 April 1767.

<sup>97</sup> *Ibid.*, 30 May 1767.

<sup>98</sup> *St. James's Chronicle or the British Evening Post*, 11 June 1768.

<sup>99</sup> *Oracle Bell's New World*, 17 September 1789.

<sup>100</sup> *London Packet or New Lloyd's Evening Post*, 21 August 1795.

<sup>101</sup> *Whitehall Evening Post*, 3 December 1796.



them crumbled.<sup>102</sup> Much of the blame for failing to control the riots sooner was directed at magistrates who had not ordered the soldiery into action.<sup>103</sup> Consequently, ‘the soldiers, after being for some time tame spectators, might be said to become accomplices; instead of dispersing they shook hands, drank, and shouted with the mob’.<sup>104</sup> Yet a strong, centralized police force seemed inimical to the British concept of freedom and as Black makes clear, was ‘equated with continental, particularly French, despotism.’<sup>105</sup> A similarly ambivalent attitude was held towards military intervention as is apparent in writer and dramatist Thomas Holcroft’s reluctant tribute: ‘it is but justice to give Government praise for the proper use they made of the power they were thus obliged to usurp.’<sup>106</sup> In fact, once the riotousness ended, a fear of the mob was rapidly replaced by concerns about the presence of soldiers and unchecked martial law; citizens’ ‘lives and properties were the moment before at the mercy of a lawless and unprincipled rabble. Their rights, their liberties, the constitution of England, objects of still greater consequence, clearer even than life and property, were now at the disposal of the Court.’<sup>107</sup>

Holcroft had an answer to the dilemma he highlighted, suggesting that ‘it is the duty of good citizens, who have a real, and not merely a verbal love for their country and freedom, to think seriously of establishing that kind of police which shall enable them to defend themselves, without the aid of powers which may, sometime, be turned to their destruction.’<sup>108</sup> Parochial law enforcement was considered to have essentially the right structure in that it was locally accountable. The major change sought was to bolster the watch’s ability to act as a preventative to crime.<sup>109</sup> Less than a month after the Gordon Riots, the inhabitants of Chancery Lane collected a subscription to pay for a nightly armed patrol, apparently in response to ‘this time of imminent danger, when so many daring offenders have been let loose from the prisons in this metropolis.’<sup>110</sup> The newspaper report suggests that this was the first such scheme in London and that it would likely be replicated in other areas. Londoners’ responses to the riots were shaped by ‘the masculine ideal of the vigilant, patriotic, martial,

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<sup>102</sup> Anthony Babington, *Military intervention in Britain: from the Gordon riots to the Gibraltar incident* (London and New York, 1990), p.30.

<sup>103</sup> Reynolds, *Before the bobbies*, p.60.

<sup>104</sup> Vincent, *A plain and succinct narrative of the late riots*, p.54.

<sup>105</sup> Black, *The association: British extraparliamentary political organisation*, p.160.

<sup>106</sup> Vincent, *A plain and succinct narrative of the late riots*, p.41.

<sup>107</sup> *Ibid.*, p.39.

<sup>108</sup> *Ibid.*, p.43.

<sup>109</sup> Reynolds, *Before the bobbies*, p.61.

<sup>110</sup> *Lloyd's Evening Post*, 7 July 1780.

propertied citizen', who abhorred military intervention, particularly where it could be made unnecessary by civic activism.<sup>111</sup>

Paying night watchmen did not go far enough in enabling residents to defend themselves. There seems to have been a feeling that the fear engendered by the Gordon riots necessitated increased exercise of householders' right to bear arms. The gentlemen of Lincoln's Inn clearly felt that having more weaponry would increase their safety and invested in seven blunderbusses soon after the riots.<sup>112</sup> This plan backfired three years later when they were reported stolen from the Lodge at Lincoln's Inn, either during confusion caused by a fire in the Inn, or simply stolen by thieves who managed to pick the lock, depending on which account is to be believed.<sup>113</sup> The important point for Holcroft was how to achieve his goal of more effective policing, whilst also maintaining independent jurisdictional control of the local space.

Between the Gordon riots and the next period of crisis late in 1792, the residents' committee concentrated on creating a more numerous and professional police force, reflecting Harris' description of widespread 'experimentation with increased levels of policing, both in the number of people employed as police and in the heightened attention paid to their reliability.'<sup>114</sup> The 1780s witnessed increasing anxiety over crime in London, a fever which always gripped eighteenth-century London after wars ended and soldiers returned home.<sup>115</sup> Chancery Lane was no exception and the general panic was fed by footpads,<sup>116</sup> perverts<sup>117</sup> and gangs,<sup>118</sup> as well as a multitude of individual crimes reported in the street. Nor were private spaces immune; to pluck a single example from the many on offer, Mr Flewell's house at number three Chancery Lane was 'burglariously entered' and his linen stolen.<sup>119</sup> To make matters worse, a watchman was also caught stealing a gown from someone's house in the Liberty. The watch board decided it would cover the cost of prosecution in this instance

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<sup>111</sup> Matthew McCormack, 'Supporting the civil power: citizen soldiers and the Gordon riots', *The London Journal*, 37, 1 (2012), p.38.

<sup>112</sup> *The black books IV*, p.xiii.

<sup>113</sup> *Ibid.*, p.xiii or *Daily Advertiser*, 1 April 1783.

<sup>114</sup> Andrew T. Harris, *Policing the City: crime and legal authority in London, 1780-1840* (Ohio, 2004), p.38.

<sup>115</sup> *Ibid.*, p.38-43.

<sup>116</sup> *Gazetteer and New Daily Advertiser*, 26 March 1782.

<sup>117</sup> *Parker's General Advertiser and Morning Intelligencer*, 25 July 1782.

<sup>118</sup> *Gazetteer and New Daily Advertiser*, 13 December 1784. And *London Chronicle*, 13 January 1789.

<sup>119</sup> *General Evening Post*, 7 June 1783.

to induce reluctant witnesses to come forward.<sup>120</sup> Some public buildings were attractive to burglars as they might be expected to contain items of value and the stigma of stealing from an individual was avoided. The Bankrupt's Office in Symond's Inn was broken into and the robbers enjoyed a significant haul, including diamond rings and money.<sup>121</sup> John Blades, the toll collector at the end of Chancery Lane was also robbed.<sup>122</sup> The feeling of fear cannot have been helped by an extended period of paranormal activity, complete with visible apparitions.<sup>123</sup>

As the nights closed in during the autumn of 1784, the Liberty of the Rolls launched an enquiry into the state of the watch. They concluded that two new watchmen should be hired, one of whom was already being employed by the people of Rolls Buildings in a private capacity, a sure sign that residents there had not felt safe. To gain greater oversight of the watch, a number of men were appointed to advise and assist the constable and headborough and the beadle was asked to keep the book of attendance. Sanctions were also put in place. Complaints against the watchmen would result in loss of wages or discharge from duties. Presumably to improve the sobriety of the watch, beer was no longer to be supplied for absent watchmen and the ration would henceforth correspond to the number actually present.<sup>124</sup> The residents' committee were not unusual in turning 'to more hierarchical forms of organization to improve the supervision of the watch.'<sup>125</sup> The times each watchman should be on duty, the areas they were expected to patrol and the amount of time that elapsed between calling patrols (10 minutes) were all detailed by the residents' committee. In their efforts to control the watch, the committee were producing an early ancestor of performance criteria, with very specific ideas about how they wanted the space of Chancery Lane to be guarded.

By 1785 it was deemed necessary '[t]hat an Extra Man be employed to superintend and see that the watchmen are on their Duty, Cry their Time Regular and not confining Themselves to their Box or any particular Spot'.<sup>126</sup> The new superintendent was put in place because the committee appointed to superintend the watch just over one year before, though they reported

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<sup>120</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 25 June 1782.

<sup>121</sup> *St. James's Chronicle or the British Evening Post*, 20 August 1785,

<sup>122</sup> *Whitehall Evening Post*, 15 August 1786.

<sup>123</sup> *Morning Herald and Daily Advertiser*, 28 November 1783 and 26 December 1783.

<sup>124</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 30 September 1784.

<sup>125</sup> Reynolds, *Before the bobbies*, p.62.

<sup>126</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 13 December 1785.

that the watchmen had been ‘regular and vigilant’, were themselves failing in their duties as they were not compelled to attend meetings. The residents of the Liberty of the Rolls were not alone in thinking that more watchmen were required. Others also decided to bypass the parish system of policing and implement a private scheme. In late 1785, four men living on the east side of Chancery Lane between Holborn and Carey Street petitioned Lincoln’s Inn on behalf of themselves and other residents because they had experienced a spate of burglaries. The men were entering into a subscription to engage a private watchman to patrol their section of Chancery Lane at night, as they didn’t believe the provisions made by the parish (in this case St Andrew’s Holborn) were sufficient. They wanted to place a watchbox against the wall of the Inn opposite Southampton Buildings, and they were granted a section of dead wall. It is unsurprising that their request was assented to, as of the three petitioners that can be identified, two were barristers and one was an attorney.<sup>127</sup> Other efforts were afoot to improve the morality of the area and decrease the level of crime. In response to the Royal Proclamation For the Encouragement of Piety and Virtue issued in June 1787, the Liberty of the Rolls told their constable to patrol on the sabbath and see if any taverns or shops were open, or any other ‘profanations’ were committed.<sup>128</sup>

By 1789, four watchmen were employed, each with a specific beat. They were engaged along with the beadle every night, while the constable and headborough took it in turns to man the watchhouse. The watchmen’s conduct was approved of by the constable and headborough, who were responsible for overseeing performance. Their report on the beadle was not quite so glowing: though he did manage to turn up with great regularity, he was ‘not always watchful or perfectly sober’.<sup>129</sup> Consequently, ‘[i]t was moved that the Beadle be called in and Reprimanded’. The struggle against disorder clearly began within the watch itself. The early 1790s witnessed gathering anxiety associated with the French Revolution. Control of activity on the streets took an overtly political turn which will be dealt with in chapter six; such developments were more the preserve of private organisations. The residents’ committee had a different set of pressures.

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<sup>127</sup> *The black books IV*, p.35.

<sup>128</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 4 July 1787.

<sup>129</sup> *Ibid.*, 19 September 1789.

### III: New personnel, old problems: 1790-1810

In early May 1790, Mr Lilley of White's Alley was beaten up and his windows were broken. He was able to apprehend the man who had damaged him and his property, taking him straight to the watchhouse, from whence he could be taken before a justice the next day. During the night, Williams the beadle managed to let the prisoner go and was given his last warning.<sup>130</sup> For a year and a half his behaviour drew no more comment, but then in November 1791 another incident drew attention to the conduct of the beadle. Several thieves attempted to break into Mr Hammerton's house on Chancery Lane. This was between six and seven in the morning, a time when it was felt that the watch should have heard glass breaking and a crowbar being used. As a consequence, a member of the committee was sent to inspect the watchhouse. The beadle and a watchman were found in a drunken stupor. To control the watchmen it was decided that they would be kept out of the watchhouse between five and six in the morning. The committee also recalled their resolution to rid themselves of the beadle for any further misdemeanours.<sup>131</sup> In a show of leniency, it was instead decided that an under beadle would be appointed with a salary of £25 a year. The under beadle would come on duty at nine in the evening, patrol for one hour, set the watch at ten and then remain in the watchhouse until midnight. They would then alternate with the beadle being indoors and outdoors until six in the morning. Extra pay would be available if further duties were required. In an attempt to instill some discipline into the beadle, he was required to have a daily meeting with the constable and headborough, wearing his uniform.<sup>132</sup> The new under beadle, John Blundell, was elected one week later.<sup>133</sup>

Fortuitously for the people of the Liberty of the Rolls, Williams the beadle died in October 1792. This event ushered in a period of stability and continuity for the Liberty of the Rolls which lasted well into the nineteenth century as one man, Mr Blundell, combined the positions of master of the workhouse, beadle and assistant constable. He first became the replacement beadle, and his old post of under beadle abolished. It was also decided that after their experience of Williams, the salaried positions in the Liberty (apothecary, vestry clerk, master of the workhouse and beadle) should be appointed annually.<sup>134</sup> Blundell immediately proved more proactive than his predecessor, requesting particular hours for an assistant

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<sup>130</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 5 May 1790.

<sup>131</sup> Ibid., 24 November 1791.

<sup>132</sup> Ibid., 30 November 1791.

<sup>133</sup> Ibid., 6 December 1791.

<sup>134</sup> Ibid., 19 October 1792.

watchman, which would include a stint from 6 to 8 in the evening removing prostitutes and calling patrol every 10 minutes.<sup>135</sup> His work was clearly appreciated. After he had been beadle for just over a year, the workhouse committee considered raising his pay by £10-£15 a year. Displaying their definitive shift towards a preference for performance related pay, the committee instead decided to offer a yearly £15 bonus, which Blundell was duly rewarded one year later and which he would regularly receive in the coming years.<sup>136</sup> When an inmate of the workhouse accused Blundell, as master of the workhouse, of stealing linen, witnesses were called and the accuser was found to be lying. The meeting of inhabitants valued Blundell's reputation to the extent that they decided to prosecute the accuser for defamation at the expense of the Liberty.<sup>137</sup> A week later, untarnished by the scandal, Mr Blundell was re-elected as assistant constable.<sup>138</sup>

Inns and taverns remained a problem throughout the 1790s and the residents' committee felt repeatedly compelled to cajole and threaten landlords in the hope of inspiring better behaviour. Difficulties extended beyond the patrons drinking or staying at inns. They were also found to corrupt the watch. Thus they not only caused a nuisance, but prevented other nuisances being sorted out. Mr Cox of the Britannia was told that if he allowed the watchmen to 'sipple' in his establishment, complaints would be made to the magistrate and the renewal of his license prevented.<sup>139</sup> Patrolman Lawrence was reprimanded for partaking in a disorderly house on Shire Lane.<sup>140</sup> Not long before in May 1793, John Silvester had complained to the residents' committee that the public houses in the Liberty had all been responsible for excessive disorderly conduct, picking out the Bowl and Pin as a particularly bad offender. It was decided to once again oppose renewal of the license. The White Lyon in White's Alley was next to be complained about for late-night dancing and general disorder, and the beadle was sent to have a word with the landlord.<sup>141</sup> The keeper of the Sugar Loaf in Bell Yard was also reported for similar offences and the beadle was sent to threaten indictment.<sup>142</sup> The Bowl and Pin continued to be the greatest source of disorder. Jefferys the keeper was summoned by the committee and told that his 'inmates' had become chargeable

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<sup>135</sup> Ibid., 7 November 1792.

<sup>136</sup> Ibid., 4 December 1793 and 3 December 1794.

<sup>137</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 11 September 1805.

<sup>138</sup> Ibid., 18 September 1805.

<sup>139</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 3 August 1791.

<sup>140</sup> Ibid., 3 July 1793.

<sup>141</sup> Ibid., 2 April 1794.

<sup>142</sup> Ibid., 2 January 1799.

and that he would be reported to the magistrates and indicted if the situation continued.<sup>143</sup> In fact matters deteriorated and in 1799 high constable Wild asked the overseers of the Liberty of the Rolls to accompany him to the Bowl and Pin, where ‘they found a set of Persons of indifferent Character Playing at a Game called Bumble Puppy’.<sup>144</sup> The party judged that nobody who they had found there could be making a respectable livelihood and representation must be made to the magistrates.<sup>145</sup>

Of course none of this happened in isolation and the residents’ committee of the Liberty of the Rolls looked to other parts of London to see how they might improve their watching techniques. In September 1792, an enquiry was launched into how the watch were paid and regulated in other parishes.<sup>146</sup> The vestry clerk reported back but the results were not particularly scintillating, with a new pay rate of two pence per hour and new hours ranging from 10pm to 4am in midsummer, to ten until seven in winter.<sup>147</sup> Yet the same problems continued. John Silvester was moved to suggest that extra winter patrols were carried on in the summer after local man Mr How was robbed. The committee also agreed to print bills offering 20 guineas reward for convicting the robber of Mr How and 10 guineas for prosecuting the assault of another local man Mr Winder.<sup>148</sup> Pursuing prosecutions was an important part of the residents’ committee’s role in maintaining a viable deterrent to crime in the area. The committee had to pay for a prosecution after an attack that occurred in the street in 1794, as the magistrate refused to become involved.<sup>149</sup> The threat of prosecution was also used as a tool to displace criminal elements. Several people who lived in Acorn Court were threatened with prosecution by the committee and were told the action would be dropped if they would leave, but recommence if they were ever to return.<sup>150</sup> The watch infrastructure also continued to lack security. The watchbox in Bream’s Buildings was reported by residents to have been removed and had to be replaced.<sup>151</sup> Two years later Mr Wilson of White’s Alley felt compelled to ask for an extra watchman and a watchbox in Bream’s Buildings after an attempted break-in at his house.<sup>152</sup>

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<sup>143</sup> Ibid., 6 December 1797.

<sup>144</sup> Bumble puppy involved rolling small balls into nine holes on a board to score points.

<sup>145</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 4 September 1799.

<sup>146</sup> Ibid., 12 September 1792.

<sup>147</sup> Ibid., 18 September 1792.

<sup>148</sup> Ibid., 1 May 1793.

<sup>149</sup> Ibid., 5 November 1794.

<sup>150</sup> Ibid., 19 September 1799.

<sup>151</sup> Ibid., 4 December 1793.

<sup>152</sup> Ibid., 6 January 1796.

Complaints about the watchmen did not let up. One patrol was reprimanded for letting a prisoner go after being reported by the headborough.<sup>153</sup> Resident Mr Chilton found his shutters open between midnight and one in the morning, but there were no watchmen around. He eventually found one asleep in the watchbox, who was to be reprimanded and the beadle told.<sup>154</sup> In contrast, Brooks the watchman was called in and reprimanded by the committee for making a disturbance on his beat.<sup>155</sup> Serious crime was also ongoing. Regular member of the inhabitants' committee Mr Flower had his house broken into and £100 worth of items stolen. Unsurprisingly, he complained of a lack of watchmen.<sup>156</sup>

One robbery made such a mockery of the watch's simple powers of observation, let alone crime-fighting ability, that they drew accusations of collusion with the criminals as opposed to mere incompetence. The house of Mr Rose was broken into, using a lamp post to help climb through the window. The parlour was stripped of furniture and then the dining room was emptied through the window so as to avoid making noise by bringing things down the stairs. The newspaper report called for an investigation into how the watchmen had allowed this to happen.<sup>157</sup> Three watchmen were taken in to the public office in Bow Street, examined at length and then remanded for further questioning.<sup>158</sup> Violence against watchmen also continued to be a problem. In 1802, a watchman was beaten up while on duty by one James Spencer, who was duly indicted.<sup>159</sup> Five years on and watchman Smart was assaulted by Mr. Hodgson.<sup>160</sup> In the summer of 1812 two men assaulted the beadle. Negotiated settlements continued to be used; one of the men agreed to pay £1 and signed a statement promising not to do it again. In an improvised use of publicity in the local community as a deterrent, the offender was also required to print an apology and distribute it around the Liberty of the Rolls.<sup>161</sup> For unknown reasons the traditional criminal justice system was preferred for the other man, who was indicted and the Liberty decided to pay the cost of prosecuting him.<sup>162</sup> Normal watchmen could not expect this level of protection. When an overseer of the poor complained that watchman Brooke had let Edward Heazell escape custody after his detention

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<sup>153</sup> Ibid., 2 April 1794.

<sup>154</sup> Ibid., 4 June 1794.

<sup>155</sup> Ibid., 6 September 1797.

<sup>156</sup> Ibid., 5 June 1799.

<sup>157</sup> *Lloyd's Evening Post*, 13 May 1799.

<sup>158</sup> *London Chronicle*, 18 May 1799.

<sup>159</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 1 September 1802.

<sup>160</sup> Ibid., 25 march 1807.

<sup>161</sup> Ibid., 3 june 1812.

<sup>162</sup> Ibid., 26 june 1812.



for neglecting bastardy payments, the watchman was suspended, despite his protestations that he could not stop the prisoner.<sup>163</sup> He was then quietly reinstated a month later.<sup>164</sup> The beadle's remuneration was much better than that of the watchmen. As beadle and master of the workhouse he was paid £65 a year.<sup>165</sup> In 1810 he was given a £2.9s bonus for his good work in helping the constables.<sup>166</sup> His service appears to have continued until his death in 1812.<sup>167</sup>

During the war years of 1793-1815 Reynolds observes that 'the rising population and inflation, placed increasing financial burdens on most parochial authorities... Inflation and war put pressure on the wages of watchmen.'<sup>168</sup> During the late eighteenth and early nineteenth century these trends were very much in evidence in the Liberty of the Rolls. The issue was not a new one. Witnesses before a parliamentary committee of 1770 complained that Westminster watchmen were underpaid, particularly considering the onerousness of their job.<sup>169</sup> The same appears to be true for the Liberty of the Rolls; in 1766 watchman Smith applied for and received poor relief amounting to 2s.6d.<sup>170</sup> By 1771 the watchmen were petitioning the committee of inhabitants for more money. Their complaint was deemed legitimate and they were given 1d extra between Michaelmas and Lady Day.<sup>171</sup> The watch rate stayed largely unchanged at 4d in the pound between 1760 and 1810. One issue was the organisation of payments: in 1801 the watchmen went unpaid because the constable was expected to advance the money on behalf of the Liberty but could not afford to do so. On this occasion the overseer of the poor stepped in with the money and was to be reimbursed.<sup>172</sup>

In 1793, watchman Jones was advanced six months' salary after breaking his arm, an accident which he claimed happened whilst on duty, a story which the beadle contradicted.<sup>173</sup> When patrolman Lawrence fell ill, his wife was forced to apply for poor relief, a decision left to the overseers' discretion.<sup>174</sup> Later in the 1790s watchman Newton fell over and in

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<sup>163</sup> Ibid., 11 September 1805.

<sup>164</sup> Ibid., 2 October 1805.

<sup>165</sup> Ibid., 3 January 1806.

<sup>166</sup> Ibid., 3 January 1810.

<sup>167</sup> Ibid., 4 March 1812.

<sup>168</sup> Reynolds, *Before the bobbies*, p.92.

<sup>169</sup> Ibid., p.49.

<sup>170</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 3 March 1766.

<sup>171</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 9 April 1771.

<sup>172</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 2 December 1801.

<sup>173</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 6 March 1793.

<sup>174</sup> Ibid., 4 June 1794.

consequence was unable to attend the watch. His wife was also given poor relief.<sup>175</sup>

Watchman Hutchinson remained healthy, but was still forced to apply for linen to make shirts and shifts, which he was supplied.<sup>176</sup> In this atmosphere of financial insecurity, the watchmen petitioned for more pay. They were granted two pence more per night (making a total of one shilling and two pence) if they agreed to stay an extra hour until five in the morning.<sup>177</sup> This rise must not have been enough, as only one month later the constable and headborough applied again about the watchmen's pay. They were offered another rise of one shilling and six pence a week if they would stay yet another hour.<sup>178</sup> This extra pay was made permanent later in the year.<sup>179</sup>

The state of the watchmen was considered in 1805 and in the following years their pay came under repeated scrutiny.<sup>180</sup> Watchman Robert Doige applied for poor relief and was awarded one shilling, although he was already receiving a pension as porter of Lincoln's Inn. The residents' committee appears to have been feeling economic pressures too, as in the same meeting it was decided the watch would go off at four in the morning, presumably as a cost-cutting measure.<sup>181</sup> During the winter the usual finishing time of 7am returned but the next summer a cut-off point of four was reinstated for two months. The new financial burden of the militia rate was decided upon at the same time.<sup>182</sup> Meanwhile watchman William Hutchinson once more applied for poor relief, receiving 1 shilling.<sup>183</sup> 1808 saw the constable, along with the headborough, again refuse to pay the watch.<sup>184</sup> The burden passed to Mr. Blundell the beadle, but when he could no longer continue the committee stepped in and advanced the money. Simultaneously, a petition was received from the watchmen asking for better pay.<sup>185</sup> This was considered early in 1810 and led to a complete restructuring of the watch's hours and pay.<sup>186</sup> The new timetable was as follows: 1 November - 1 March 22.00-7.00; 1 March - 1 May 22.00-6.00; 1 May - 1 September 22.00-5.00; 1 September - 1 Nov 22.00-6.00. From Lady Day to Michaelmas, watchmen were to receive 10s.6d per week and

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<sup>175</sup> Ibid., 2 January 1799.

<sup>176</sup> Ibid., 3 December 1794.

<sup>177</sup> Ibid., 1 July 1795.

<sup>178</sup> Ibid., 5 August 1795.

<sup>179</sup> Ibid., 2 December 1795.

<sup>180</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 3 April 1805.

<sup>181</sup> Ibid., 7 May 1806.

<sup>182</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 1 June 1808.

<sup>183</sup> Ibid., 3 June 1807.

<sup>184</sup> Ibid., 5 October 1808.

<sup>185</sup> Ibid., 2 November 1808.

<sup>186</sup> Ibid., 3 January 1810.

from Michaelmas to Lady Day, 12s per week. This appears to have met the watchmen's demands, as they were apparently 'much obliged'.<sup>187</sup> Despite the adjustments made to policing and payment of the watch since 1790, it was deemed necessary to introduce a new management structure for the watch and codify it in law.

#### **IV: A new regime: after 1810**

The legislation of 1810, already discussed in relation to the topography of the area,<sup>188</sup> caused the biggest change in management of the watch throughout this period. Control of the watch passed from the general committee of inhabitants to a new committee consisting of nineteen members elected by the general inhabitants and the two overseers of the poor. The frequency of their meetings (once a month) and their exact duties were all laid down by Act of Parliament. The watch now had greater legitimacy and accountability, and its oversight was both codified and routinised. Setting the pay, hours and specific beats of the watch was now done on a yearly basis. The legislation of 1810 stipulated that watchmen be paid not less than two shillings a night.<sup>189</sup> The principle that the watch was a matter for local *citizens* was upheld by the stipulation that no watchman or beadle could be a 'menial or hired servant'.<sup>190</sup> At the same time, it was an expensive principle to uphold. There was now a £15 fine for not serving as constable and £10.10s for not serving as headborough<sup>191</sup> A byeman or supernumerary watchman was also employed and given four pence per night so that there was a readily available stand-in if any of the watchman was indisposed. If any of the watchmen was fired, the byeman could be instantly promoted to take their place. In the hope of removing temptations, it was made an offence for the keepers of inns and taverns to harbour the constable, beadle or watchmen when they were supposed to be on duty. The first offence was punishable by a fine of 20 shillings and subsequent offences up to 40 shillings.<sup>192</sup> This clause of the Act was printed and distributed as a warning to all the publicans in the Liberty. Finally, bonuses were set for the capture of criminals committing crimes within the

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<sup>187</sup> Ibid., 7 February 1810.

<sup>188</sup> See chapter 2, p.90.

<sup>189</sup> An act for better paving and lighting, 18 May 1810, p.1962.

<sup>190</sup> Ibid., p.1966.

<sup>191</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 26 September 1810.

<sup>192</sup> An act for better paving and lighting, 18 May 1810, p.1964.

Liberty, paid upon a successful conviction. Pickpockets and shoplifters were worth 10 shillings, but a watchman who secured a housebreaker stood to earn himself three pounds.<sup>193</sup>

The new committee appears to have put in place a more rigorous regime of oversight and from its inception in October 1810 until the end of 1815, nine watchmen were dismissed. Most of them were removed from their posts for drinking or sleeping on the job, remaining in the watchhouse when they should have been patrolling or simply not turning up for work. One unfortunate man lost his sight, and although he continued to insist that he would recover, he lost his job as well.<sup>194</sup> Another two resigned and a further man died. Yet this higher level of turnover was not such a problem as the positions were quickly filled, in part because the byeman could simply be upgraded to watchman and in 1812 it was decided that if a watchman was missing, a temporary replacement could be made for that night.<sup>195</sup> A second byeman was employed in 1813.<sup>196</sup> Interest in being a watchman would presumably have increased along with the pay: beginning at 10 shillings and sixpence in summer and 12 shillings in winter in October 1810, it rose to 12 or 14 shillings in 1811 and then 13 or 15 shillings in 1814. This was not so much that the watchmen did not feel compelled to petition for an advance of their wages twice, the second time citing the high price of bread.<sup>197</sup> Both times they were refused. The new arrangements were clearly more expensive and in 1810 the watch rate rose to 6d, leaping to 9d in 1811.<sup>198</sup>

In the same period the watchmen were also reprimanded collectively twice and individually 11 times, leading to 2 suspensions. Reports of their misbehaviour came both from concerned citizens and the constable or beadle. In fact, insolence towards the constable or beadle was frequently the reason for admonishing the watchmen in the first place. Drinking on duty was also a problem, with one watchman upbraided for harbouring a woman and child in the watchhouse in exchange for beer.<sup>199</sup> Two constables and two headboroughs also had to be told off for non-attendance, one of the constables having frequently depended upon his brother or the beadle to take his place.<sup>200</sup> Better information gathering was clearly a priority

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<sup>193</sup> WAL, LR/K/1/388, Directors' and Governors' of the Nightly Watch and Beadles minutes, 14 November 1810.

<sup>194</sup> *Ibid.*, 8 February 1815.

<sup>195</sup> *Ibid.*, 8 January 1812.

<sup>196</sup> *Ibid.*, 20 October 1813.

<sup>197</sup> *Ibid.*, 8 April 1812.

<sup>198</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 30 October 1811.

<sup>199</sup> WAL, LR/K/1/388, Directors' and Governors' minutes, 9 December 1812.

<sup>200</sup> *Ibid.*, 8 April 1812.

for the new watch regime, with a book started in 1811 to record the precise state of lighting in the Liberty, in which the watchmen were expected to note down any lamps not lit.<sup>201</sup>

Reporting was one thing, but the repeated message that lamps were not being lit suggests that a successful strategy to rectify this problem still remained elusive. To this was added a record of any hackney carriages and their location, that were parked anywhere in the Liberty at midnight.

The new governors did not enjoy much of a grace period, and in their second meeting they were sent a letter by the residents of Bell Yard complaining that their watchman had been removed. Not only had a watchman been stationed there for over 30 years, the residents also claimed that it was particularly important to have someone near the taverns where many disturbances started. The watchman now positioned in Star Yard had no line of sight to be able to regulate this area. Showing how they conceived of their relationship to the new governors of the watch, the residents stated that the removal of this watchman would generate ‘ill will’ towards the governors and most threatening of all, might cause difficulties when trying to collect the watch rate from the people of Bell Yard.<sup>202</sup> The watchbox where the watchman stood was promptly moved back to Bell Yard the very next meeting.<sup>203</sup>

The new watch arrangements were put under greater strain in 1812 when the intervention described by John Prince Smith was made, following the Ratcliffe Highway murders. In his book Smith observed that ‘the watch is imperfect; the watch is asleep when it should be on guard; when it is awake, it is ill armed, feeble, decrepit, inadequate to every purpose of protection.’<sup>204</sup> There were a series of meetings of the general inhabitants in which plans were put forward to bolster the watch. The most radical was for the householders of the Liberty to be sworn in as special constables, with six men per night expected to patrol their local area along with the watchmen.<sup>205</sup> The idea seemed to be taken quite seriously and was even published and handed out around the Liberty. However, it was dropped when one Mr Roworth pointed out that without the power to compel people to attend it simply wouldn’t be practicable, as had happened with a previous attempt at watch oversight. He highlighted the unacceptable cost in terms of both time and money that would accrue from householders

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<sup>201</sup> Ibid., 23 October 1811.

<sup>202</sup> Ibid., 17 October 1810.

<sup>203</sup> Ibid., 12 December 1810.

<sup>204</sup> Smith, *An account of a successful experiment for an effectual nightly watch*, p.5-6.

<sup>205</sup> Ibid., p.26-8.

personally policing their locality, adding that all that work at night might make them ill. He also worried that the subscribers would, having formed a club, enjoy it as one and rather than patrolling earnestly, would treat this as a chance for 'conviviality or frolic'.<sup>206</sup> It was decided that a more practical and sober alternative would be to pay for three new patrols, sworn in as special constables by the Middlesex justices of the peace, and to appoint the beadle to the new position of inspector of the watch.<sup>207</sup> Watchmen should also be given breaks through the night so that they performed their task with greater alacrity and alertness.

The major barrier to these new reforms was of course their cost and 'it was feared, that the expense would be excessive in a district which did not contain more than three hundred ratable houses'.<sup>208</sup> It was decided that the extra money could be raised by increasing the watch rate, and in the meantime raising a subscription to cover the cost. A deputation of five men including John Prince Smith was sent to the governors of the watch to inform them of the new plan and to ask that they implement it. The governors expressed their great personal enthusiasm for the scheme, but said that unfortunately legislation would not allow them to make fundamental changes to the watch until the next elections in October. They gave their full support to creating a voluntary subscription by which extra patrols could be employed.<sup>209</sup>

When October came around, four of the five men that made up the deputation to the governors (including John Prince Smith) were elected themselves. The new patrols were hired but the hours of the watchmen stayed the same. By the next year, the sense of crisis had clearly passed. John Prince Smith was not re-elected governor of the watch, probably because he had lost interest in the issue and did not stand, as if to prove his theory that vigilance against crime was only ever temporary. The number of patrols was reduced to two, who were only to be employed when the governors deemed them necessary, chiefly during the winter.<sup>210</sup> The watch rate fell to 6 pence in the pound and was only restored to 8 pence in the pound towards the end of 1815. The lasting effect of Prince's plan was very questionable. At the first meeting of the newly constituted committee of 1814, the governors deemed the previous year's efforts as insufficient for the safety of residents and passengers (by which

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<sup>206</sup> Ibid., p.33.

<sup>207</sup> Ibid., p.52-5. Summarised in Reynolds, *Before the bobbies*, p.103.

<sup>208</sup> Smith, *An account of a successful experiment for an effectual nightly watch*, p.33.

<sup>209</sup> Ibid., p.44-5 and WAL, LR/K/1/388, Directors' and Governors' minutes, 8 January 1812.

<sup>210</sup> WAL, LR/K/1/388, Directors' and Governors' minutes, 20 October 1813.

they presumably meant anyone passing through) alike.<sup>211</sup> During the previous year there had been some upheaval with the watchmen, one being dismissed and another quitting. It was decided drastic action would have to be taken and three watchmen, half the total, were replaced. There had also been problems of absenteeism with the headborough, who might be hoped to be an example to the watch as an elected citizen. Not only this but watchman Wells had been severely beaten up in the line of duty and needed to take a month off, with a stipend of £1.15s. It emerged that the beating had been perpetrated by Henry Ford of Bell Yard, a resident of the Liberty. The governors said they would pay to take Ford to court and when he threatened counter indictment, said they would also cover the cost of defending it. Defence of the beleaguered watch continued when a letter was sent in complaining that the negligence of a watchman was to blame for a house in Bell Yard being robbed. The governors retorted that the watchman was not at fault.<sup>212</sup>

Much as in the 1780s, the desire for renewed vigour within the watch appeared to be spreading. In 1813 the parish of St Dunstan's in the West petitioned the Court of Aldermen for permission to hire two extra constables in addition to the three they already had. The request seems to have come to nothing, although a street-keeper was hired and sworn in as an extra.<sup>213</sup> Changes like those of 1812-13 were one of a long series, with the most radical shifts coming at times of panic. While it was not possible to cure anxiety about disorder, tighter controls were repeatedly placed on the watch, in the hope that greater numbers and increased observation would reduce the potential for individual transgression.

The committee overseeing the watch certainly considered abstract ideas about policing like John Prince Smith's and the whole system of parochial policing was in part built on the concept of freeborn Englishmen. For it to fulfil its function it needed to satisfy both the propertied men who set its parameters and the wider community in which it served and from whom its manpower was drawn. While networks of the local elite, like that of Smith with the Master of the Rolls and the Recorder of London, tried to shape debates about the watch, they needed the cooperation of men like William Payne who certainly had agendas of their own. The most important consideration when evaluating any reform or innovation was how it

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<sup>211</sup> Ibid., 19 October 1814.

<sup>212</sup> WAL, LR/K/1/388, Directors' and Governors' minutes, 9 November 1814.

<sup>213</sup> Harris, *Policing the City*, p.29.

would be funded.<sup>214</sup> In the end, success or failure of policing was built largely upon flows of information. As long as local policing could ensure a tolerable security of property and person alongside the flexibility provided by understanding the particular problems of the area, be that the watchbox or tavern, then it could survive crises like the Gordon riots. Anxiety about crime never overrode the sense that it was better to have a solution that could be negotiated to some extent than a solution imposed from above. And attempting to push crime into another locality always remained preferable to a comprehensive system of policing, regimented by the state. We will now see how women occupied the areas around Chancery Lane within a distinct spatial pattern, and how the residents' committee attempted to police their behaviour and occupation of public space.

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<sup>214</sup> Reynolds, *Before the bobbies*, p.5.



## Chapter 5: Women and social policy

Both the watch and the residents' committee overseeing it were all-male affairs.<sup>1</sup> While women were not involved in their day-to-day organisation, the behaviour of women in Chancery Lane was a source of much anxiety. It has been discussed in previous chapters how the state of the street environment was felt to reflect the moral character of the area. The activities which women undertook in public areas were perhaps even more symbolically important. The correspondent to a newspaper and vestryman of St Andrew's Holborn Samuel Palmer, briefly mentioned in chapter four, complained about the poor functioning of the watch. However the letter went further and impugned the general character of the area. The author identified a broader moral malaise, which was fuelling criminal activity. He questioned whether 'the generality of these robberies and murders are not premeditated and executed under the auspices of the abandoned women of the town, and greatly forwarded by the assistance of publicans whose houses are kept open untimely hours, purely to promote idleness and dissipation'.<sup>2</sup> Chancery Lane, and particularly the surrounding streets and courts, were described as infested with 'abandoned wretches' whom the author believed provided cover during the robbery of Mr Wimberley's house 'and who treat the watchmen at the infamous dram-shops in or near that lane'. This chapter will discuss the links made between immoral women and criminality in the area around Chancery Lane. We will also see how inhabitants of the Liberty of the Rolls attempted to enforce certain social norms through poor relief and the workhouse, which was for the most part populated by women. The behaviour and treatment of women were interpreted as indicators of the relative virtue of society as a whole and as such, women frequently became the target of both Christian charity and reformist zeal. When neither treatment was effective, poor women in particular were pushed to the marginal spaces of society, but if anything this trend made it easier for them to avoid the increasing regulation of public life. Women involved in crime or prostitution occupied dark spaces off the main thoroughfare of Chancery Lane, itself an attractive area in which to operate due to its liminality.

The robbery of Mr Wimberley was a crime that crossed the public/private divide, as did the conditions that Palmer blamed for making such a crime possible. By introducing the issue of

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<sup>1</sup> The limited opportunities for 'respectable' women in political associations are discussed in the next chapter.

<sup>2</sup> *Morning Chronicle and London Advertiser*, 16 August 1776.

prostitution, the author exposed a much thornier problem of the gendered understanding of public behaviour, private morality and their link with crime:

to me it is astonishing so many respectable inhabitants as there are in the above lane that this nuisance has not been long since removed; the misfortune I fear, Sir John [Fielding], is the depravity of the times, and that these wretches are tributary to some person who has the power to prevent it, but not the will; and as most part of this complaint lies within the city, it may be out of your power to redress it, but possibly the inhabitants may take the alarm.<sup>3</sup>

The writer continues with an anecdote about a parish officer who hit a poor woman when she begged him to give herself and her three children help and who also allowed a brothel to run opposite his house, even though two girls, who may or may not have been his children, watched lewd acts through its window from his doorway. As well as trying to shame respectable citizens into action, the author calls for punishment by hard labour of ‘these wretches, the abandoned women, who doubtless are at the bottom of all evil’. This is redolent of early eighteenth-century attitudes which ‘ensured that prostitutes were viewed as aggressors. They were seen as criminals who deserved social retribution, rather than rehabilitation.’<sup>4</sup>

Women received a disproportionate amount of attention in discussions about and efforts toward policing public morality. Miles Ogborn identifies a particular eighteenth-century understanding of the problem of prostitution which also shaped efforts to combat it: ‘[w]hat mattered at one level was demographic and economic productivity and public order. At another, intimately connected, level, what mattered was ‘individual virtue’ figured through the discourse of sensibility as the choice of a good life defined by sexual and religious practice.’<sup>5</sup> These two strands are identifiable in the Samuel Palmer letter. Prostitutes are blamed for multiplying the incidences of drunkenness, dissolution and crime that occurred in Chancery Lane. As well as producing problems in the simple functioning of the community, failure to eradicate their presence symbolised a lack of moral fibre on the part of supposedly ‘respectable’ citizens. The prostitutes were deemed to be an expression of men failing in their duties as both citizen and patriarch. To uphold the very notion of respectability, it seemed imperative to create a public space in which vulnerable, innocent women were shielded from

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<sup>3</sup> Ibid., 16 August 1776.

<sup>4</sup> Tim Hitchcock, *English sexualities, 1700-1800* (1997), p.99.

<sup>5</sup> Miles Ogborn, *Spaces of modernity, London's geographies, 1680-1780* (New York, 1998), p.52-3.

those who were predatory and depraved (there seems little recognition of the irony in describing this latter group as ‘abandoned’).

Contrary to the letter’s claim, there had been efforts before 1776 (and there were after) by both the watch and others to prevent prostitution in Chancery Lane but these mostly appeared ineffective, and for the large part did little more than reveal the hysteria that surrounded this issue. It is notable that John Prince Smith retains a tone of pompous bombast when describing the prostitutes present in his local area, but utilises a pragmatic language of limits and restraint when discussing how to deal with them. Smith felt the need to raise prostitution at the end of his book, almost as an afterthought:

[a]mongst the necessary duties of watchmen in London, it would appear obvious, that they should be compelled, at a certain hour, (eleven or twelve o’ clock,) to clear the streets of that unfortunate race of beings who support an existence of misery, wretchedness, and disgrace by the prostitution of their persons; a practice which it is quite impossible to exterminate, but which it is the duty of the police to restrain within certain bounds. This is a duty greatly neglected in *London*, and the reason probably is, that it is found impossible to suppress them entirely, and the law allows no medium between absolute suppression and the toleration of negligence.’<sup>6</sup>

Although Smith insists that the police should keep prostitution within certain bounds, a more accurate description might suggest keeping it without certain bounds. The aim seems to have simply been to move prostitutes and brothels away, with little importance attached to where they went.

Efforts to combat prostitution remained fairly consistent, but the discourse surrounding the problem was definitely changing as can be seen in the following example from 1791. A letter in the *Public Advertiser* addressed to the magistrates of the City and Westminster was concerned that although twenty streetwalkers had been committed to Bridewell the previous week, nothing was being done to tackle the root of the problem. The letter is unusual as it was apparently written by a prostitute, although it is just as likely that it was a spoof. Whatever its provenance, the letter raises important points about the ways people thought about prostitutes. Signed ‘A RUINED FEMALE’, it argued that rather than sending prostitutes to jail, brothels should be closed down, as they allure others into the same misery as the writer: ‘let me beg of

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<sup>6</sup> John Prince Smith, *An account of a successful experiment for an effectual nightly watch, recently made in the Liberty of the Rolls, London: submitted for the consideration of all parochial authorities in the metropolis, and elsewhere; with a summary of the law respecting the nightly watch* (1812), p.71-2.

you, not through intemperate zeal, to hurry me and my unprotected sisterhood for a time to gaol, and yet suffer those houses which were our first incentives to remain.’ She beseeches readers to ‘attend to the numerous *stews* and *bagnios* that you will meet with ere you arrive at Temple-bar. Shoe-lane, Fetter Lane, and every court almost on Ludgate-hill, and in Fleet-street, abound with them. Chancery-lane also, that seat of Law and Equity, is not exempt.’<sup>7</sup> There is some similarity with the Samuel Palmer letter in that the presence of prostitutes is considered to turn the streets into a ‘seminary of vice’. Yet in place of the evil prostitute deserving of punishment, the ruined female blames ‘a melancholy tale of my seduction and consequent unhappiness’ for her situation. This fits in with late eighteenth century stereotypes of women as passive victims, caused by a ‘cult of seduction’.<sup>8</sup> Hitchcock relates that ‘the trope of seduction created... a situation in which it became increasingly possible to argue that women should be confined in the household in order to protect them from the newly rampant male sexuality.’<sup>9</sup>

This attitude was apparent when the respectable women of Chancery Lane found themselves in threatening situations. During the summer of 1765, two ‘young Bloods’ drew their swords and attempted to carry a man’s wife to a nearby bagnio. The man drew his own sword and stabbed one of the assailants, whose accomplice fled, leaving him to beg for his life ‘in the most abject manner; incontestably proving, that cowardice is the everlasting companion of brutality.’<sup>10</sup> This was one of a series of attacks carried out by men who were referred to as young bloods, attacks which Shoemaker describes as ‘performances [that] affirmed membership in an elite, though obviously insecure group, evident in their tendency to run away or surrender at the first sign of serious opposition.’<sup>11</sup> In this episode we see a contest of masculine violence with the woman completely passive, an object to be fought over. Preying upon women was not only an elite activity. A footman followed two women all the way from Piccadilly to Cursitor Street where they sought the help of a Mr Tindell, who ‘in a civil manner desired him to desist from treating the girls rudely’. The footman knocked Mr Tindell over and ‘beat him very cruelly, and was proceeding to further violence’ when another man

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<sup>7</sup> *Public Advertiser*, 22 December 1791.

<sup>8</sup> Hitchcock, *English sexualities*, p.99.

<sup>9</sup> *Ibid.*, p.100-101.

<sup>10</sup> *Lloyd's Evening Post*, 9 August 1765.

<sup>11</sup> Shoemaker, *The London mob*, p.166.

intervened. The footman was put on trial, found guilty and sentenced to a year in Newgate, a fine of 3s.6d and had to give security for two years' good behaviour.<sup>12</sup>

In the 1790s a more elusive threat emerged. The notorious 'monster' was suspected to live somewhere nearby, as there had apparently been frequent sightings of a man who fitted very well with the description given out on a handbill.<sup>13</sup> He accosted washerwoman Elizabeth Davies on her way home from work on 5 May 1790, seizing her by the throat and striking her on the breast and thigh.<sup>14</sup> He was also said to have attacked two women in Tooke's Court, but their screams caused him to flee towards Chancery Lane.<sup>15</sup> The sensationalism of this report is made apparent by the language used: the ladies were 'attacked and very much alarmed' when the 'inhuman monster' 'was raising his cane up'. Yet this appears to be all that actually occurred before he ran away and it is easy to see how the 'whole monster panic was to a considerable extent created by the press.'<sup>16</sup> Even in an aborted or perhaps imagined attack, victimhood was pressed upon the women.<sup>17</sup>

## **I: Women and crime**

In crimes which women perpetrated on men, they were represented as sirens, luring their victims and then robbing them. All of the following women built a relationship with their victim in some way before he was robbed: there is little in terms of a sudden, fleeting or violent attack. In a study of pickpockets tried at the Old Bailey between 1780 and 1808, the great majority 'were described as women of the town, or 'unfortunate women'; many had committed the offence in the course of sexual encounters.'<sup>18</sup> The same was true in Chancery Lane. Women were much more likely to commit crimes in darker, less public places.<sup>19</sup> This generalisation also holds. Women were not committing crimes in Chancery Lane itself unless it was late at night. Instead they used side roads such as Cursitor Street and Carey Street,

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<sup>12</sup> *Lloyd's Evening Post*, 22 October 1773,

<sup>13</sup> *English Chronicle or Universal Evening Post*, 17 April 1790. For an extended discussion of the Monster, see Jan Bondeson, *The London Monster: terror on the streets in 1790* (Stroud, 2003) or Shoemaker, *The London mob*, chapter 10.

<sup>14</sup> Bondeson, *The London Monster*, p.52.

<sup>15</sup> *English Chronicle or Universal Evening Post*, 17 April 1790.

<sup>16</sup> Shoemaker, *The London mob*, p.286.

<sup>17</sup> Bondeson, *The London Monster*, p.215.

<sup>18</sup> Deirdre Palk 'Private crime in public and private places, pickpockets and shoplifters in London, 1780-1823' in Tim Hitchcock and Heather Shore (eds.), *The streets of London from the Great Fire to the Great Stink* (2003), p.137.

<sup>19</sup> *Ibid.*, p.141.

where prostitutes clustered and which were complained of as poorly lit. For instance, a ‘woman of the town decoyed’ a man down Cursitor Street, where two other fellows set upon him and robbed him of a watch and three guineas, the woman having disappeared.<sup>20</sup> Another man was met with ‘the usual salutations of women of the town’ as he reached the corner of Carey Street and Shire Lane. Three women approached him and one of them clasped him around the waist. He realised he was being robbed and grabbed at his coat pockets, but he was too late. As the women fled, he checked for his purse containing six or seven guineas, which was missing. He gave pursuit and caught up with one of the women in Bell Yard. Realising she could not escape, she ‘turned round, and with the greatest composure, saluted him as before, and requested him to give her a glass of wine’. He apprehended the woman and took her to the watchhouse. No money was found on her, but she was taken to the magistrate the next day and the man’s testimony was enough to have her committed to Newgate to await trial.<sup>21</sup> Another incident was reported in which a woman ‘inticed’ a child from Chancery Lane into White’s Alley and stole its clothes, leaving it in only a shift and stockings.<sup>22</sup>

The Old Bailey Proceedings record thirteen trials of women between 1760 and 1815 in which the place of the crime is listed as Chancery Lane. All of the trials are for theft of one kind or another. Again, none of them involved any violence or even a sudden snatch and run: in fact in all of the cases but one (in which the only evidence was that the defendant had the stolen goods in her possession, insisting she had merely found them) the defendant had built some sort of relationship with their apparent victim. These relationships fell into two categories: the woman either lived or worked in a building with the person she was accused of stealing from, giving her access to their rooms and possessions, or she had met a man in the street, invited him to follow her and then attempted to relieve him of possessions only after he had willingly accompanied her. These latter were usually explicitly identified as prostitutes. The following two cases are typical of those crimes where the women had easy access to the goods they were supposed to have stolen and simply needed to be desperate enough to take the opportunity. In one case the defendant, Margaret Segware, had stolen a variety of clothes, shoes and other materials from a woman she was nursing who was lame with the palsy. The two lived together next to the Rolls in Chancery Lane. Segware left the door of the room

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<sup>20</sup> *Morning Chronicle and London Advertiser*, 9 January 1773.

<sup>21</sup> *Ibid.*, 25 August 1774.

<sup>22</sup> *Lloyd's Evening Post*, 12 April 1775.

locked from which she had stolen the items to avoid discovery and then pawned them.<sup>23</sup> With the additional evidence of the pawnbroker, she was found guilty and sentenced to transportation. Mary M'Dormond, a washerwoman who lived in White's Alley, stole a number of items including a looking glass from a lodging house on Chancery Lane. She was there doing washing for one of the lodgers and when she went to get a cup of tea, used the opportunity to attempt to steal from another room.<sup>24</sup> She was found guilty of stealing goods to the value of ten pence and sentenced to whipping and imprisonment.

As has been shown, cases involving prostitutes usually began out in the street and at night, when the male victim would follow the woman to have a more private place such as a side road or the woman's lodgings to carry out their transaction. However, as we shall see from the next case, this was not always the method by which the accused met the victim. A naval captain asked the local watchman to point him in the direction of a boarding house. He was taken to one between Chancery Lane and Fetter Lane where he was led to a room by a woman, the defendant Abigail Perfect, who claimed to be the landlady and with whom he strenuously denied sleeping. He awoke very early in the morning to find he was missing some money and his watch. He found the actual landlady who went and fetched Perfect directly from Chancery Lane. The constable was called and in the meantime, Perfect returned most of the stolen items to the captain, presumably in hope of escaping punishment. Unfortunately for her, William Payne, then operating as a thief taker, arrived soon after the constable and perceived that she had something secreted in her mouth. Showing the zealous behaviour for which he was well known, Payne sprang upon Perfect and wrapped his hands around her throat, choking her until a coin fell from her mouth. The defendant, who described herself as a woman of the town, told a very different story which was unsurprisingly disregarded and she was found guilty and sentenced to whipping and imprisonment.<sup>25</sup> Cases where men went with prostitutes often reduced the credibility of the accuser, particularly when the men had been drinking. James Cleavelly, an intoxicated Deptford shipwright was picked up by the delightfully named Lucy Bumpus and taken back to a chamber where he found another woman, Isabella Bruce, undressing. He stayed a number of hours and at some point fell asleep. When he awoke only one of the women remained and she made a quick exit. He was missing his watch, seals and key. The two women were arrested later that night,

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<sup>23</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 6.0, 17 April 2011), 19 October 1768, trial of Margaret Segware (t17681019-6).

<sup>24</sup> *Ibid.*, 20 October 1779, Mary M'Dormond (t17791020-25).

<sup>25</sup> *Ibid.*, 10 May 1780, Abigail Perfect (t17800510-38).

but none of the items were found in their possession and they were acquitted.<sup>26</sup> While criminality was frequently linked to prostitution, we will now investigate what was done to deter the streetwalkers who were not actually committing a crime.

## II: Prostitution

While his solutions are debateable, modern scholarship corroborates Palmer's complaint about high levels of prostitution; the area north of Fleet Street was home to a particularly large concentration of both street walkers and bawdy houses.<sup>27</sup> Henderson explains the presence of prostitutes and brothels as an outcome of institutional discontinuities:

[c]o-operation between parishes in questions of policing was minimal, that between the City of London and Westminster, or the City and Bridewell, almost non-existent. Within districts, justices of the peace, watch committees, constables and watchmen all had differing priorities. It was largely within the interstices of this 'system' that London's streetwalkers and brothel keepers were able to operate.<sup>28</sup>

Chancery Lane provided just such opportunities as it was in the particularly small locally governed unit of the Liberty of the Rolls, and intersected the boundary between Westminster and the City. This point was highlighted by Palmer when he lamented Fielding's inability to intervene as most of Chancery Lane was outside his jurisdiction. Trade was also made more vigorous by the presence of large numbers of young single males studying law nearby. A 'young gentleman belonging to the law' was accused by the waiter of a tavern on Chancery Lane of having stolen a sheet and napkin after staying the night there with a prostitute. A warrant for arrest was put out. When the waiter next saw the man he did not deny the crime, but instead gave him a note promising £2.12s. When it was due to be paid, the young lawyer refused and threatened to indict the tavern as a brothel. The waiter decided to take no more nonsense and took the lawyer into custody.<sup>29</sup> There were also more general accusations made that attorneys, having prised money from hard-working people, were wont to spend it on 'the most abandoned prostitutes'.<sup>30</sup>

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<sup>26</sup> Ibid., 9 January 1782, Isabella Bruce and Lucy Bumpus (t17820109-56).

<sup>27</sup> Tony Henderson, *Disorderly women in eighteenth-century London: prostitution and control in the metropolis, 1730-1830* (1999), pp.66-7.

<sup>28</sup> Ibid., p.195.

<sup>29</sup> *London Chronicle*, 30 August 1774.

<sup>30</sup> A Grant, *The progress and practice of a modern attorney; exhibiting the conduct of thousands towards millions!* (1795?), p.9.



Yet from the 1790s onward the prevalence of brothels fell away significantly in the area around Chancery Lane.<sup>31</sup> It is probable that policing efforts made some difference but were helped by the changing social and economic character of the community. Serious efforts were made to deal with prostitution during the early 1760s. One ‘noted Woman’, Margaret Cole, was convicted for keeping a ‘House of ill Fame’ in Chancery Lane.<sup>32</sup> She was sentenced to stand at the pillory at the Holborn end of Chancery Lane for one hour, an unusual punishment for a bawdy house keeper by the third quarter of the eighteenth century.<sup>33</sup> This punishment was enacted close to the scene of the crime and utilised publicity within the local community to shame the culprit and to warn other brothel keepers in the area of the consequences of continuing trade.<sup>34</sup> Much like Palmer’s exhortations, use of the pillory might also be hoped to spur local residents to do more to maintain the good character of their area. More conventionally, Cole was also sentenced to spend one year in Clerkenwell prison and had to pay court fees of 22s.10d.<sup>35</sup> This successful conviction was preceded by two efforts which backfired. Mrs Leman, mistress of the Rummer tavern on Chancery Lane, was dragged out of her premises by several members of the Society for Reformation of Manners who imprisoned her (we are not told where) with the intent of prosecuting her for running a bawdy house. Their plan was ill-conceived and when the case came to be heard at the Guildhall, Mrs Leman was plaintiff and was awarded damages of £300 (£500 minus the cost of suit).<sup>36</sup> A motion was made in the Court of Common Pleas for a new trial due to excessive damages being awarded, but the original verdict was reaffirmed and the costs of the second suit added.<sup>37</sup> One of those involved in the raid on what actually turned out to have been a working brothel was William Payne.<sup>38</sup> His efforts to tackle prostitution in his local area could be very controversial. In an earlier raid Payne was convicted for arresting a ‘married gentlewoman’ outside her house in Rolls Buildings and having her confined overnight on the grounds that she was a woman of the town. The newspaper report lamented that the ‘modern reforming

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<sup>31</sup> Henderson notes that ‘In the absence of any detailed histories of particular streets and neighbourhoods, it is difficult to know precisely why shifts in the locations of prostitution districts occurred within the relatively small geographical area covered by a single City ward – even one the size of Farringdon Without.’ Henderson, *Disorderly women in eighteenth-century London*, p.67.

<sup>32</sup> *St. James's Chronicle or the British Evening Post*, 14 January 1764,

<sup>33</sup> Henderson, *Disorderly women in eighteenth-century London*, p.150.

<sup>34</sup> Robert Shoemaker, ‘Streets of shame? The crowd and public punishments in London, 1700-1820’ in Simon Devereaux and Paul Griffiths (eds.), *Penal practice and culture, 1500-1900* (Houndmills, 2004), particularly pp.233-4.

<sup>35</sup> Middlesex Sessions: Sessions Papers - Justices' Working Documents, January 1764, *London Lives, 1690-1800*, LMSMPS505310014 ([www.londonlives.org](http://www.londonlives.org), 07 December 2010), LMA.

<sup>36</sup> *London Chronicle*, 28 April 1763.

<sup>37</sup> *The annual register for the year 1763*, (2<sup>nd</sup> edn, 1765).

<sup>38</sup> Innes, *Inferior politics*. p.295.

constable... had zeal without knowledge.’<sup>39</sup> Payne’s puritanical streak continued to cause upset and 15 years later, newspapers reported an altercation between City constable Payne and a constable of Farringdon Without about arresting a woman who Payne believed to be a prostitute.<sup>40</sup> The other constable’s word was not enough to convince him otherwise.

After the earlier fiascos it is not surprising that there seems to have been a lull in efforts to pursue prostitutes so aggressively, in part because the debt incurred by the Society for Reformation of Manners caused it to fold by 1765.<sup>41</sup> Without the activity of such private associations, ‘the decision to initiate legal proceedings of any sort lay not with any aggrieved victim but largely with the officers of the parish, ward or City Watch... each of these possessed myriad reasons for the exercise of discretion and flexibility in their dealings with London’s prostitutes.’<sup>42</sup> The dangers of overzealousness would certainly have provided one convincing argument for exercising discretion. Palmer’s contention ‘that these wretches are tributary to some person who has the power to prevent it, but not the will’ is particularly shrill, but true to the extent that the prevalence of prostitutes was more a matter of the watchmen’s judgement and as Smith conceded, resisted wholesale removal. The committee of inhabitants retained an interest in removing prostitutes but it was not always their chief concern. Mr Milbourne the constable was to be paid the expense of an attorney to prosecute a woman for keeping a disorderly house, but only on condition that he paid the arrears he owed on the rates to the Liberty.<sup>43</sup>

When attempting to drive out prostitution, it can be shown that the committee needed to involve the whole community to have any chance of success. Mr Parker asked that something be done to reduce the number of prostitutes by the ends of Cursitor Street and White’s Alley. The residents’ committee decided to write a letter to the licensed house at the corner of White’s Alley, telling the keeper ‘to be guarded in his conduct’.<sup>44</sup> The watch were continually instructed to prevent women touting for business in public, although this was not a criminal act. In response to Chancery Lane being ‘infested every evening with prostitutes’ a watchman

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<sup>39</sup> *Public Ledger or The Daily Register of Commerce and Intelligence*, 18 April 1760.

<sup>40</sup> *Gazetteer and New Daily Advertiser*, 4 July 1776.

<sup>41</sup> Innes, *Inferior politics*, p.298.

<sup>42</sup> Tony Henderson, *Disorderly women in eighteenth-century London*, p.195.

<sup>43</sup> Westminster Archives, London, LR/K/1/325, Minutes of meetings of the inhabitants and the workhouse committee, 11 February 1766.

<sup>44</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 2 March 1791.

was paid to patrol and remove both the working women and ‘other disorderly persons’.<sup>45</sup> An assistant watchman, newly appointed in 1792, was instructed to move them on.<sup>46</sup> The committee of inhabitants were also well aware of the brothels operating within their area. Their response was focussed almost exclusively on making them relocate, and if this could be achieved, interest in criminal prosecutions soon dissipated. Deals which took into account the repayment of monies owed to the Liberty were common, even for those being prosecuted.

For example, the attorney of Mr Ring of Shire Lane (about whom there is no other record) attended a meeting of the residents’ committee of the Liberty of the Rolls to be told that his client would be indicted for keeping a disorderly house.<sup>47</sup> He was made an offer that the charges would be dropped if his client agreed to leave the house, to pay the expenses incurred on the Liberty for indicting him and to reimburse them for the cost of a fire engine that had attended the premises. Two months later Mr Ring was found not to be keeping to these recognizances. In the meantime, a new housekeeper had been installed in place of a Susanna Chandler, presumably to placate the Liberty authorities. Confirming the relative impotence of the vestry to intervene, the new housekeeper was warned to keep the house ‘regular’ or she would also face indictment.<sup>48</sup> There was very little confidence in the success of convictions. Late in 1792, Mr Evans contacted the residents’ committee, saying he had convicted a disorderly house in the previous sessions and wanted someone to check that it had actually shut.<sup>49</sup> An alternative tactic was to screen people moving into the area. In 1786, Mr Baldwin was asked to clear the tenants from houses he owned at the end of Shire Lane and was required to submit the new people moving in to the watch committee for approval.<sup>50</sup>

In the early nineteenth century, three men applied to the residents’ committee respecting a house of ill fame in Chichester Rents. It had been kept there by Lydia Solomon for 6-8 years. The incident that prompted action on the matter was that three women (named as Mortimer, Jones and Howard) were very noisy all night, one month previously. The complainants ‘desired to get the names of lodgers and particularly to minute dawn Riots and disturbances’.<sup>51</sup> A constable also saw fit to complain about Mrs Solomon’s and the next year,

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<sup>45</sup> Ibid., 17 September 1788.

<sup>46</sup> Ibid., 7 November 1792.

<sup>47</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 13 February 1784.

<sup>48</sup> Ibid., 16 April 1784.

<sup>49</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 5 December 1792.

<sup>50</sup> Ibid., 2 August 1786.

<sup>51</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 6 June 1804.

Mr Blundell the beadle and under-constable reported on the state of the house preparatory to presentment to the sessions.<sup>52</sup> Five years later and Mr Solomon was referred to magistrates as the owner of a ‘nuisance house’ in the same place (presumably the two were related or more probably married).<sup>53</sup> Three months on, Solomon had moved to Spitalfields. It was duly decided that the indictment for keeping a disorderly house and harbouring women of ill fame would be quashed if he paid the rates he owed and the Liberty’s prosecuting costs.<sup>54</sup> Complaints were not the only way the residents’ committee gathered information on brothels and prostitution. A woman from Bowl and Pin Alley applying for poor relief said that girls of the town lived in her house.<sup>55</sup> Another disorderly house in Cursitor Street, occupied by Mrs Davies, was complained about by local resident Mr Shuter. Mr Blundell was bound by the Hatton Garden magistrates to prosecute during the next sessions.<sup>56</sup> The vestry clerk duly started proceedings against Mrs Davies’ disorderly house but found that she was leaving the next day.<sup>57</sup> The residents’ committee was happy to settle if Mrs Davies paid their £2 prosecution costs.<sup>58</sup> Practical concerns about money generally trumped any sense of moral outrage. When a woman applied to the committee to provide money to help her prosecute an assault upon her, she was told that they could not interfere and that she should apply to the sessions.<sup>59</sup>

Towards the end of this period, Shire Lane took over as the most problematic area around Chancery Lane. A man of Shire Lane complained that numbers 2 and 3 of that street were ‘being kept by Disorderly persons and inhabited by women of ill Fame and other bad Characters.’ A letter was to be sent to the proprietors threatening prosecution.<sup>60</sup> This may have provided some respite but four years later, ‘bad women’ were to be found in Shire Lane both day and night. Some of the inhabitants of the Liberty had written to the vestry clerks threatening legal action unless something was done.<sup>61</sup> The Liberty took legal action of its own against Jacob Levy and Jacob Joseph, the two men who were responsible for the disorderly houses. Levy and Joseph wrote to the committee pleading clemency and

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<sup>52</sup> Ibid., 5 September 1804 and 6 February 1805.

<sup>53</sup> Ibid., 5 September 1810.

<sup>54</sup> Ibid., 5 December 1810.

<sup>55</sup> Ibid., 7 March 1810.

<sup>56</sup> Ibid., No date (around August 1807).

<sup>57</sup> Ibid., 21 December 1807.

<sup>58</sup> Ibid., 13 January 1808.

<sup>59</sup> Ibid., No date (around August 1807).

<sup>60</sup> Ibid., 4 October 1809.

<sup>61</sup> Ibid., 4 August 1814.

guaranteeing their future behaviour. Their request was denied.<sup>62</sup> However, in a partially successful last-ditch attempt to avoid prosecution, the two men gutted and shut the houses, earning them an offer to escape indictment as long as they paid all legal costs. Even so, they were not to be absolutely discharged from all the prosecutions brought against them, although it is unclear whether only the threat of legal action was being kept open.<sup>63</sup> Confirming the time and expense which the Liberty had to go to over this issue, two men were compensated several months later for the time they had invested at the sessions house at Hicks's Hall, on business pertaining to the bawdy houses in Shire Lane.<sup>64</sup> Residents shifted their focus in this period from street walkers to brothels, but their strategy of moving prostitution out of their local area rather than tackling its causes remained the same. Another way in which the men of the committee of inhabitants of the Liberty of the Rolls had an institutional relationship with women was in their administration of poor relief and the workhouse.

### **III: Poverty and the workhouse**

Poverty is already an implicit theme in this chapter as rich women would hardly have turned to crime or prostitution to make a living. Poor women might also claim relief or a place in the workhouse in times of need. But women also had an important role working with the impoverished and examples will follow of women who helped to run the workhouse, took in apprentices and made charitable donations. Meanwhile, the men of the workhouse committee used their management of the poor of the Liberty of the Rolls to show the greatest expression of their shared religious conviction. The influence of Christian thought can be found in the insistence of the residents' and workhouse committees upon religious observance, hard work, strict moral conduct, but also charitable giving. Most of these values were noticeably absent in the treatment of prostitutes in the area. Most meetings involving the overseers of the poor and the workhouse committee were to distribute the poor rates, often to be spent on specific items and in particular clothing. Most of the money distributed came from regular payment of the parish rates, however extra money was handed out at Christmas time, consisting of sacrament money from the Rolls Chapel and gifts from locals with money and status such as the Master of the Rolls.<sup>65</sup> If poor relief was no longer sufficient for a person's upkeep, they

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<sup>62</sup> Ibid., 6 January 1814.

<sup>63</sup> Ibid., 6 April 1814.

<sup>64</sup> Ibid., 6 July 1814.

<sup>65</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 22 December 1760.

could apply to enter the workhouse. The workhouse was run by a master and matron, usually although not exclusively the beadle and his wife. When workhouse numbers were listed in the 1760s, they ranged between a minimum of 30 and a maximum of 50, with the great majority women. For instance, the greatest total of 50 inmates consisted of 31 women, 7 men, 5 boys and 7 girls. Men were generally the smallest group while the numbers of boys and girls were fairly equal. As with other London parishes, the Liberty found the size of their workhouse inadequate for the growing number of poor people seeking relief in the late eighteenth and early nineteenth centuries.<sup>66</sup> In 1780 the workhouse was enlarged by leasing several houses adjacent to it.<sup>67</sup> In 1802, the committee decided a different building was needed and that the premises of the workhouse would be moved to Carey Street.<sup>68</sup>

We will see in the chapter on associations that there was also a charitable dispensary operating in the area. This supplemented the medical attention offered by the Liberty of the Rolls, including the employment of an apothecary paid around £15 a year and at times also given a supply of wine.<sup>69</sup> Treatment was also given at the workhouse, which is where a ‘negro’ found ill on the doorstep of a residence was taken.<sup>70</sup> The apothecary had more onerous duties in years marked by disease, such as in 1803 when there was an outbreak of typhus, although he was paid extra for his increased hours and the medicine he provided.<sup>71</sup> One gets the impression that the overseers of the poor occasionally avoided certain requests by passing them on to the apothecary, as when someone applied to them for a pint of porter a day for a month.<sup>72</sup> The final source of provision to the poor was Lincoln’s Inn, determined to maintain rate paying independence at any cost. As we have seen in the chapter on lawyers, any activity that would usually have been undertaken by the parish had to be duplicated to maintain an appearance of complete independence. This included looking after any children that were left as foundlings in the Inn. For instance, a three-week old girl found in a staircase in the Old Buildings in 1797 was provided for until further notice and the steward was asked to do all he could to find the father. The poor child was christened Lincoln.<sup>73</sup>

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<sup>66</sup> David R. Green, *Pauper capital: London and the poor law, 1790-1870* (Farnham, 2010), pp.58-64.

<sup>67</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 4 July 1780 and 9 October 1780.

<sup>68</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 8 February 1802.

<sup>69</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 9 April 1776.

<sup>70</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 6 October 1802.

<sup>71</sup> *Ibid.*, 28 March 1804.

<sup>72</sup> *Ibid.*, 2 May 1804.

<sup>73</sup> *The records of the Honourable Society of Lincoln’s Inn: the black books IV* (1899), 26 June 1799, p.78.

Paying the poor rate was a significant burden for the householders of the Liberty of the Rolls. Starting at four pence in every pound of rent their household was worth in 1760, the poor rate had reached ten pence in the pound by 1782. The poor rate rose significantly during times of war due to poor economic performance and returning soldiers who were often unemployed or wounded. After the end of the war with America, the poor rate fluctuated slightly below ten pence until 1793 and the commencement of hostilities with France, when it again spiked to one shilling. By 1796 it had reached one shilling and three pence.<sup>74</sup> The bill was becoming increasingly burdensome and in October of that year, all the paupers were examined in the hope of denying some of them further relief.<sup>75</sup> The poor rate reached its highest level in 1801 when it was one shilling and six pence, falling back down to ten pence in 1808 and eventually settling at around a shilling by 1815.

The workhouse was overseen by a committee of ten gentlemen and ten tradesmen, all householders of the Liberty of the Rolls. Much of the business concerned choosing contractors to supply the workhouse and establishing routines which affected behaviour or expenditure, such as the weekly menu. A typical entry of 1784 involved asking the contractor for supplies to replace some items which had gone missing including pillows, and then setting a menu down to the last meal.<sup>76</sup> Reducing cost was also a priority and in 1773 the committee decided that a quartern loaf would henceforth serve five people rather than four.<sup>77</sup> They occasionally made more major changes, such as allocating a small tenement in the yard of the workhouse for curing illnesses before admission.<sup>78</sup> As part of the residents' committee, the workhouse committee was also involved in lobbying to protect their interests at the national scale. For instance, in 1797 they petitioned Parliament to equalise the county rates. They also joined a larger petition against a bill 'for the better support and maintenance of the poor', presumably because it would prove costly. To improve their chances of success, the Master of the Rolls was asked to use his influence on their behalf.<sup>79</sup> Thus membership of the workhouse committee involved micromanaging the lives of the local poor, alongside understanding of national policy and the confidence to attempt to influence lawmakers in Westminster.

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<sup>74</sup> These trends are reflected in the total national cost of poor relief. See Green, *Pauper capital*, pp.26-7.

<sup>75</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 19 October 1796.

<sup>76</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 26 March 1784.

<sup>77</sup> *Ibid.*, 2 February 1773.

<sup>78</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 5 May 1772.

<sup>79</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 24 February 1797.

Tensions often surfaced between those running the workhouse and its inmates. In 1785 Mr Bignall, master of the workhouse, was accused by his charges of stealing. The committee dismissed the complaints as an attempt to stain his character.<sup>80</sup> Yet he was not so far removed from the lives of those he controlled. A new matron was appointed to the workhouse in 1794, which seems to have presaged a slip in standards.<sup>81</sup> When the gentlemen of the committee inspected the workhouse the next year, it was found to be very dirty and the matron was admonished.<sup>82</sup> Part of the cause of these problems appears to have been the declining powers of Mr Bignall. Soon afterwards he was deemed to be of no use to the Liberty but had nowhere else to go. He remained in the workhouse, not as master, but as inmate, with an allowance of five pence per week and subject to its rules.<sup>83</sup> A month later he seemed to have found his feet and was allowed out of the house temporarily, with an increased allowance of one shilling and six pence.<sup>84</sup> His bid for freedom did not last long and he returned to the workhouse after another month.<sup>85</sup> In October of 1795, the workhouse was found not to be fit for purpose. Already working as beadle for the Liberty, John Blundell was put in charge.<sup>86</sup> Early the next year, he and his wife were made master and mistress of the workhouse, with pay of £45 a year to include his duties as beadle. They were to live in the workhouse.<sup>87</sup> This proved to be a much more stable regime and Blundell still occupied his position 10 years later, by which time his pay had risen to £65 per annum.<sup>88</sup> He continued to run the workhouse until his death in 1812, which clearly placed his wife in straitened circumstances. Less than a year later, she was accused of stealing clothes from the workhouse and was told to keep more accurate accounts in future to prove her innocence.<sup>89</sup>

A certain level of decorum was expected from the workhouse inmate, but some were not afraid to speak their mind. In 1765 Mary Homan was discharged from the workhouse for misbehaviour and the use of unbecoming language in front of the board.<sup>90</sup> Such harsh treatment was not completely successful in establishing control and as Hitchcock points out,

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<sup>80</sup> *Ibid.*, 2 November 1785.

<sup>81</sup> *Ibid.*, 8 January 1794.

<sup>82</sup> *Ibid.*, 1 April 1795.

<sup>83</sup> *Ibid.*, 1 July 1795.

<sup>84</sup> *Ibid.*, 5 August 1795.

<sup>85</sup> *Ibid.*, 2 September 1795.

<sup>86</sup> *Ibid.*, 7 October 1795.

<sup>87</sup> *Ibid.*, 3 February 1796.

<sup>88</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 3 January 1806.

<sup>89</sup> *Ibid.*, 3 February 1813.

<sup>90</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 2 April 1765.



the smooth running of workhouses relied to a large extent on the cooperation of the inmates.<sup>91</sup> If they did not feel adequately provided for, people in the workhouse might use their position to supplement their income: a complaint made several times was that inmates were pawning clothes issued to them. Several times the board asked the matron to inspect her charge's clothes and punish anyone with any missing, or send them to the board to be reprimanded.<sup>92</sup> It was made significantly more difficult to transgress when in 1770, inmates of the workhouse were prohibited from leaving, except to attend Sunday service.<sup>93</sup> These regulations were loosened ever so slightly in 1811, when inmates were allowed outside on Wednesdays and Saturdays, between two and five or five and seven, although Sunday worship was now compulsory.<sup>94</sup> Added to these increasing requirements for religiosity, various measures were taken to ensure that the workhouse lived up to its name and some sort of productive labour was undertaken. To begin with, this involved a master of the work setting tasks. When in 1779, the master at that time Mr Rose found himself unable to provide sufficient motivation, it was decided that inmates would lose their allowance if they did not work.<sup>95</sup> This does not appear to have been successful enough, as a year and a half later a candidate was sought to 'farm' the poor of the Liberty, whereby inmates were sent out to a private contract workhouse, also freeing up more spaces in the Liberty's workhouse.<sup>96</sup> Arrangements for keeping the poor working were formalised in 1784 when the committee decided to advertise for candidates to manage the workhouse, offering payment of £30 a year and some of the profit from putting the poor to work, essentially a performance related bonus.<sup>97</sup> The plan appears to have been a success as after two years, Mr Bignall who ran the workhouse had his pay reduced to only £20 a year, but would henceforth take all of the profit from the inmates' work.<sup>98</sup>

Apprenticeships were preferred for the children of the workhouse. Early in the period, these would be to fairly local tradesmen, as in the case of 12-year-old Lucy Clements who was

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<sup>91</sup> Tim Hitchcock, *Down and out in eighteenth-century London* (London and New York, 2004), p.135.

<sup>92</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 2 December 1765 and LR/K/1/326, 5 November 1782.

<sup>93</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 3 April 1770.

<sup>94</sup> *Ibid.*, 1 May 1811. Hitchcock, *Down and out in eighteenth-century London*, p.127.

<sup>95</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 7 September 1779.

<sup>96</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 20 February 1781. On pauper farms, see Green, *Pauper capital*, pp.66-8.

<sup>97</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 10 March 1784.

<sup>98</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 1 March 1786.

bound to be apprenticed to a man living in St Clements Lane.<sup>99</sup> However, by the 1790s we can see the influence of a rapidly expanding industrial economy, with a voracious appetite for workers that went well beyond the local. There was also an excess of supply, as the number of poor children in parishes came to exceed the number of local apprenticeships available.<sup>100</sup> In 1791, a Mrs O'Hara was sent to prison and her children sent to the workhouse.<sup>101</sup> Within the year a London agent for factory owners near Manchester called Mr Withington applied to take two of the O'Hara children and send them to work in the North.<sup>102</sup> They were aged eight and nine.<sup>103</sup> The board agreed to make enquiries. The move appears to have been agreed because the next month Withington returned on behalf of a Derbyshire cotton manufacturer looking for children to work from 9 am to 8 pm in the winter and 6 am to 7 pm in summer.<sup>104</sup> The practice continued and in 1805 another girl of eight years was sent to the mills.<sup>105</sup> However, in 1815 the board refused to send girls to another mill in Manchester.<sup>106</sup> At this time there was a growing concern regarding the number of poor children being sent to work in northern factories and the practice was made illegal in 1816.<sup>107</sup>

The men of the Liberty of the Rolls workhouse committee did have some very definite limits to what they deemed acceptable concerning the children they apprenticed. One woman, Mrs Agar, who had taken several children as apprentices, was found to be educating them as Catholics. The committee demanded that she give them a good Protestant education instead, but she appears to have been as stubborn as she was devout and refused.<sup>108</sup> It was decided that the committee should find out if any law was being broken, and if so to apply to a magistrate, which they agreed was the appropriate course of action.<sup>109</sup> Several months later nothing definitive appears to have happened and so the committee called upon local expertise

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<sup>99</sup> WAL, LR/K/1/325, Minutes of meetings of the inhabitants, 3 November 1761.

<sup>100</sup> Katrina Honeyman, *Child workers in England, 1780-1820* (Aldershot, 2007), p.8.

<sup>101</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 7 December 1791.

<sup>102</sup> For more on the agents' role in factory apprenticeships see Honeyman, *Child workers in England*, pp.37-40.

<sup>103</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 5 September 1792.

<sup>104</sup> *Ibid.*, 7 November 1792. Cotton manufacturing was the most common apprenticeship for the poor children of London. See Alys Levene, 'Parish apprenticeship and the old poor law in London', *Economic History Review*, 63, 4 (2010), p.931.

<sup>105</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 1 May 1805.

<sup>106</sup> WAL, LR/K/1/329, Minutes of meetings of the inhabitants, 1 March 1815.

<sup>107</sup> Joanna Innes, 'Managing the metropolis: London's social problems and their control, c.1660-1830' in Peter Clark and Raymond Gillespie (eds.), *Two capitals, London and Dublin 1500-1840* (Oxford, 2001), p.78.

<sup>108</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 6 May 1795. Insistence upon the religious instruction of apprentices was widespread (although the argument involving Mrs Agar seems quite unusual). See Honeyman, *Child workers in England*, p.141.

<sup>109</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 3 June 1795 and 1 July 1795.

and sought the opinion of John Silvester, the Recorder of London.<sup>110</sup> Silvester thought that the law was on their side and that a magistrate would order that the apprentices be discharged.<sup>111</sup> Local men also abused the system of apprenticeships. A man called Stephenson was taken to task in 1796 for using boys from the workhouse to work in his business, whilst holding the position of overseer of the poor the year before. There is little sense that the committee felt any particular moral outrage as they had in the case of Mrs Agar. The principle of the boys working for Stephenson was not questioned. The dispute only continued because other members of the committee questioned whether he should have paid for their time, bringing much-needed income to the workhouse.<sup>112</sup>

The education of children was also taken up in positive ways. In 1789, the workhouse committee wanted to raise enough money to send four girls from the workhouse to a charity school in St Dunstan's in the West. The idea was to send them to the school rather than returning them home, in a bid to improve their life chances.<sup>113</sup> A subscription was started and Lady Arden, wife of Master of the Rolls Sir Richard Pepper Arden, was asked to contribute (and in particular to have her name on the subscription list) to give to the scheme some of her respectability as well as her money. She agreed to contribute two guineas.<sup>114</sup> Spurred on by her generosity Lewis Peacock, law stationer and the previous chairman of the inhabitants' committee and member of the workhouse committee, pledged five guineas.<sup>115</sup> The Liberty of the Rolls continued this relationship, akin to outsourcing their educational needs, paying the St Dunstan's schoolmaster two guineas for educating children from the workhouse.<sup>116</sup> There was a limit to the education the Liberty felt able to offer and when a local man Joseph Swainson tried to have his children put in the workhouse, complaining that they stole and were disorderly, he was promptly refused.<sup>117</sup> While the inhabitants' committee did attempt to use the workhouse to enforce their vision of respectable behaviour, they were unwilling to extend its scope, partly due to the cost involved but also because of the ability of the poor to successfully use the system to their own ends. Women were occasionally oppressed by the system of poor relief, although it did help the destitute avoid starvation and even make a little

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<sup>110</sup> Ibid., 4 November 1795.

<sup>111</sup> Ibid., 3 February 1796.

<sup>112</sup> Ibid., 3 November 1796.

<sup>113</sup> Ibid., 1 July 1789.

<sup>114</sup> Ibid., 9 September 1789 and 3 February 1790.

<sup>115</sup> Ibid., 30 March 1790.

<sup>116</sup> Ibid., 6 February 1799.

<sup>117</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 1 June 1814.

money selling clothes issued by the workhouse. Even when pushed to the margins of society, tactically astute women were able to make the best of their situation, whether surviving as workhouse inmates, thieves or prostitutes. Wealthier women were able to enjoy a public role in some aspects of poor relief, an engagement with voluntarism which will be in further evidence in the next chapter. Chapter six describes the associations operating in Chancery Lane, many of which were also dedicated to the moral improvement of poor people in the area.

## Chapter 6: Associations

Previous chapters have shown how the built environment was a contested space controlled by several jurisdictions and also how this created a negative public perception of the residents of Chancery Lane. Residents and reformers attempted to initiate changes to the street, with limited success. Lawyers' interests did not always coincide with those of their neighbours, particularly when acting collectively as in the case of Lincoln's Inn. But as residents, lawyers had a strong stake in the institutions and organisation of the area, particularly through the vestries. The property owning classes who made up these bodies had a largely shared sense of responsibility for maintaining order in their locality. In practical terms, this often meant controlling the behaviour of the lower classes.<sup>1</sup> Many of these themes will re-emerge in discussing associations. Chancery Lane was exceptional during this period in that it played host to some of the biggest political associations of its time, including the Freemasons, the Society for Constitutional Information (SCI) and various military volunteers, and therefore provides a unique opportunity for comparing their political practices and seeing how they clashed at the local level.

By 1760 voluntary associations were a central part of British urban life. Fundamental characteristics of the association – generally urban all-male societies, meeting in drinking establishments and including some sort of ritual activity such as toasts – had developed in the early eighteenth century. However, there were major new developments in associations during the 1780s, when most became more structured and formalised institutions, increasingly reaching out to create national networks of societies. There was also greater focus upon discipline, both of the membership and dedication to the social control of others, usually those of lower standing in society. Clark identifies three main trends during the eighteenth century which caused associations to change: demographic, religious and political. Rapid urbanisation increased the constituency of potential participants among the growing numbers of city-dwelling middle- and upper-class men, whilst also creating greater anxiety about related social problems such as poverty and crime. Responding to a perceived lack of government action, these men stepped in. Religious revival in the 1780s also provided a

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<sup>1</sup> See for instance Joanna Innes, 'The reformation of manners movement in later eighteenth-century England' in Eckhart Hellmuth (ed.), *The transformation of political culture: England and Germany in the late eighteenth century* (Oxford, 1990).

moral impetus for action and through church institutions, provided pre-existing communities and organisational structures. Finally, the American and French revolutions ignited new political movements and renewed and intensified political divisions.<sup>2</sup> Innovations in political rhetoric and tactics emerged which were successfully borrowed from political opponents and crossed political divisions.<sup>3</sup> This is the context in which the associational culture of Chancery Lane needs to be considered.

A great variety of clubs and associations met on and around Chancery Lane and they were not lacking in venues. Popular meeting places included the Old Crown and Rolls tavern, the New Crown and Rolls and the Anchor and Baptist Head coffeehouse. The following are just a selection of the meetings which took place at the Old Crown and Rolls: the Hoddesdon School Society dinner, a meeting of the master breeches-makers (both 1760), a meeting of lawyers to provide for their widows (1765-66), a dinner for the society of Symond's Inn (1766), a meeting of the Swiss military association (1779), a committee meeting of the Misericordia General Dispensary for the relief of the poor afflicted with venereal disease, the annual feast of the Lancashire Society, the annual dinner of the Society of Guardians for the Protection of Trade against Swindlers and Sharpers (all 1780), a general meeting of clergy to make provision for orphans and widows, the annual meeting of the gentlemen of All Souls College (both 1782), a public meeting of 'respectable' pawnbrokers (1786), a meeting of the Historical Society (1794) and the annual general meeting of the Society for the Suppression of Vice (1805-06). Thus the interests of associations meeting here ranged from the very general to the very present, practical concerns of local interest: for example, the Society for the Protection of Trade against Swindlers and Sharpers was a forum for business owners to share expertise on avoiding being defrauded. Its secretary, John Allcock, lived on Chancery Lane and they had their annual dinner in the Old Crown and Rolls tavern from 1780.<sup>4</sup> There was also opportunity to enjoy more cerebral pursuits: since 1753, Chancery Lane was home to the headquarters of the Society of Antiquaries. Chancery Lane even had a link with the abolitionist movement: leading anti-slavery campaigner Thomas Clarkson rented rooms in the Anchor and Baptist Head coffeehouse so that he was near to Richard Phillips of Lincoln's Inn and the pair could easily meet and plan how best to fight the slave trade.<sup>5</sup>

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<sup>2</sup> Peter Clark, *British clubs and societies, 1580-1800* (Oxford, 2000), pp.94-6.

<sup>3</sup> Kathleen Wilson, *The sense of the people: politics, culture, and imperialism in England, 1715-1785* (Cambridge, 1995), p.279.

<sup>4</sup> *Lloyd's Evening Post*, 19 June 1776; *Morning Chronicle and London Advertiser*, 21 April 1780.

<sup>5</sup> Thomas Clarkson, *The history of the abolition of the African slave trade*, volume I (1808), chapter IX.

Clark points out that although larger metropolitan organisations often provided an archetype for others to follow, ‘many national, regional, and local variables were at play in determining the precise configurations and impact of associational activity at the community level.’<sup>6</sup> The spatial aspect of political culture in London is well documented. Barrell has shown how the London Corresponding Society ‘was strongest in the densely populated central section of London’ and Clark has described the distribution of the two branches of Freemasonry across the capital, Ancient lodges clustering around the City in central areas, while the Moderns tended to meet around Westminster.<sup>7</sup> There has been a tendency amongst historians to explain the distribution of a particular group throughout London or the link between place and politics, whereby particular principles gain strong association with an area over a long period, often due to a concentration of class, religion or any other tie that binds. Focusing upon a single area, and particularly an area exceptional for its broad social mix and transitional qualities, demands a different narrative. The associations formed around Chancery Lane were marked by their heterogeneity, variety and, particularly during the divisive period of the 1790s, their clashes.

The main themes that arise in connection with associations are the networks of sociability they arose from, the opportunities they afforded for public advancement, and struggles for the control of public space. After the French Revolution, opportunities for personal betterment still existed, but in a far more politicised context. From the mid-1790s onwards, most associations in this area were caught up in a national wave of militaristic patriotism, while simultaneously asserting a distinctly local character and maintaining local control. Building upon loyalist feeling and anxieties that had been stoked by domestic radicals and the French enemy abroad, militias and volunteer associations were soon joined by moral reform societies, committed to maintaining stability in the country through social control rather than by force of arms. All of these loyal associations shared an interest in dominating local public spaces through displays of support for King and constitution, and by preventing any activities which challenged their outlook.

Associations are usually analysed by historians in terms of their importance as national movements. Yet the corollary of a coordinated network acting together to form or implement

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<sup>6</sup> Clark, *British clubs and societies*, p.140.

<sup>7</sup> John Barrell, *The spirit of despotism, invasions of privacy in the 1790s* (Oxford, 2006), p.54 and Clark, *British clubs and societies*, p.313.

public opinion, place pressure on the state, or do both, is that the people involved need to meet one another in a particular place at a particular time. The many associations which operated in this area differed in their aims and principles, but also in the ways they interacted with other local institutions. Loyalist associations in particular often drew membership from Lincoln's Inn and the residents' committee of the Liberty of the Rolls. These provided pools of civically-minded, propertied men who identified strongly with the local area and in the case of the lawyers, mixed their professional networks with their political activities. Such individuals were often at the centre of a variety of different movements over many years, and built up a wealth of knowledge and practical experience of campaigning.

To take one example, George Fryer, a Chancery Lane stationer, chaired the residents' committee meetings, joined the workhouse committee, paid a subscription for the setting up of a public dispensary in Carey Street, was part of an anti-sedition committee in the early 1790s and then was on the committee to set up a volunteer association in 1803. He also served as a Middlesex juryman and as indicated by several of the subscriptions he paid, was a lover of music. Local men could get an association up and running remarkably quickly, using their knowledge of local contacts and conditions. Those of a mind to, say, honour and defend their country and constitution, or improve and reform poor unfortunates, consistently showed an ability to mobilise funds through subscriptions, supporters through parish meetings, propaganda through publicity in newspapers and handbills, and access to power through local dignitaries such as the Master of the Rolls. Their commitment could be intimidating, as manpower was provided by co-opting the watch and beadle, or self-arming and organising.

Radical associations suffered from their fleeting involvement in the locality. Their presence in the area was generally incidental, for instance the use of one of their members' houses as a meeting place. Radical associations did not enjoy the continuity of connections with the parish that allowed others to mobilise the beadle and constable, or even petition Parliament. Nor did their networks of political sympathisers provide them with the immediacy, intimacy and loyalty built up by some loyalists over long periods and crossing social divisions. While radical intellectual commitments were no doubt proactive, their ability to meet, organise and practice their politics became reactive. A good example of this contrast would be contacts in the legal world: a local radical might be defended in court against sedition charges by Thomas Erskine; a local loyalist might petition Richard Pepper Arden to take up their cause in Parliament, or perhaps even have a quiet word in William Pitt's ear.



To highlight some of the ways in which associations were important to the politics of the area, we will begin by looking at a ‘publick’ dispensary, an organisation that was charitable, but due to its membership and mode of governance had definite political consequences. We will then briefly explore the associational affiliations of two locals, Josiah Brown and William Payne, to see how people’s networks of acquaintance and personal beliefs helped to decide the associations they might join. The ‘publick dispensary’ in Carey Street, of which George Fryer was a governor, advertised its quarterly general meeting at the Anchor and Baptist Head coffeehouse. It had been instituted in 1783 and by 1787 had helped over 5000 people, proudly stating that 1415 of these were visited in their own homes.<sup>8</sup> A subscription of one guinea a year (as Fryer paid) made the subscriber a governor with a vote in all matters of general concern and one person could be recommended as a patient for each guinea donated. Subscription of 10 guineas gave a governorship for life and bought the right to nominate two patients for treatment at any given time.

The list of governors was overwhelmingly made up of local men, with many coming from Carey Street itself, and a number from Chancery Lane and Lincoln’s Inn. Richard Pepper Arden was among the governors for life, and several of the governors had also served on the workhouse committee of the Liberty of the Rolls, of which the majority were tradesmen rather than gentlemen.<sup>9</sup> As Wilson identifies in her research on the phenomenon of voluntary hospitals, of which the dispensary in Carey Street was a typical example, ‘independent Artisans underlined their aspirations to respectability by emulating the middle classes through the scope of institutionalized charity.’<sup>10</sup> The dispensary was initially exempted from parochial taxes on the proviso that the overseer of the poor for the Liberty of the Rolls could nominate two patients to be treated there as though he were a governor.<sup>11</sup> However it was soon found that the dispensary building had lodgers in it, so the exemption was removed and a move to compromise by halving the parish rate was defeated.<sup>12</sup> Halving the rate was eventually agreed to, upon the undertaking that the dispensary building would not be open to any other uses.<sup>13</sup> Despite these wranglings, the ongoing and active role of local men in the dispensary was

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<sup>8</sup> *Morning Chronicle and London Advertiser*, 7 July 1787.

<sup>9</sup> Public Dispensary, *Plan of the Publick Dispensary in Carey-Street, Lincoln's-Inn-Fields* (1785).

<sup>10</sup> Kathleen Wilson, 'Urban culture and political activism in Hanoverian England: the example of voluntary hospitals' in Hellmuth (ed.), *The transformation of political culture*, p.175.

<sup>11</sup> Westminster Archives, London, LR/K/1/327, Minutes of meetings of the inhabitants and the workhouse committee, 4 January 1786.

<sup>12</sup> *Ibid.*, 1 February 1786.

<sup>13</sup> *Ibid.*, 2 March 1786.

evidenced by a vote taken in 1800 for an additional physician, won by Dr Murray of Chancery Lane. Membership was clearly still popular and a remarkable 470 votes were cast overall, of which 360 went to Dr Murray.<sup>14</sup>

Wilson understands these charitable endeavours as an important reflection of a wider ideological consensus between the middle and upper classes. The organisation of voluntary hospitals indicated how social authority was now extended to include the middle-class and was directed at improving the urban environment and regulating the poor.<sup>15</sup> In a similar vein, Money emphasises ‘the political significance of the non-political’, that is to say the associations which bridged social differences and sustained a cohesive order with the aristocracy at its top.<sup>16</sup> However, it should be remembered that such organisations did not just foster solidarity between the upper and middle classes against lower sorts. They also helped their middling and artisanal members form and articulate radical political arguments, not least because of their democratic structures of governance, allowing subscribers to access forms of participation such as voting that they would be denied in the political world.<sup>17</sup> Thus more widespread membership of associations could have quite contradictory effects, and were just as liable to foster ‘diverging political principles’ as they were to highlight ‘shared interests’.<sup>18</sup> One institution that could certainly produce such diverse trends was the parish (or in this case, the residents’ committee of the Liberty of the Rolls), not least because men of quite different social standing were compelled to become involved.

The social cohesion provided by different associations was integral to the process of creating a political culture of loyalism that would reach its apogee in the 1790s. Money identifies ‘the role of wider agencies, among which Freemasonry was prominent, to bring the potentially divergent results of local synthesis together in common attachment to King and Constitution.’<sup>19</sup> As will be shown, freemasonry had a strong and longstanding presence around Chancery Lane, including several regular meetings, the use of local businesses and a local lawyer acting as secretary for one of the lodges. Building on values they had developed by the mid-century such as patriotic pride and virtuous brotherhood, by the late eighteenth

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<sup>14</sup> *St. James's Chronicle or the British Evening Post*, 16-18 January 1800.

<sup>15</sup> Wilson, 'Urban culture and political activism in Hanoverian England', p.178.

<sup>16</sup> John Money, 'Freemasonry and the fabric of loyalism in Hanoverian England' in Hellmuth (ed.), *The transformation of political culture*, p.242.

<sup>17</sup> Wilson, 'Urban culture and political activism in Hanoverian England', p.180.

<sup>18</sup> *Ibid.*, p.183.

<sup>19</sup> Money, 'Freemasonry and the fabric of loyalism in Hanoverian England', pp.244-5.

century the Masons were increasingly concerned with civic achievement and a sense of tradition. This was garnered both from the history of their own organisation, and as Money details, ‘a reverence for national institutions, especially for that sublime creation of the Grand Architect of the Universe, Our Glorious Constitution in Church and State, and for the King as its symbol, head, and Chief protector.’<sup>20</sup> These features were evident in the various meetings taking place on Chancery Lane. In the latter part of the 1760s there were at least two Masonic lodges meeting in Chancery Lane, one at the Anchor and Baptist Head tavern<sup>21</sup> and another – lodge number 4 – at the Crown and Rolls tavern, which met twice a month.<sup>22</sup> A third source suggests lodges 2 and 14 met in the Crown and Cushion and Anchor and Baptist Head tavern, but the former venue isn’t mentioned anywhere else.<sup>23</sup> The Euphrates Lodge began to meet at the Anchor and Baptist Head during 1772.<sup>24</sup> By 1780 there were three lodges, all meeting at the Crown and Rolls (lodges number 13, Anchor and Baptist Head Lodge; 15, Globe Lodge; and 215, Tuscan Lodge).<sup>25</sup>

Outside of such regular local meets, the ‘free and accepted masons’ were to hold a meeting on 24 June 1778 at Denmark Hall at 9am to accompany the Grand Officers to Camberwell Church where they would hear divine service. Everyone was to then go to dine at the Grove House. Tickets were 10s.6d and could be bought from the Grand Secretary and stewards, the Half Moon Tavern in Cheapside and Mr Greenly’s, the New Crown and Rolls on Chancery Lane.<sup>26</sup> The Freemasons also used a printer in Chancery Lane, called the British Letter Foundry and based in Breems Building. Here were printed the *Freemason’s Magazine*, a publication including important Masonic treatises and ‘Literary Amusement’ for the ladies, and a free supplement, the *Masonic Directory*.<sup>27</sup> And as has been briefly mentioned, Joseph Bicknell esq of Chancery Lane was elected secretary of the Prince of Wales’ Freemasons lodge in 1791.<sup>28</sup> Bicknell was also one of the sixty Sworn Clerks of the Court of Chancery. Chancery Lane offered all of the businesses and services necessary to running a successful

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<sup>20</sup> Ibid., pp.265-6.

<sup>21</sup> J\*\*\* G\*\*\*\*\*, *Mahhabone: or, the grand lodge-door opened. Wherein is discovered the whole secrets of free-masonry, both ancient and modern* (Liverpool, 1766), p.117.

<sup>22</sup> Samuel Prichard, *Masonry dissected: being an universal and genuine description all its branches, from the original to the present time* (1770?), p.23.

<sup>23</sup> Anon., *The complete free mason, or multa paucis for lovers of secrets*. (London?, 1764?).

<sup>24</sup> *Daily Advertiser*, 7 April 1772.

<sup>25</sup> Freemasons Grand Lodge, *The Freemasons calendar for 1781* (1780).

<sup>26</sup> *Daily Advertiser*, 13 June 1778.

<sup>27</sup> See, for instance, *Star*, 6 April 1795 and 2 July 1795.

<sup>28</sup> *Morning Post and Daily Advertiser*, 20 December 1791.

association, from printers and public meeting spaces to the availability of people with interest in becoming members and the skills and knowledge to act as secretaries and officers.

Another important aspect of associations is the different ways in which individuals experienced them. While for some, membership of an association might have been an unavoidable burden, others might have found the same association enlightening and liberating. Motives for joining were no doubt a variable mixture of duty and enthusiasm. Encouragement came from friends and the like-minded, pressure from less agreeable acquaintances that were zealous or in need. We must consider the complex network of personal and professional relationships, which combined with an individual's beliefs and aspirations to influence how and with whom they chose to associate. According to Clark, individuals tended to have a 'promiscuous' relationship with a number of organisations of varying focus, both in terms of geography and purpose. Divided loyalties between groups with overlapping jurisdiction prevented cohesive communities from growing and cooperation from building.<sup>29</sup> Clark's assessment is certainly relevant to the divisive presence of Lincoln's Inn in this area. The following two examples are both of men who were involved in the vestry of the Liberty of the Rolls, but whose experiences within that body and with other associations were quite different.

Josiah Brown was, in his professional life, a barrister and editor of the cases in Parliament. Early in his career, Brown became involved with an association to provide for the widows of legal professionals. The meetings were held at the Crown and Rolls Tavern and Brown distributed copies of the plan from his house opposite the Six Clerks' Office.<sup>30</sup> Once the society was up and running he operated as its secretary.<sup>31</sup> It might be expected that a society of lawyers would have a lawyer as its secretary, however this was a much broader trend (for example, attorney John Philpot of Holborn was secretary to the public dispensary on Carey Street and numerous other instances will follow). The administrative skills of attorneys and barristers were helping to place them at the heart (if not always the head) of civil society in Britain, in the same way as was happening in the commercial world. Involvement in the association for legal widowers allowed Brown to access local and professional networks that might be very advantageous: two of its eminent directors, Mr Serjeant Nares and Mr Serjeant

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<sup>29</sup> Peter Clark, 'The multi-centred metropolis: the social and cultural landscapes of London, 1600-1840' in Peter Clark and Raymond Gillespie (eds.), *Two capitals, London and Dublin 1500-1840* (OUP, 2001), p.256.

<sup>30</sup> *Gazetteer and New Daily Advertiser*, 21 December 1765

<sup>31</sup> *Ibid.*, 21 April 1766

Davy, had been on the workhouse committee of the Liberty of the Rolls, a post which Josiah Brown would later take up as well. When a loyalist association was set up in Chancery Lane in 1792, Brown was its chair, a position which he filled until his death in 1793. That Brown took the chair might have had much to do with the dynamics of the group of people involved which is now lost in obscurity. Whatever his suitability, it seems unlikely he would have been welcome in this role without the relationships and standing he must have built up during his association with local politics, considering the large crossover of personnel that the loyalist association shared with the Liberty.

A second example, William Payne of Bell Yard, provides a contrasting career, of very different social background and political commitments to Brown's.<sup>32</sup> It is important to highlight Innes' research here, as it gives us a slightly different angle on Clark's interpretation of promiscuous commitments dividing communities. Payne did involve himself with a variety of associations, but his interest in them arose from his engagement with the community, and all of them spoke to his particular worldview, notably his commitment to Anglicanism of a Calvinist flavour. Payne's first taste of public life was provided by his role as a householder in the Liberty of the Rolls. He was required to serve as headborough, deputy to the constable.<sup>33</sup> We have seen how this led him to begin a long career in policing and involvement with the reformation of manners movement. Payne was also active in campaigns to prevent meat being sold at an excessively high price by middlemen. His involvement included calling for new legislation, prosecuting middlemen under existing laws and helping to launch a scheme whereby subscribers could contribute to a fund to buy wholesale provisions and sell them on at cost price to the poor.<sup>34</sup> The scheme was reproduced in miniature in the Liberty of the Rolls, suggesting Payne's involvement in transferring the idea. He was also a 'passionate and pushy recruit' of the Protestant Association.<sup>35</sup> Payne and his son were signatories of the association's mass petition and according to Gordon 'were the most active people' favouring the plan for a mass rendezvous'.<sup>36</sup> He inhabited a 'world of newspaper-reading, society-joining, parochially and to some extent civically active small

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<sup>32</sup> His life and political career have been studied in detail by Joanna Innes in her book *Inferior politics: social problems and social policies in eighteenth-century Britain* (Oxford, 2009), from which much of the following is derived.

<sup>33</sup> *Ibid.*, p.291-2.

<sup>34</sup> *Ibid.*, p.309-21.

<sup>35</sup> *Ibid.*, p.334.

<sup>36</sup> Quoted in Innes, *Inferior politics*, p.337.

tradesmen.<sup>37</sup> He also began something of an inferior political dynasty; William Payne Jr was involved in attempts to set up a volunteer association in the Liberty of the Rolls in 1803 and managed to become superintendent during their brief existence (see below). He also became a liveryman of the Carpenter's Company.<sup>38</sup> Innes describes how Payne's world of public involvement was confined to a fairly small area. His interest in the Protestant Association is understandable in terms of his religious proclivities, but he must also have felt positively encouraged to attend its meetings which were held on Chancery Lane and just round the corner from where he lived. Innes' account shows the importance of locality to associational activity and this chapter moves beyond the story of one individual to show how a community's politics developed over time.

### **I: The Protestant Association**

We have already seen how the Gordon riots were important to the development of policing in the local area. They were also indicative of a changing culture of association. Before the riots, the Protestant Association, organisers of the initial rally which got so out of control, staged large and seemingly quite disorderly meetings at the Old Crown and Rolls tavern in Chancery Lane which spilled out onto the street. One anonymous writer identified the progression of spaces in which the Protestant Association met: first 'in allies [alleys], then in alehouses and then in halls; 'till, finally, not possessing the secret of Milton's Devils by which pandaeonium was made to contain them all, they were obliged to assemble under the wide cope of heaven.'<sup>39</sup> The ultimate end of widespread chaos is made to seem inevitable, with the meeting in Chancery Lane representing a step along the way. The psychological effects of the riots were strongly emphasised: '[t]he peaceable inhabitants of London have not yet forgotten the mental hell with all the torments of which they were tortured for over a week.'<sup>40</sup> The armed associations that sprang up in response to the unrest represented a new intolerance of such disorderly popular politics. Based around a core of local men, the armed association which also met at the Old Crown and Rolls promoted stability and order within a small locality, without yet having any interest in joining a wider movement. However, these associations were an important step in the creation of British volunteer forces and a precedent

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<sup>37</sup> Innes, *Inferior politics*, p.341.

<sup>38</sup> *Ibid.*, p.286.

<sup>39</sup> Real friend to religion and to Britain, *Fanaticism and treason: or, a dispassionate history of the rise, progress, and suppression, of the rebellious insurrections in June 1780* (1780), p.19.

<sup>40</sup> *Ibid.*, p.18.

for the volunteer movement that was formed during the wars with France in the 1790s and 1800s.<sup>41</sup>

Residents of Chancery Lane would probably have come across Protestant Association propaganda as one anonymous critic complained that ‘every diuretic hole and corner of our streets has been papered with their hand-bills’, and it is likely that Chancery Lane was no exception.<sup>42</sup> The Protestant Association published an invitation to all Protestants to meet at the Old Crown and Rolls tavern on 30 December 1779 at six o’clock, ‘to consider of an application to Parliament for a repeal of the Act lately passed in favour of the Papists.’<sup>43</sup> The letter was signed by the secretary of the association, James Fisher, an attorney based in Whitechapel. Gordon would later state that he hadn’t ‘reposed any confidence at all’ in James Fisher and that ‘I had Reasons to suspect the Firmness of the Secretary’.<sup>44</sup> The venues that the Association met at were chosen to gain the largest possible following across London, going by the geographical spread of one each in Westminster, the City, Southwark, and Chancery Lane, in the centre of the metropolis.

Another meeting in the same tavern on 6 January 1780 was widely advertised, alongside a notice about a petition available for signing under the supervision of the committee, also in the same place.<sup>45</sup> Presence of the petition would have made this a site of ongoing interest for supporters of the Protestant Association cause outside of the times it was used as a meeting place. It would appear that the meetings were very well attended. A later report put attendance of a meeting on 12 February 1780, the first when Lord Gordon publicly took the chair, at upwards of 1500 people.<sup>46</sup> A further two meetings were held in April and May that year.<sup>47</sup> The same anonymous writer was witness at one of these meetings and attested that ‘[t]he room, though large, was considerably too small for the assembly. There did not appear to be a single individual among them, who bore the appearance of anything like a gentleman, except the few who were led thither by curiosity.’<sup>48</sup> The writer blamed the political culture of

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<sup>41</sup> Austin Gee, *The British volunteer movement, 1794-1814* (Oxford, 2003), p.12-13.

<sup>42</sup> Real friend to religion and to Britain, *Fanaticism and Treason*, p.19.

<sup>43</sup> *Public Ledger*, 21 December 1779.

<sup>44</sup> *Public Advertiser*, 23 April 1783.

<sup>45</sup> *General Advertiser and Morning Intelligencer*, 3 January 1780; *Gazetteer and New Daily Advertiser*, 4 January 1780; *General Advertiser and Morning Intelligencer*, 4 January 1780.

<sup>46</sup> *Gazetteer and New Daily Advertiser*, 6 November 1780.

<sup>47</sup> *Morning Chronicle and London Advertiser*, 3 April 1780; *London Courant and Westminster Chronicle*, 1 May 1780.

<sup>48</sup> Real friend to religion and to Britain, *Fanaticism and treason*, p.19.

debating societies for fostering the demagoguery he had witnessed. Local residents of Chancery Lane did not explicitly verbalise a link between disorderly public meetings in their area attended by people of low social class and their subsequent experiences of violent disorder met by military intervention, but they did act to prevent either imposition from occurring again.

On 18 July 1780, a general meeting of the inhabitants of the Liberty of the Rolls took place to consider a letter received from a committee, appointed by the Duke of Northumberland in his position as Lord Lieutenant of the County of Middlesex and including the Deputy Lieutenant and Justices of the Peace, with a remit ‘to strengthen the civil power and to prevent any such disturbances in future as had lately happened.’<sup>49</sup> The letter offered a two month long training course in the use of arms provided by officers of the Royal Volunteers Companies for ‘[h]ousekeepers and other respectable citizens’, so that they could ‘assist the civil magistrate when occasion might require’.<sup>50</sup> What followed gives some further idea of the processes involved in the local politics of the Liberty of the Rolls and the concerns of those people who attended the meetings of the inhabitants, bringing us full circle from the discussions concerning the vestry clerk over a decade before.<sup>51</sup>

Before the meeting of 18 July had come together, the vestry clerk (by now the son of the Mr Jennings elected in 1767) solicited the opinion of the Master of the Rolls in response to the letter. The Master voiced no objection to the formation of an armed association of householders if they found it ‘suitable to their own convenience’.<sup>52</sup> The ancient inhabitants present at the meeting felt that the question of associating ‘immediately and personally concerned the Inhabitants at large’ and that another meeting should be called at the Old Crown and Rolls Tavern on Chancery Lane so that those who saw fit to associate might do so. The next meeting was held on 21 July, with attendees up from 13 to 31. It was decided unanimously that no association of the kind suggested would be formed. A letter was drafted by the vestry clerk in reply to the original correspondence. It carefully begins with a mention that the meeting was held with the approbation of ‘his Honor’, the Master of the Rolls, and goes on to very graciously refuse the offer of assistance. The letter adds that although arms and training will not be accepted from outside, an armed association of inhabitants would still

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<sup>49</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 18 July 1780.

<sup>50</sup> *Ibid.*, 18 July 1780.

<sup>51</sup> See chapter 1, section I.

<sup>52</sup> WAL, LR/K/1/326, Minutes of meetings of the inhabitants, 18 July 1780.



be formed with residents themselves paying the cost. As Rogers notes, ‘associations were intended as a counterweight to military intervention as much as a supplement.’<sup>53</sup> According to Shoemaker, associations of householders for the purpose of suppressing riots and maintaining order ‘dated from the Gordon Riots,... [which] caused attitudes towards the mob to harden and led neighbours to band together to protect their homes.’<sup>54</sup> Those engaged in local politics were changing their attitude to uses of their local space.

## **II: After the French Revolution: loyalist associations**

The 1790s ushered in a much more confrontational culture in British political discourse, and this was evident in the attitudes and actions of the associations active in Chancery Lane at this time. Barrell puts forward a ‘version of the political geography of London, based not on the divisions of place and space but on how these different groups of intellectuals, Tory and liberal, inhabited the city.’<sup>55</sup> Barrell notes how the Tory intellectuals enjoyed a privileged and well-connected existence, their circle including contacts within the country’s major institutions: court, government, church and the legal profession. Meanwhile, those of a liberal persuasion found the ‘connections as they had with professional faculties and institutions were often short-lived and precarious’, and their places of residence equally impermanent.<sup>56</sup> Liberals seemed to lead a more itinerant, unsettled and alienated existence. These characteristics were evident in both the networks of people sustained by radical and loyalist associations and in the meeting places they used. There will follow a description of confrontation between radicals and loyalists, a highly asymmetric battle.

Groups of all political persuasions used strategies common to almost all associations in this period, such as subscriptions, petitions, correspondence and publicity, in the form of handbills or by placing resolutions and adverts in the press. This section will explore what brought different political associations to meet near Chancery Lane and how, despite their similarities in terms of organisation, radicals and loyalists had very different experiences when attempting to base themselves in the area. The relationship between associations and other local institutions will be used to explain the development of a particular political

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<sup>53</sup> Nicholas Rogers, ‘Crowd and people in the Gordon riots’ in Hellmuth (ed.), *The transformation of political culture*, p.47.

<sup>54</sup> Shoemaker, *The London mob*, p.148.

<sup>55</sup> Barrell, *The spirit of despotism*, p.70.

<sup>56</sup> Barrell, *The spirit of despotism*, p.72-3

ecosystem around Chancery Lane, in which shifting notions of public and private space expanded the political battleground into places that would previously have been considered off-limits.<sup>57</sup> The ability to gain access to and control over meeting spaces will be shown to be particularly important when examining a relatively new breed of association, that of the working-class radical.

The challenge to radical associations is often described in terms of state actions, including passing of oppressive legislation, spying and intimidation. However, it was not monopolised by the state, but was also taken up at a local level. In November 1792, John Reeves set up the Association for the Preservation of Liberty and Property against Republicans and Levellers.<sup>58</sup> There is some dispute over how involved the government was in the spread of this loyalist movement, but it is certainly the case that similar societies were set up around Britain, including an anti-sedition committee in Chancery Lane that met between the winter of 1792 and autumn in 1793. Dickinson tells us that urban loyalist associations were mainly attended by professionals, merchants and manufacturers, many of whom were also involved with the church and local government.<sup>59</sup> The Chancery Lane association is no exception to this trend. Of the twenty-one signatories to the resolution printed in the papers, thirteen attended at least one residents' committee meeting for the Liberty of the Rolls and most were serial attendees (see Figure 12). Several of the signatories chaired the residents' committee and two served as overseers of the poor. The assessors of residents of the Liberty of the Rolls eligible to vote in the Middlesex County election in 1780 were regular attendees of the general meetings of the inhabitants and one was a signatory of the declaration of the anti-sedition committee.<sup>60</sup> Ten of the signatories were also on the workhouse committee in 1792. Interestingly, only two of these were identified as gentlemen: the rest were tradesmen. That the members of the anti-sedition committee were also dominant in the governance of the parish is vital to the ways in which they were able to structure political life in their local area. They had the very tangible benefit of control of local law enforcement such as the beadle and the watchmen, the significance of which will soon become apparent. Mr. Jennings the vestry clerk was also secretary to the committee. Added to their importance in local politics, the economic and

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<sup>57</sup> Barrell, *The spirit of despotism*, p.4.

<sup>58</sup> Once again, a fuller account can be found in Eugene Charlton Black, *The association: British extraparlimentary political organisation, 1769-1793* (Harvard, 1963), chapter VII.

<sup>59</sup> H. T. Dickinson, 'Popular loyalism in Britain in the 1790s' in Hellmuth (ed.), *The transformation of political culture*, p.519.

<sup>60</sup> Assessors were Stephen Moulton and Thomas Bignall, see *London Evening Post*, 3 June 1780. Moulton went on to sign the declaration.

social position of the anti-sedition committee members would have strengthened their hand in enforcing their political dominance of the area, and would have been at least partly responsible for their enthusiastically loyalist outlook. They possessed at least some property worth protecting.

**Figure 12:** Signatories to the resolution of the Liberty of the Rolls 1792 anti-sedition committee, along with vestry and workhouse committee involvement and address/occupation where available.

Signatories	Attended inhabitants' general meeting	Sat on the 1792 workhouse committee	Address and profession, if available
Josiah Brown, Esq	X	X gentleman	6 Chancery Lane (equity draftsman)
Charles Short, Esq			4 Carey St (conveyance/ equity draftsman, Western circuit)
John Hardcastle, Esq			6 Symond's Inn (attorney)
John Dixon, Esq			Chancery Lane (banker)
Lewis Peacock	X chair	X tradesman	Chancery Lane (stationer)
Edward Brooke			39 Bell Yard (bookseller)
Edward Bigg			
Thomas Coombe	X		
John Walmsley	X overseer of poor		
Stephen Richards	X		15 Chancery Lane (stationer)
John Pigott Jones			
John Tarrant		X gentleman	
Stephen Moulton	X	X tradesman	
John Scofield	X		
John Robins	X chair	X tradesman	28 Chancery Lane (upholder)
George Fryer	X chair	X tradesman	(Stationer)
Henry Calton	X overseer of poor	X tradesman	
James Richardson	X	X tradesman	
Edward Hawkins		X tradesman	
Edward Flower	X	X tradesman	
Alexander Brodie	X		Carey St (iron founder)

The contrast between the political interests of the Chancery Lane anti-sedition committee and radical democratic groups such as the Society for Constitutional Information was marked. The division between them was not simply an ideological split between conservatives and radicals. The two associations adopted very different attitudes to political use and control of local space. Loyalists were advantaged in controlling their local area and limiting the political practices of others in part because of their connections with state and local institutions, but also because they aimed to do so. Although loyalists and radicals had a common set of techniques to garner publicity and share ideas, loyalists used them for surveillance, control and as tests to screen for unacceptable political opinions. Dickinson measures the success of loyalists by the large number of letters received by Reeves' association. Furthermore, 'there can be no doubt that these associations did enlist the enthusiastic support of many thousands of humbler men in the winter of 1792-3.'<sup>61</sup> The description of a corresponding society with popular pretensions could just as easily be applied to radical association. However, loyalist associations did not wish to debate the nature of patriotism, but to make certain arguments seem unpatriotic and beyond the realm of acceptability.

Membership of the Reeves Associations 'was largely confined to local men of property'.<sup>62</sup> In Chancery Lane, this meant a strong presence drawn from the legal profession. Several of the Chancery Lane anti-sedition committee which met in the Baptist Head Tavern were lawyers as was chair, Josiah Brown. There were also three stationers and a bookseller; the former would have relied upon lawyers for much of their custom. Further evidence of the importance of local legal networks is contained in a letter to Reeves' Association at the Crown and Anchor, in which the correspondent recommends a pamphlet entitled *Desultory Observations on the Situation, Constitution, Government, Religion etc. of Great Britain* by another barrister, Anthony Holmes Esq., as suitable propaganda for distribution. The pamphlet was sold by W. Duncan of 71 Chancery Lane.<sup>63</sup> Robson describes how middle class professionals 'and the attorneys among them, enjoyed in the last years of the century a vastly enhanced position, and provided a strong bulwark to English society in these dangerous years.'<sup>64</sup>

When the anti-sedition committee printed its resolution for local distribution, it was handed out alongside a handbill entitled *the description of a Leveller*, extracted from Francis

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<sup>61</sup> Dickinson, 'Popular Loyalism in Britain in the 1790s', p.519.

<sup>62</sup> *Ibid.*, p.519.

<sup>63</sup> British Library, Add MS 16919.

<sup>64</sup> Robert Robson, *The attorney in eighteenth-century England* (Cambridge, 1959), p.153.

Plowden's *Jura Anglorum*.<sup>65</sup> Schofield describes Plowden as '[o]ne of the more comprehensive natural law writers'<sup>66</sup> and gives the following summary of his position:

[m]utual assistance created obligations, and these dependence... The rights which individuals possessed in the state of nature were entrusted to particular men whose duty it became to govern and defend the community. Each individual became subject to the power of the whole community, to the sovereignty of the state. His rights were social.<sup>67</sup>

According to Dickinson, writers like Plowden (and John Reeves) 'helped to undermine the intellectual appeal of radical natural rights theories among educated men.'<sup>68</sup> Yet by 1794 Plowden was 'attacking Reeves's Association movement as an unconstitutional attempt to 'rule by clubs'.<sup>69</sup> Plowden accused Reeves of trying to direct 'the loyal fury of the mob'.<sup>70</sup> Plowden suggested that Reeves's attempts to tar all reformers with the same brush and criminalise a large proportion of the population would provoke such violent factionalism that it would endanger the state. 'What can be more false,' Plowden asked, 'than that all those who wish to bring about a Reform in Parliament wish to subvert the Constitution of their Country?'<sup>71</sup> By endorsing the work of Plowden, the Chancery Lane anti-sedition committee were perhaps trying to place themselves at the liberal end of the loyalist spectrum. Ginter makes the case that the ubiquity of membership in some areas was not necessarily evidence of universal enthusiasm for a shared cause, but actually masked the existence of a much greater range of opinion:

[f]or the most part the associations were composed of men from a single neighbourhood, accustomed to frequent social and political intercourse. The associations were specifically designed to make it exceedingly difficult for individuals to avoid membership by remaining in the background. Tremendous pressure was applied by those zealous few of every neighbourhood to secure the membership of everyone, particularly of those of weight and influence.<sup>72</sup>

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<sup>65</sup> Francis Plowden, *Jura Anglorum* (1792), p.598.

<sup>66</sup> Thomas Philip Schofield, 'Conservative political thought in Britain in response to the French Revolution', *The Historical Journal*, 29, 3 (1986), p.614.

<sup>67</sup> *Ibid.*, p.615.

<sup>68</sup> Dickinson, 'Popular loyalism in Britain in the 1790s', p.506.

<sup>69</sup> A. V. Beedell, 'John Reeves's prosecution for seditious libel, 1795-6: a study in political cynicism', *The Historical Journal*, 36, 4 (1993), p.803.

<sup>70</sup> Francis Plowden, *A short history of the British empire during the last twenty months; viz. from May 1792 to the close of the year 1793* (1794), p.195.

<sup>71</sup> *Ibid.*, p.193.

<sup>72</sup> Donald E. Ginter, 'The loyalist association Movement of 1792-93 and British public opinion', *The Historical Journal*, 9, 2 (1966), p.187.

The legal connection was an important part of the ongoing social and political intercourse in this area, but did not provide a totally homogeneous political influence. Reeves himself was a barrister and the Chancery Lane anti-sedition committee's affiliation with Reeves' organisation and Plowden's writing was probably fostered by a shared profession and physical proximity (Reeves was a commissioner for bankruptcy with offices in Bell Yard, his original association met at the Crown and Anchor in Strand and Plowden worked as a conveyancer in the Middle Temple), as well as shared political sympathies.

The armed association of inhabitants formed in response to the Gordon riots worried about the sporadic threat to property posed by the London mob and also about institutional encroachment into their local space by the state. By arming themselves, they felt safer about the occasional bursts of unruliness among the populace and by strengthening their locally funded watch, they precluded state interference in local policing. The anti-sedition committee were more concerned about ideological than physical threats. Rather than considering how to keep state influence out of the area, they hoped to shape their locality in a way that best supported the political nation in its existing form. No doubt spurred on by the wider loyalist movement, the anti-sedition committee went about their business with great self-confidence, omitting deferential touches the earlier committee had made such as seeking the opinion of the Master of the Rolls. How then did they go about ordering local space in a way that would protect not only their property, but the supremacy of their ideological outlook?

As Philp suggests, '[t]he organizational and literary manifestations of loyalism were more multi-dimensional and complex in their effects than is generally recognized.'<sup>73</sup> The anti-sedition committee meeting at the Baptist Head Tavern displayed just such complexity, particularly in positioning themselves as local arbiters of political propriety. The committee began by reproducing their initial resolution in the morning papers and on 500 handbills, to be delivered to inhabitants of the Liberty of the Rolls and posted in all the taverns within the Liberty. The intention seemed to focus on informing residents of the committee's formation and aims, both to enthuse potential supporters and warn/frighten anyone else. They were also filling local public spaces with visible loyalist writings, so that anybody passing through for economic or social reasons would harbour no doubt about the political allegiances of the area. This writing was neither particularly literary, nor of any great conceptual merit, but more an

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<sup>73</sup> Mark Philp, 'Vulgar conservatism, 1792-3', *The English Historical Review*, 110 (1995), p.44.

attempt to position the authors as politically ‘safe’ (loyal, legal and steady; unextreme) within the discourse of the time.<sup>74</sup> There is no mention of any intention to educate the lower orders in the way that Reeves’ committee had pledged to do.<sup>75</sup> The anti-sedition committee’s attempts to form the Liberty of the Rolls into a loyalist space provide evidence of the use of political tactics that were quite different to the rhetoric of vulgar conservatism which Philp describes. These tactics would have been unavailable to the ‘lower orders’ of any political colouring, and to radicals in general, who lacked the grip on parish politics that the anti-sedition committee had. The threat of litigation, of ‘asserting every legal measure for suppressing the distribution of seditious papers or writings and all illegal associations or conspiracies’, must have carried real weight when made by a group with such thoroughgoing experience and understanding of the legal system. While Emsley rejects the existence of a novel and systematic national legal attack on radicals, he notes the importance of local initiative in bringing sedition cases to trial and a group of barristers professing enthusiasm for such action must have encouraged local self-censorship to some extent.<sup>76</sup> The mode of local politics conducted by this anti-sedition committee displayed their reliance on local control over persuasive ideas and bears out Philp’s identification of an ‘over-emphasis on the intellectual vigour of conservative doctrine’.<sup>77</sup>

The anti-sedition committee’s resolution was also put in a book to be taken round the Liberty for local people to sign. If anyone refused to attach their signature, their name was recorded alongside any reasons given for their refusal. These range from one man’s wish not to interfere with public matters, to the retort of another non-signatory that he had ‘singular opinions of his own’. One Mr Bennett courageously dismissed the petitioners saying ‘he would subscribe 1 yr for a reform in Parliament but wo[ul]d not sign’.<sup>78</sup> Dickinson describes this as perhaps the ‘most insidious’ of all the loyalist tactics, while refusing to sign ‘obviously

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<sup>74</sup> The full resolution ran thus: ‘The Inhabitants of this District sensible of the Happiness [of] this country, by law established and of the misery and confusion that would ensue from the speculative visionary system of factions ill judging and designing men which have lately been promulged and disseminated, and in order to check the further progress of such mischievous doctrines and opinions which only tend to mislead and incite the people to subvert the peace and order of the state, and actuated by a rational attachment to the Constitution and a steady and affectionate loyalty to their sovereign have entered into association for asserting every legal measure for suppressing the distribution of seditious papers or writings and all illegal associations or conspiracies’, WAL, LR/K/1/401, Declaration of the inhabitants against sedition. Also reprinted in *St. James’s Chronicle or the British Evening Post*, 20 December 1792 and 2 other newspapers.

<sup>75</sup> Austin Mitchell, ‘The association movement of 1792-3’, *The Historical Journal*, 4 (1961), p.58.

<sup>76</sup> Clive Emsley, ‘An aspect of Pitt’s “Terror”: prosecutions for sedition during the 1790s’, *Social History*, 6, 2 (1981), p.174.

<sup>77</sup> Philp, ‘Vulgar conservatism, 1792-3’, p.44.

<sup>78</sup> WAL, LR/K/1/401, Minutes of the Anti-Sedition Committee, 19 December 1792.

required considerable moral courage.’<sup>79</sup> It is a fascinatingly counterintuitive use of a petition, with profession of support for the cause in question completely irrelevant to its purpose. Instead it was being used as a form of political surveillance. Not only was it an attempt to force all residents to make their political allegiance public, it was an extremely divisive tool. There was an implication that anyone who did not sign was disloyal to crown and constitution and needed to explain why they were not guilty of sedition.

Early in 1793, the committee expanded their intelligence-gathering and ‘order’d the beadle report to this committee all new clubs in the Liberty that shall come to his knowledge and also all foreigners that shall come to inhabit in the Liberty’.<sup>80</sup> The net of suspicion was now cast over any other meetings within the local area and particularly upon unknown outsiders. The result was a space in which any other association was under pressure to justify their legitimacy. Not content with filling the locality with loyalist propaganda, scrutinising political relationships and promoting a binary interpretation of politics countenancing only loyalty or disloyalty, the committee attempted to ensure that the urban environment itself could not be used to show support for radical ideals. The beadle was ordered to ‘rub out all seditious and impertinent writings in chalk and otherwise’ to be found on walls around the Liberty and given 5 guineas for his trouble. Radicals at the more extreme end of the spectrum were attuned to the importance of political communication that could not be scrutinised and later used for convictions. Spoken word captured these needs most perfectly<sup>81</sup>, but chalked political slogans or posters offered the advantage of leaving a more permanent political communication, with the built environment as conduit. It is possible that a threat visible in a picture of the low end of Chancery Lane from 1808 that ‘whoever sticks bills against this wall will be prosecuted’ was a part of this campaign (the picture is of the old buildings pulled down in 1799).

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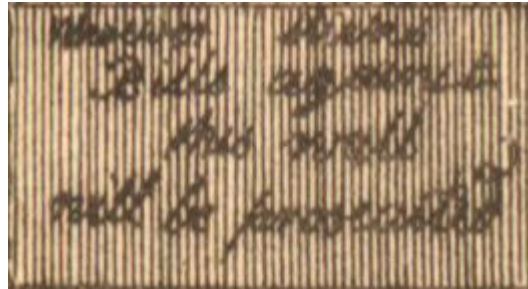
<sup>79</sup> Dickinson, ‘Popular loyalism in Britain in the 1790s’, p.532.

<sup>80</sup> WAL, LR/K/1/401, Minutes of the Anti-Sedition Committee, 9 January 1793.

<sup>81</sup> David Worrall, *Radical culture: discourse, resistance and surveillance, 1790-1820* (Hertfordshire, 1992), p.5.



Detail from J. P. Malcolm, *Chancery Lane* (1808). See chapter 2, 'Topography', figure 7.



Several historians are unequivocal about the success enjoyed by the loyalist associations. Mitchell argues that

the associations had performed all that was demanded of them in the first few months. By flooding the country with loyalist literature, by filling in the gaps in the government's programme of repression, and above all, by organizing a large-scale demonstration of support for the government and constitution, and uniting the bulk of the propertied classes, the associations had transformed a situation of danger into one of confidence.<sup>82</sup>

Dickinson supports this view, stating that 'loyalist associations won so much local support that they soon ceased active operations because it became quite clear that they had silenced or intimidated their radical opponents.'<sup>83</sup> While Dozier broadly shares in the belief that the loyalist association movement was extremely effective, he highlights some of the difficulties in making such claims. The aim of the loyalist movement was to stem the tide of radical feeling and to stop a revolution which never occurred: '[w]hat they prevented will never be known to a certainty, since it did not happen.'<sup>84</sup> Nationally, the presumed achievements of the loyalist associations are heavily based on a counterfactual interpretation of what might have happened had they not existed. Locally, it is much easier to draw concrete conclusions about the effect loyalist activities had, not just upon radical politicians but upon their local political space. Apart from their own significant propaganda efforts, loyalist associations routinised a culture of personal harassment, often mobilising representatives of institutions of law and order. In so doing, they acted as a prophylactic to the free exchange of political ideas and to

<sup>82</sup> Mitchell, 'The association movement of 1792-3', p.77.

<sup>83</sup> Dickinson, 'Popular loyalism in Britain in the 1790s', p.522.

<sup>84</sup> Robert Dozier, *For King, constitution and country: the English loyalists and the French Revolution* (Kentucky, 1983), p.55.

political activities in their local area other than their own. The Chancery Lane anti-sedition committee does appear to have been successful in promoting heightened political surveillance and intolerance in their local area.

### III: Thomas Spence

The experience of the ultra-radical writer and bookseller Thomas Spence in Chancery Lane shows how loyalists attempted to control political spaces through social, economic and physical means, with little or no recourse to rational political discourse or debate. It also provides a contrast to the experience of the SCI, a contrast which might usually be discussed entirely in terms of class. I have no intention of suggesting that class was not an issue. Yet the harassment Spence suffered was not only due to who he was, but where he was as well. Spence complained that immediately after the creation of the Crown and Anchor society in 1792 he, 'being a poor man, and less likely to oppose the lordly menaces of violent Aristocracy, was repeatedly surrounded, insulted, and even threatened with his life, and the destruction of his little all, if he did not give up part of his bread, and decline selling the Rights of Man and other political tracts.'<sup>85</sup> Rather than the relative security of a private house, which the SCI enjoyed for their meetings, Spence was 'so exposed, with only a stall in the open street'.<sup>86</sup> Not only did this make him physically vulnerable, his livelihood and property were also at risk from interference, a point that Spence himself makes plain.

Spence's acute period of ordeal began on 6 December 1792 when two Bow Street runners, whom Spence accused John Reeves of sending, accosted him at his bookstall on Chancery Lane.<sup>87</sup> He was hauled before the magistrate, though no action was taken. It is possibly not a coincidence that this is the same day on which the Chancery Lane anti-sedition committee first met. An anonymous informer from Great Ormond Street, who also described himself as a subscriber to the Crown and Anchor society, sent a letter to Reeves on 10 December expressing his concern at the continued hiring and sale of seditious publications at Spence's bookstall. He had seen 'this morning journeymen, apprentices & Footmen perusing those

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<sup>85</sup> Thomas Spence, *The case of Thomas Spence, bookseller, the corner of Chancery-Lane, London; who was committed to Clerkenwell prison, on Monday the 10th of ...* (1792), p.4.

<sup>86</sup> *Ibid.*, p.5.

<sup>87</sup> *Ibid.*, p.5.

infamous Tracts with great avidity.’<sup>88</sup> The low occupations of the browsers clearly worried the correspondent, in particular the underlined footmen in their position of direct service to the upper classes. Spence’s stall offered little privacy for himself and his customers. Observation of radical associations meeting in a private building required infiltration by a spy. Anyone hostile to Spence’s activities could easily monitor him and express their disapproval. The continuing operation of the bookstall was not for want of opposition: ‘in open defiance of the various entreaties & threats of numerous well-wishers to the public welfare, he boasts that He will still vend & let them out to hire & that the Law can’t prevent him from so doing.’<sup>89</sup> The anonymous informer also gave evidence of a concerted and coordinated effort directed against Spence: ‘[t]he parochial association of St. Andrew & St. George the martyr have it also in contemplation to remove such a dangerous nuisance and wish to have their efforts for so doing countenanc’d & if necessary, aided & assisted by those of the Committee at the Crown & Anchor.’<sup>90</sup> This letter seems to have had an immediate effect and Spence was removed by two more Bow Street runners, detained 30 hours, fined and eventually released on bail. Spence was re-arrested in January 1793 and this time brought to trial, but acquitted on a technicality (a word was wrongly transcribed in the indictment).<sup>91</sup> This episode perfectly encapsulates ‘the dark figure of personal victimization’ described by Emsley.<sup>92</sup> Intimidation through legal institutions will not directly be dealt with here, other than to mention that it was an effective way of displacing Spence, albeit temporarily, from the site of his political activity, which also provided him with his livelihood. Poverty would have impinged on his family’s wellbeing, as did the arrest of his twelve year old son for helping to sell broadsides in the street.<sup>93</sup>

Whilst held in custody on 10 December, three handbills were stuck on the shutters of Spence’s stall stating ‘That the owner was confined in jail for selling seditious books; and they hoped it would be a warning to others.’<sup>94</sup> These threatening words indicated that Spence’s use of his premises was illegitimate. Spence suspected that Association members were responsible. His paranoia was not ill-founded; another anonymous informant wrote to

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<sup>88</sup> British Library, Add MS 16921.

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

<sup>91</sup> A fuller account is available in P. M. Ashraf, *The life and times of Thomas Spence* (Newcastle, 1983), pp.44-48 or Worrall, *Radical Culture*, pp.9-11.

<sup>92</sup> Emsley, ‘An aspect of Pitt’s “Terror”’, p.174.

<sup>93</sup> Ashraf, *The life and times of Thomas Spence*, p.46.

<sup>94</sup> Spence, *The case of Thomas Spence*, p.9.

Reeves on 12 December, this time having met a man in a coffeehouse with seditious pamphlets which he traced back to Spence's stall. The informant then went to the stall to find the pamphlets were sold out, but was offered 'the Plan of a society in Holborn for the reform of Parliament', which must refer to the LCS as Spence attended a branch meeting there. The letter ended dramatically quoting Horace in Latin: 'hic niger est hunc tu Romane caveto' (that man is a dark character; you, Romans, beware of him).<sup>95</sup> Although it is impossible to prove causality, it would seem that the warning was heeded. On 13 December, somebody came to Spence's stall, seized a copy of *Rights of Man* from a young man's hand then 'abused Mr Spence, hustled him about, tore his shirt, and dragged him to an adjoining shop, where, joined by more of his *brutal fraternity*, he robbed the poor man of two other books.'<sup>96</sup> Spence was apparently rescued by some spectators, unimpressed by his treatment, lending credence to Ginter's claim that it was important to avoid 'a desperate struggle between the right and left within each parish or borough, and such struggles were generally avoided and their instigators disliked in eighteenth-century politics', as it embraced the virtues of orderliness and respectability.<sup>97</sup> Spence described his assailants, in similar terms to those used to warn of radicals, as 'the most *diabolical* and *lawless banditti* that ever threatened the peace of the metropolis.'<sup>98</sup>

On 24 December 1792, Spence received notice from his landlord John Harrington that he would have to vacate the stall by 24 March 1793. This message was delivered by the landlord's daughter who explained that Harrington's own customers had threatened to boycott his goods if he continued to rent his stall to Spence.<sup>99</sup> As Worrall points out we can trace 'various stories here of political, physical and commercial intimidation as well as the use of fairly arbitrary powers of arrest.'<sup>100</sup> The outcome of all this activity was not quite the outright success we might expect for the loyalists suggested by the several historians' accounts of the loyalist supremacy. Spence did indeed leave his stall in Chancery Lane in March 1793, but only to set up a bookshop at 8 Little Turnstile, Holborn called the Hive of Liberty.<sup>101</sup> In an era in which property was so strongly equated with political power, Spence's

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<sup>95</sup> BL, Add MS 16922.

<sup>96</sup> Spence, *The case of Thomas Spence*, p.10.

<sup>97</sup> Ginter, 'The loyalist association movement of 1792-93', p.184.

<sup>98</sup> Spence, *The case of Thomas Spence*, p.10.

<sup>99</sup> *Ibid.*, p.11-12.

<sup>100</sup> Worrall, *Radical culture*, p.11.

<sup>101</sup> Ashraf, *The Life and Times of Thomas Spence*, p.48.

move to a building of his own was of great symbolic importance.<sup>102</sup> Much like the case of prostitutes in Chancery Lane detailed in chapter five, Spence was obliged to move on. However, he did not have to move very far, nor did this move significantly disrupt his activities or dislodge him from his network of political relationships, although this is also testament to his courage and persistence. His experience with the loyalist association did make Spence adopt a different approach to accessing and using spaces to maximise his ability to continue with political activities and to prevent unwanted intrusions. It could be said that the decline in political importance of large scale action by the London mob during the eighteenth century made ownership of a private building in London an increasingly effective way of regulating the political encounters one might experience. Worrall identifies the importance of this episode in what it tells us about ‘the very means and conditions by which texts circulate’, conditions which are shown here to be spatial as well as social.<sup>103</sup>

The triumphant parochial anti-politics of the Chancery Lane anti-sedition committee had petered out somewhat by the autumn of 1793, perhaps prompted by the death of the chair, Josiah Brown esq., in late September. The committee’s horizons widened and a subscription was raised to provide clothes and fuel for British troops on the continent, to ‘contribute to their Health and Comfort during the Winter Season’.<sup>104</sup> When the subscription was advertised in the newspapers, it still carried the suggestion that nonsubscribers would be frowned upon, stating ‘that all Subscriptions be accepted as a Testimony of the Good-will of the Subscriber towards his Fellow-Subjects abroad.’<sup>105</sup> However the language was less aggressive and more broadly patriotic. All of the committee to organise the subscription were signatories to the original declaration against sedition, except the chair John Silvester, at that time common serjeant of London. Silvester would later become the Recorder of London and it may have been his connections to the City that caused the subscription to be passed on to the City Corporation and then dispensed with by their existing fund for the same purpose. These were the last actions of the anti-sedition committee. Loyalism re-emerged in Chancery Lane later during the 1790s, but in a more militaristic and less obviously political form. Before looking to later developments we will see how radical associations that operated around Chancery Lane at around the same time as the anti-sedition committee fared. While the Society for Constitutional Information and the London Corresponding Society both enjoyed greater

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<sup>102</sup> Christina Parolin, *Radical spaces: venues of popular politics in London, 1790-1845* (Canberra, 2010), p.5.

<sup>103</sup> Worrall, *Radical Culture*, p.12.

<sup>104</sup> WAL, LR/K/1/401, Minutes of the Anti-Sedition Committee, 27 November 1793.

<sup>105</sup> *St. James's Chronicle or the British Evening Post*, 28-30 November 1793.

safety in numbers and organisation than Thomas Spence, they still had difficulties practising and expounding their reformist principles in the febrile political climate which local loyalists had helped to manufacture. Radical associations were in some ways more open to contestation than individuals like Spence, and their inability to occupy local spaces in ways they thought fit would prove costly. They did, however, outlast the anti-sedition association.

#### **IV: The Society for Constitutional Information**

We begin with a brief history of the SCI to contextualise its activities in the 1790s. The SCI was founded in April 1780. Black describes their central concern as ‘a mission of political education. They sought less to organise than to convert.’<sup>106</sup> Yet they had the idea of organising in a similar way to the Reeves Associations (with a more democratic outcome as befitted their principles) almost 20 years previously. As Wilson details, ‘in 1783 the SCI recommended the establishment of “parochial societies” to mobilize petitions and ultimately send deputies to a general meeting in the capital that would meet as an Anti-Parliament.’<sup>107</sup> In the event, nothing practical was done to implement this plan, other than to issue ever more pamphlets. McCormack makes the case that medium and message were inextricably entwined: ‘[p]rint was an inherently radical medium since it promoted openness, involved rational engagement on the part of the reader and could be widely disseminated.’<sup>108</sup> It is interesting to note that while the loyalists of Chancery Lane drafted in the vestry clerk as the secretary to their association, the SCI had chosen one from five candidates who were not allowed to be members of the society.<sup>109</sup> There were two attorneys among the candidates, but the position eventually went to Daniel Adams of the Auditor’s Office. These details are important, firstly because they give a sense of the procedures that the society used and the way they worked. Secondly, many of the society’s meetings took place at the secretary’s place of residence. Early in 1791, Adams moved to number four Tooke’s Court, Chancery Lane. The society met there for almost a year and a half until in May 1792, John Horne Tooke agreed a sum with the Crown and Anchor Tavern in the Strand to rent a meeting room. Curiously, this was just over six months before Reeves and his association began meeting in the same place. Although the Crown and Anchor was synonymous with the loyalists, often

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<sup>106</sup> Black, *The association*, p.174. For a more extensive history of the group, see chapter V of this book.

<sup>107</sup> Wilson, *The sense of the people*, p.262.

<sup>108</sup> Matthew McCormack, 'Metropolitan 'radicalism' and electoral independence, 1760-1820' in Matthew Cragoe and Anthony Taylor (eds.), *London politics, 1760-1914* (Basingstoke, 2005), p.19.

<sup>109</sup> The National Archives, TS 11/961, Minutes of the Society for Constitutional Information, 2 January 1784.

used instead of their much less snappy official title, they clearly failed to appropriate the site entirely.<sup>110</sup> From the point of view of their own aims, the actual location of the SCI's meetings was fairly immaterial other than in terms of convenience for the members. Their political activities focussed upon education, persuasion and rational-critical debate. The space in which they hoped to be effective was one of ideas, of public opinion.

The SCI's lack of connection with locality and local politics was brought into sharp relief during the critical political period at the height of British political reaction to, and tension caused by, the French Revolution. The meetings taking place in Daniel Adams' house were chaired by old campaigners such as John Horne Tooke and Major Cartwright, and their main outcome was to print resolutions in various newspapers, often pertaining to the debate between Burke and Paine.<sup>111</sup> They kept up a voluminous correspondence with other radical societies from around the country, which they also published in the newspapers.<sup>112</sup> The SCI's other major undertaking in the early 1790s was to collect a subscription with the rather non-specific aim of 'assisting the efforts of FRANCE in the Cause of Freedom'.<sup>113</sup> The treasurer for this subscription, Christopher Hull, Esq., was an attorney who lived at number eight Chancery Lane. Once again, local involvement gave way to a broader canvas of abstract ideals.

In fact the SCI's local connection was used against them. The space they occupied was mocked satirically, to ridicule their principles and undermine their propriety. A spoof advert in the *Public Advertiser*, presented in the style of a property auction, suggested that 'TOMMY PAINE and Co' are putting Great Britain up for sale '[a]t their Republican Repository, in Took's-Court, Chancery Lane', where the SCI met.<sup>114</sup> The form of the advert would have been instantly recognisable, as genuine property auctions were advertised in large numbers in the newspapers in exactly this style and many of them took place in Chancery Lane. The advert provides a description of the 'property' for sale, which is essentially a Burkean description of the British political heritage and balanced constitution. It is in a perfect state of repair, 'excepting a few stakes that have gone to decay in the fences of what

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<sup>110</sup> Parolin, *Radical spaces*, pp.121-22.

<sup>111</sup> See for an attack on Burke: *Whitehall Evening Post*, 9 July 1791. And in support of Paine: *Star*, 13 July 1791.

<sup>112</sup> E.g. correspondence with Manchester society: *Morning Chronicle*, 23 March 1792. And the London Corresponding Society: *World*, 6 April 1792.

<sup>113</sup> *Star*, 20 November 1792.

<sup>114</sup> *Public Advertiser*, 6 June 1792.

are called the *Borough Tenures*'. The inference is that the kind of wholesale reform advocated by the SCI (a change of ownership), constituted their exploiting the nation's inheritance of freedom and prosperity. Minor changes might be needed but the structure was sound. Although the property was secure against attack, 'there are some avenues which lay it open to treachery, by which the foundation might be sapped. These can easily be watched in future as they have been for the past time, and the place secured by an immediate and severe punishment of any person attempting such treachery.' Having already identified the meeting place of the SCI, they are being told they are under surveillance and then clearly threatened. The purpose of this advertisement is therefore twofold: it is a positive exposition of conservative principles and a message to radicals that their political position is disapproved and their physical location is known. By playing with popular connotations of the commercial life of Chancery Lane, conceptions of space are used to create sophisticated conservative propaganda based around an extended political metaphor, a device which might easily have been picked up from the many satires aimed at lawyers.

The SCI's connection with Chancery Lane ended in unhappy circumstances. Daniel Adams was arrested along with several other leading members in 1794, but rather than face a state trial as defendant he turned King's evidence.<sup>115</sup> All of the papers, minutes and records of the SCI were seized by the government, probably from the Tooke's Court address. Minutes from the Tooke's Court meetings appeared in the appendices of the second report by the Commons Committee of Secrecy, which would influence the repressive legislation of 1795.<sup>116</sup> After the trials, although the defendants were acquitted, the Society ceased to meet.<sup>117</sup>

## **V: The London Corresponding Society**

Another radical democratic organisation with links to Chancery Lane was the London Corresponding Society (LCS), founded in 1792 and banned in 1799. One of the key differences between the LCS and SCI was that members of the former were generally of humbler origin, predominantly artisans (but including eight attorneys).<sup>118</sup> There was also a difference in their method of organisation. The LCS had a system of divisions of around 30

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<sup>115</sup> Albert Goodwin, *The friends of liberty: the English democratic movement in the age of the French Revolution* (1979), p.362.

<sup>116</sup> *Sun*, 30 June 1794.

<sup>117</sup> Goodwin, *The friends of liberty*, p.362.

<sup>118</sup> Mary Thale (ed.), *Selections from the papers of the London Corresponding Society* (Cambridge, 1983), p.xix.



members, each of which provided a delegate to the general committee. It was open to ‘members unlimited’, with the only stipulation for membership being a small subscription fee. The political practices of the LCS were designed to reflect their democratic ideals.<sup>119</sup> Barrell has shown that the government and loyalist groups were deeply suspicious of the democratic practices of the LCS, in particular their organisation into divisions. Anxiety abounded about this structure conferring a mythical ability to self-propagate upon the LCS. The group were compared with the monstrous hydra, an image also used to describe the area of London between St James’s and the City.<sup>120</sup>

Featherstone has described how these practices were ‘contested through the actions of the authorities in putting pressure on meeting sites and successfully infiltrating the LCS with spies.’<sup>121</sup> The government used the openness of the LCS to get their spies into the organisation and then into its upper echelons. Government spying forced the LCS to establish a secret committee at its head<sup>122</sup> which was in turn used as proof of their insurrectionary intentions. Featherstone describes how ‘the LCS was constituted through overlapping rhythms that brought together different sites through a delegated committee. This produced networked democratic practices through various temporal and spatial relations.’<sup>123</sup> Described below are efforts by the government to grapple with the hydra one head at a time. Placed in a local context, we will see how the networks of the LCS operating around Chancery Lane were presented by representatives of the government as constituting conspiratorial rather than democratic practice. Meetings with particular people and presence at particular sites were used as evidence of revolutionary behaviour, or in legal terms, treasonable practices.

The General Committee of the LCS met in Lunan’s public house, Academy Court, Chancery Lane from at least 11 September 1794, although perhaps earlier.<sup>124</sup> If this was the first meeting held at Lunan’s, its use as a venue was short-lived. On 3 October 1794 several Bow street officers entered Lunan’s. The reason for the raid was that Upton, a watchmaker and member of the LCS, had informed on two members of the general committee, Paul Thomas Lemaitre and George Higgins, for plotting to kill the King using a blowpipe and poisoned

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<sup>119</sup> David Featherstone, *Resistance, space and political identities, the making of counter-global networks* (Chichester, 2008), pp.79-87.

<sup>120</sup> Barrell, *The spirit of despotism*, p.64-66.

<sup>121</sup> Featherstone, *Resistance, space and political identities*, p.83.

<sup>122</sup> Barrell, *The spirit of despotism*, p.49.

<sup>123</sup> Featherstone, *Resistance, space and political identities*, p.89.

<sup>124</sup> Thale (ed.), *Selections from the papers of the London Corresponding Society*, p.223.

arrow. A third supposed conspirator, John Smith, was also soon named. During the subsequent investigations it emerged that Upton probably made the allegations because of a personal feud that he had with the two men. Upton had been asked to remove his name from a list of people taking subscriptions for the wives of the LCS members in detention (Hardy, Thelwall and Horne Tooke), because he had apparently been involved in some rather insalubrious activities in the past, including attempting insurance fraud by burning his own house down. Upton was also rumoured to have been a leader of the Gordon riots and had needed to abscond or hide afterwards to escape punishment.<sup>125</sup> Robert Ward, a loyalist barrister from the Inner Temple, thought Upton a significant enough threat to bring him to Pitt's attention. Ward had seen a notice regarding a LCS subscription in the window of Upton's shop at number 8 Bell Yard, and went in to remonstrate with him for displaying a seditious publication. Upton immediately identified himself as an unofficial spy, and proceeded to give Ward information about the pop-gun plot, as the alleged conspiracy came to be known.<sup>126</sup>

The raid which took place in Academy Court could be understood in terms of two very different loyalist anxieties. The first has already been identified as the many headed Hydra, a formless organisation that could never be fully grasped. The other, Barrell describes as 'a powerfully and dangerously uniform structure which, by its democratic organisation of division and delegation, combined the possibility of local participation and collective action.'<sup>127</sup> There are two reports of the incident, each emphasising one of these anxieties. The first report in the *Morning Herald* stated that the officers were led by Mr Justice Ford and had been informed that a Jacobin Club was meeting there. They found a meeting of around thirty people, 'principally consisting of journeymen shoemakers, barbers, &c. who were attentively listening to the harangue of a lawyer's clerk'.<sup>128</sup> A cry immediately went up 'from two or three quarters "The Monster"!'<sup>129</sup> The newspaper report had it that one person, pointed out as being particularly seditious, was arrested. This is the image of a lowly rabble that could be meeting in any room in London's vast sprawl.

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<sup>125</sup> John Barrell, *Imagining the King's death: figurative treason, fantasies of regicide 1793-1796* (Oxford, 2000), p.454n.

<sup>126</sup> *Ibid.*, p.458.

<sup>127</sup> Barrell, *The spirit of despotism*, p.69.

<sup>128</sup> *Morning Herald*, 4 October 1794.

<sup>129</sup> Report from spy Groves: LCS General Committee, 3 October 1794 in Thale (ed.), *Selections from the papers of the London Corresponding Society*, p.227.

The government spy's report paints a more confused, even comical picture of the officers, but a much more focused and self-controlled group of LCS members. Asked if they were after an individual or the whole committee, an officer replied that they wanted Mr Hodgson who, it transpired, was not present. On hearing this, all of the officers withdrew. Just as a 'general confusion was ensuing', the meeting was called to order and restarted with the door still open. The officers soon returned and Upton pointed out the secretary, Burks, who was duly arrested. At the next meeting of the general committee on 9 October 1794, there was some understandable hesitancy as to where it would be convened, with delegates going to two alternative venues but eventually managing to get themselves to a single place. The problems associated with meeting again in Academy Court extended further than the unsettling events engineered by Upton. The president of the Corresponding Society, Webb, had received a note accusing Lunan of being a traitor.<sup>130</sup>

Lemaitre's later examination by the Privy Council showed just how seriously the government took the threat of the LCS, its presence in Chancery Lane drawing the attention of some of the most powerful men in Britain. Questioning by the privy councillors attempted to establish the relationship between the protagonists. It is a curious detail that as the alleged conspirators were being interrogated by the Privy Council, one of the men involved in questioning them was none other than local man and Master of the Rolls, Richard Pepper Arden.<sup>131</sup> Members of the Privy Council wanted to know exactly how well Lemaitre had known Upton and establishing his movements was key to building up this picture. A visit by Lemaitre to Upton's house in Bell Yard was picked up on by Pitt as strong proof of the pair's association. Pitt asked, 'Have you ever called on him?

A. Once accidentally.

Q. How long is it since you called upon him?

A. About two or three months since.

Q. It is rather astonishing you should call on a person without any knowledge of him before?<sup>132</sup>

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<sup>130</sup> Thale (ed.), *Selections from the papers of the London Corresponding Society*, p.229.

<sup>131</sup> Barrell, *Imagining the King's death*, p.472.

<sup>132</sup> Paul Thomas Lemaitre, *High treason!! Narrative of the arrest, examinations before the Privy Council, and imprisonment of P.T. Lemaitre (1795)*, p.12.

Lemaitre went on to explain that he had been passing through Bell Yard and noticed a bill of subscription for the wives and children of the LCS members imprisoned under the suspension of habeas corpus in Upton's window. Upton's continued administration of this subscription was of course the issue that made him so angry in the first place. Pitt's incredulity seems rather misplaced considering Upton had been recruited as a spy when Justice Ford, also present at the interrogation, had astonishingly stumbled across his shop in a remarkably similar manner. Pitt continued his questioning by asking if the visit had been premeditated, if he had stayed long and what was said (to which Lemaitre replied no, ten minutes and nothing of import).<sup>133</sup> There is strong evidence to suggest that Pitt and other men in government circles then purposefully dragged out the case to the extent that Lemaitre was only completely acquitted in 1801, after two lengthy spells in prison.<sup>134</sup> The movement of plebeian radicals through London was a source of suspicion; the places they visited had to be explained as did their intention in going there. Spies logged a network of people and places across the map of London and the connections between them caused alarm to the government either if they were explained, or perhaps even more so if they were not.

A similar feeling that visits by particular people to particular places were a cause for concern emerged in the trial of one of the men mentioned as having been imprisoned under the suspension of habeas corpus. During Thomas Hardy's trial for treason in 1794, Francis Dowling, a truss maker, saloop<sup>135</sup> room owner and delegate of the London Corresponding Society was cross-examined by the attorney general. For some time, the attorney general's questions focused on whether there was a secret committee of the London Corresponding Society. The existence of a secret committee, particularly one that had not been infiltrated by spies, seemed to suggest precisely the kind of militant potential the government feared. Dowling repeatedly denied any knowledge of a secret committee and it is from this point in the trial that the following extract is taken:

*Dowling.* If I understand the question, it is whether there was a Secret Committee appointed after the apprehension of Mr. Hardy?

*Mr. Attorney General.* Yes.

A. Then my answer is, I do not know.

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<sup>133</sup> Lemaitre, *High treason!!*, p.13.

<sup>134</sup> For fuller accounts of the plot see Thale (ed.), *Selections from the papers of the London Corresponding Society*, pp.220-3; and for even more detail Barrell, *Imagining the King's death*, chapter 14.

<sup>135</sup> An aromatic drink usually made from sassafras.

Q. Have you ever been in Academy-court, Chancery-lane?

A. No.

Q. Then if any Secret Committee met there, you know nothing about it?

A. I do not.<sup>136</sup>

The irony that evidence for the existence of a secret committee of the LCS had been pored over by the government Committee of Secrecy appears to have passed the attorney general by. Yet the important point is that presence in a supposedly private dwelling had become of legitimate interest to the state. A visit to the house in Academy Court was itself a suspicious act. The story of Thomas Spence showed how loyalist associations were taking control of political expression in the streets of London. Barrell suggests they had a similar and lasting effect in coffee houses and taverns:

[t]he extraordinary success of the Crown and Anchor Society and its associated provincial societies in the late 1792 and 1793 must have been inextricably linked to the developing sense that private behaviour and conversation enjoyed at most a very qualified privilege, that private character could be a legitimate object of public concern, and that 'public' places, places of general resort, concealed no abstract, notionally private refuge.<sup>137</sup>

The above examples seem to go further. Notionally private spaces were no longer considered to be private refuges and words spoken in 'private' could later be reused against the speaker in a vastly different context, such as the courtroom or, in the above example, interrogation by the Privy Council.<sup>138</sup> Retreating in to a private space was just as much a source of suspicion as were the words spoken there and overheard by spies. The mere presence of a particular group of men in these sites around Chancery Lane was enough to transform them from private dwellings into dens of conspiracy, the hubs between which a revolutionary network could spread its tentacles.

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<sup>136</sup> Thomas Hardy, *The trial of Thomas Hardy for high treason, at the Sessions House in the Old Bailey*, vol.3 (1794-5), Page 317.

<sup>137</sup> Barrell, *The spirit of despotism*, p.99.

<sup>138</sup> James Epstein, 'Spatial practices/democratic vistas', *Social History*, 24, 3 (1999), p.299.

## **VI: Militarism and morality**

From the mid-1790s onwards, evidence for any ongoing activity of radical associations around Chancery Lane is sparse. It is quite possible that some radical groups still met, but due to the opposition and repression detailed above, they were as secretive as possible in their dealings and certainly avoided publicity. The last act of the anti-sedition committee looked to bolster British troops by raising a subscription for items that might increase their comfort in winter, such as extra clothing. Their turning away from active establishment of political control in their locality and towards a less overtly political support of the military (and denigration of the French) presaged the political activity that took place in the later 1790s. Associations around Chancery Lane confined themselves to activities that were either charitable or were in some way supportive of the war effort. Wilson has detailed how the failure of an earlier reform movement in 1785 was followed up by renewed interest in ‘disciplinary, moral and social reforms’ which ‘sought to regulate the behaviour of the labouring classes or salvage the “rights of mankind” abroad rather than tamper with the representative structures of the state.’<sup>139</sup> The latter part of the 1790s displayed a similar trend.

In fact, almost all non-radical associational activity and initiatives began with the residents’ committee of the Liberty of the Rolls, until a moral reform society began operating in the area in around 1804. Of those initiatives begun by locals, most were in some way patriotically supportive of the war in France, although little interest was shown by respectable citizens in entering government-led forces such as the militia. The remaining charitable initiatives involved subscriptions in aid of the poor, experiencing severe hardship as a consequence of economic difficulties, which were also intimately connected with war on the continent. In 1795 a fund was established by the residents’ committee of the Liberty of the Rolls to buy up bread and coal and then sell it on to the poor at cost price, a very similar scheme to the one William Payne had campaigned for to sell cost price meat. The price of bread was set at six pence per quartern loaf and coal was sold for one shilling a bushel. A book for subscribers was held at the Baptist Head coffeehouse.<sup>140</sup> A committee of thirteen men was formed, most of whom had served on the workhouse committee and four were signatories to the anti-sedition committee.<sup>141</sup> Prices were soon set for the staples of bread,

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<sup>139</sup> Wilson, *The sense of the people*, p.269.

<sup>140</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 14 January 1795.

<sup>141</sup> *Ibid.*, 9 July 1795.

potatoes and rice.<sup>142</sup> Another subscription was started in 1799, although this time the soup and broth from the workhouse were also to be sold for one penny per quart.<sup>143</sup>

The residents' committee of the Liberty of the Rolls continued the interest in the defence of the nation displayed by members of the anti-sedition committee in the later stage of its operations. In 1795, volunteers from the Liberty of the Rolls enrolled in the navy were supplied with clothing including a jacket and trousers.<sup>144</sup> Yet it was soon clear that the responsibility for paying the navy volunteers would be an onerous one, as their payment combined with the county rate was set at three pence in the pound.<sup>145</sup> As with policing, residents' enthusiasm did not extend to personal service in any militia. In fact, subscriptions to avoid active service were repeatedly discussed by the committee. This began at an eight shilling flat rate in 1796.<sup>146</sup> Soon after discussing new legislation for augmenting the militia, a new subscription was devised to provide substitutes for anyone called up. The new scheme took into account the amount of money the subscriber had, albeit it with a very high lower limit: those with a fortune of less than £200 paid seven shillings; more than £200, 14 shillings; and more than £500, £1.1s.<sup>147</sup> However, two years later a flat rate was reintroduced with a five-year indemnity from militia service costing eight shillings.<sup>148</sup> By 1797 the Liberty was offering a bounty to men who agreed to enter the militia.<sup>149</sup> Members of the militia were paid by the overseers of the poor and had to make an undertaking not to apply for poor relief for their families.<sup>150</sup> The issues of military service and poor relief were clearly overlapping: one Patrick Connolly had served in the Navy for the Liberty of the Rolls but was discharged unfit in 1798. Upon his return his injury meant that he had to be provided for and he was given a guinea.<sup>151</sup>

Compulsory contributions to the war effort and its consequences did not crush enthusiasm for voluntary initiatives. In 1798, books were opened in the Baptist Head coffeehouse for a subscription towards the defence of the country, organised by the residents of the Liberty of

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<sup>142</sup> Ibid., 13 July 1795.

<sup>143</sup> Ibid., 17 December 1799.

<sup>144</sup> Ibid., 7 April 1795.

<sup>145</sup> Ibid., 21 May 1795.

<sup>146</sup> Ibid., 5 October 1796.

<sup>147</sup> Ibid., 24 November 1796.

<sup>148</sup> Ibid., 7 November 1798.

<sup>149</sup> Ibid., 1 March 1797.

<sup>150</sup> WAL, LR/K/1/402, Militia and bounty records.

<sup>151</sup> WAL, LR/K/1/327, Minutes of meetings of the inhabitants, 7 November 1798.

the Rolls. Once again, a committee was formed. Of the 12 members, a quarter were signatories of the anti-sedition committee. The usual steps for publicising the subscription were taken: it was advertised in the papers and distributed about the parish on handbills.<sup>152</sup> There was also ceremonial encouragement for those taking action in defence of the country. Unlike most of the activities described in this chapter, a woman was involved. As Colley suggests, by displaying their patriotism and ‘assisting the war effort, women demonstrated - in a highly acceptable fashion - that their concerns were by no means confined to the domestic sphere.’<sup>153</sup> Mrs Silvester of Chancery Lane, wife of John Silvester who himself had been chair of the anti-sedition committee, presented a pair of colours to the District Association of Temple Bar and St Paul’s. She expressed her gratitude to them for uniting in the cause of ‘defending our Liberties and Religion, against Anarchy and Impiety’. She went on to speak of the glory they might bring defending ‘the best of Kings, the first of Constitutions and the mildest of Governments’ against enemies both from abroad and ‘from the bosom of our own’.<sup>154</sup> At about the same time other volunteer associations were springing up in the area.

## **VII: Volunteer Associations**

Much analysis of the political importance of the volunteer movement has concentrated on its role as a continuation of the loyalist associations of 1792-3. Gee argues against such an explanation, stating that there was no direct ideological link between the loyalist associations and volunteers, whose ‘primary purpose from the beginning was military, not political.’<sup>155</sup> Yet volunteering was not politically uncomplicated. Cookson describes how in its early stages, volunteerism was held in suspicion by the Foxite opposition, who regarded it as an activity that could easily be politicised and was potentially very divisive.<sup>156</sup> The volunteers were initially meant to merely supplement the militia system, but in fact became a quite different and much more numerous organisation; membership of the volunteers was

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<sup>152</sup> Ibid., 16 February 1798.

<sup>153</sup> Linda Colley, *Britons: forging the nation 1707-1837* (Yale, 1992), p.262.

<sup>154</sup> *Sun*, 11 December 1798.

<sup>155</sup> Gee, *The British volunteer movement*, p.19.

<sup>156</sup> J. E. Cookson, ‘Service without politics? Army, militia and volunteers in Britain during the American and French Revolutionary Wars’, *War in History*, 10, 4 (2003), p.394.



eventually limited to six times the size of the militia.<sup>157</sup> Volunteering must be viewed, at least in part, as a reaction by the stereotypically ‘freeborn Englishmen’ against the militia.

Every county was legally obliged to raise a certain number, determined by the government, of men for the militia. The men forced to serve were chosen by ballot from all those eligible, but could avoid service by paying for a substitute. This summation of the militia’s role is borrowed from PJR Mileham’s *The Yeomanry Regiments*: ‘Militia Regiments were embodied for permanent duty, sometimes for many months, and Militia service was universally unpopular. Many of the rank and file were of the disreputable strata of society, and in relation to its cost, the Militia was of very uncertain effectiveness in times of danger.’<sup>158</sup> By volunteering one was exempt from serving in the militia and it is unsurprising that during a debate in Parliament over whether to keep the exemption, the point was made that for many people it was the sole reason that they had volunteered.<sup>159</sup> William Windham echoed this opinion in a debate of 1803.<sup>160</sup>

In a sense the argument over whether volunteering grew out of the association movement of 1793 is irrelevant. In the fast changing political climate of the 1790s, a few years made a lot of difference to the context from which the volunteers emerged. Gee proposes that ‘Reeves’s plans to revive the loyal association movement in late 1795 strongly suggest that the volunteers were not seen to be its political heirs.’<sup>161</sup> Yet Reeves’s attempted revival of the loyalist campaign resulted in him being tried for sedition for a pamphlet he released in late 1795. Reeves’s ultra-royalist defence of the English constitution was enough for the opposition to argue that he was in fact attempting to undermine the constitutional balance towards the King and away from Parliament. Eastwood uses this episode as evidence that conservative defence of the constitution was increasingly outmoded, as radical interpretations made allegiance to the constitution highly ambiguous. In fact, ‘conservative and loyalist polemics increasingly employed not the language of constitutionalism but the idea of patriotism. Loyalty came to be defined and articulated not in terms of a conservative

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<sup>157</sup> Gee, *The British volunteer movement*, p.31.

<sup>158</sup> Major D M Hatton, ‘*The Devil’s Own*’: a history of the Inns of Court Regiment (1992), p.7.

<sup>159</sup> *The Parliamentary Register; or, History of the Proceedings and Debates of the Houses of Lords and Commons: Eighteenth Parliament of Great Britain: third session* (20 November 1798 - 12 July 1799), 11 April 1799, p.326.

<sup>160</sup> *The Parliamentary Register; or, History of the Proceedings and Debates of the Houses of Lords and Commons, debates*, 10 August 1803, p.994.

<sup>161</sup> Gee, *The British volunteer movement*, p.21.

constitution but in terms of a conservative nation.<sup>162</sup> Volunteering represented a step forward from Reevesian loyalism which Reeves himself was unable to make. Instead, the volunteers emerged from the same parish organisations, like the residents' committee of the Liberty of the Rolls, which had formed the core of the loyalist associations of the 1790s. Volunteerism was a more natural fit for the patriotic sentiment swelling in a nation that defined itself in terms of defence against French invasion, or at the very least control of the continent. Cookson argues that '[t]his situation and this sentiment levered volunteering away from local interests and loyalties.'<sup>163</sup> The volunteer movement was part of a shift of political culture in which reform was pushed off the agenda. Gee points out that 'the movement was loyal in its adherence to non-partisan principles of constitutional propriety and in its support for the established order.'<sup>164</sup> Around Chancery Lane, the hegemony of 'non-partisan' political activity by the late 1790s appears to have precluded any other form of political expression, in a way that could not be said immediately after the loyalists' efforts of 1793.

In its early stages, the volunteer movement in this area was based in its legal institutions. For the lawyers in Chancery Lane, there was already a recent precedent for volunteering. Lincoln's Inn raised a company in response to the Gordon riots in 1780 in which William Pitt allegedly 'shouldered a musket'.<sup>165</sup> By the 1790s the volunteers' willingness for military action remained and the Bloomsbury and Inns of Court Association Volunteers was formed in 1797 and commanded by Lieut-Colonel S C Cox of Lincoln's Inn, who would later become a Master in Chancery. It was mostly made up of the gentlemen of Gray's Inn, solicitors and some other local individuals.<sup>166</sup> It also had an attached company made up of 60 tradesmen and clerks. These were joined by some apprentices and servants, though they were not made welcome without rigorous screening, including the provision of a character reference from their master.<sup>167</sup> Sheer numbers were not to be sought at the expense of respectability.

The Lincoln's Inn Association Volunteers were formed in 1798 and commanded by Captain Sir William Grant, Master of the Rolls from 1801. It not only included members of the bar

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<sup>162</sup> David Eastwood, 'John Reeves and the contested idea of the constitution', *Journal for Eighteenth-Century Studies*, 16, 2 (1993), p.209.

<sup>163</sup> Cookson, 'Service without politics?', p.397.

<sup>164</sup> Gee, *The British volunteer movement*, p.267.

<sup>165</sup> Hatton, 'The Devil's Own', p.7.

<sup>166</sup> *Ibid.*, p.8.

<sup>167</sup> *Ibid.*, p.10.

and attorneys, 'but admitted into its ranks every description of respectable persons in any way connected with the profession', including officers of the Court, and the stationers and their clerks who worked in the neighbourhood of the Inns of Court.<sup>168</sup> The make-up of the corps was related by a Mr Espinasse, a member, who admitted that despite 'the talents of our commanding officer, and the rank of many of the privates, our military character was not splendid'.<sup>169</sup> Both the Lincoln's Inn and the Bloomsbury and Inns of Court Association Volunteers were dissolved again upon the peace of 1802. When war and volunteering began again in 1803 the latter were reformed, and remained active until 1814. The Lincoln's Inn company was absorbed by the Law Association Volunteers, commanded by Thomas Erskine.<sup>170</sup>

The following description suggests an obvious transformation wrought by military pageantry, in London as a whole, but particularly in the usually more rarefied atmosphere of legal London.

On days of general inspection or exercise, London presented the appearance of an immense garrison... the Inns of Court especially appeared for the time to lay aside their character as retreats of study, and to assume that of barracks; at almost every staircase at an early hour in the morning might be seen the gay uniforms of the Bloomsbury or of the Inns of Court Associations, whilst the horses of the Light Horse Volunteers waited in the squares of Lincoln's Inn.<sup>171</sup>

Such visible patriotic displays would seem to represent a powerful force for conservative loyalism. But the volunteers were criticised by some such as William Cobbett for their egalitarianism<sup>172</sup> and the Devil's Own (apparently given this moniker by the King himself) were no exception. Discussing a motion to record the names of the volunteer corps in a debate in the House of Commons, General Gascoyne complained about men of high station enrolling as privates in an attempt to set an example. 'He should wish no man to adopt the character of the soldier, without considering well the situation which he is thereby about to fill, and, by comparing his rank and condition in life, reflect in what situation he can render

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<sup>168</sup> William Charles Townsend, *The lives of twelve eminent judges of the last and present century* (1846), p.203.

<sup>169</sup> *Ibid.*, p.204.

<sup>170</sup> Hatton, 'The Devil's Own', p.13.

<sup>171</sup> James N. Collyer and John Innes Pocock, *An historical record of the Light Horse Volunteers of London and Westminster* (1843), p.119.

<sup>172</sup> *Cobbett's Political Register*, vol. V (1804), pp.33-54.

himself most useful to society.<sup>173</sup> He singled out the corps of lawyers as particularly guilty, alluding to the membership as privates of the Master of the Rolls and the Lord Chancellor (which drew a laugh), who upset the ‘distinction of ranks’ which was itself essential to preserving law and order.<sup>174</sup>

Ridicule of the volunteering lawyers was not confined to Parliament. A satirical poem called *The lawyer’s defiance* had a preamble explaining how the writer felt that lawyers who had volunteered were not given sufficient credit, particularly by those in the upper branches of their own profession, who referred to them as ‘the Rags of the Law’.<sup>175</sup> The last verse gives a flavour of the humour:

Let us treat then these French like our clients - as sport,  
And beg them to come, if they dare - into court;  
The costs will be theirs: while our boast is and pride  
That Englishmen still have the LAW on their side.

The bloodthirsty French had simply not prepared to come up against the qualities of a military unit made up entirely of lawyers. A spoof letter purporting to be from a private in the Law Association Volunteers called Old Nick (in reference to their nickname of the Devil’s Own) used similar wordplay, misusing legal terms to suggest prowess in battle. If there were to be an invasion they would be quick to the coast because of the number of conveyancers in the corps and they would surely shine in the subsequent *action* etc.<sup>176</sup> Elsewhere in the piece, there were also a number of jokes using legal terms in Latin (e.g. ‘quare vi et armis clausum fregit’),<sup>177</sup> which suggest this was a piece of satire aimed at a limited and educated readership, quite possibly meant for consumption and enjoyment by the legal fraternity themselves. Legal professionals appear to have been keen to put themselves at the forefront of patriotic efforts and pointing out the incongruity of their day job with their new-found military fervour was not likely to dampen their enthusiasm. The volunteer association of the

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<sup>173</sup> *The Parliamentary Register; or, History of the Proceedings and Debates of the Houses of Lords and Commons, debates*, 10 August 1803, p.990.

<sup>174</sup> William Woodfall, *The Parliamentary register, vol. IV* (1803), P.820.

<sup>175</sup> *The Sporting Magazine* (1803), p.163.

<sup>176</sup> *The Spirit of the Public Journals 1804* (1805), p.86-7.

<sup>177</sup> An action to obtain damages for trespass with force and arms resulting in injury to another's person and property.

Liberty of the Rolls provides a very different vision of volunteering and an example of its less enthusiastic reception by the state.

The men of the Liberty of the Rolls wanted to produce a volunteer association after their own image rather than join the existing volunteer units started by the lawyers. They also wished to avoid being bundled up into the third division of the Middlesex militia, which included the Liberty, along with the parishes of St Andrew Holborn, St George the Martyr and part of St Clement's.<sup>178</sup> Their interest in raising a volunteer force presumably stemmed in part from a desire to avoid a levy *en masse*.<sup>179</sup> But the diligence and enthusiasm with which they took up the task suggest a sense of pride and perhaps even urgency. At a meeting of the inhabitants of the Liberty of the Rolls, on 1 August 1803 and chaired by the Recorder of London John Silvester, a resolution was produced to be published in the newspapers stating that they would 'unite with the rest of our Countrymen in defence of the Realm, and in the protection of our valuable Constitution, Religion and Laws, as laid down to us from our ancestors and which we will still possess under the Government of our Gracious and beloved Sovereign.'<sup>180</sup> It is clear that a draft of this declaration had a much greater focus upon Napoleon personally, and 'described him as a desperate and implacable foreign despot'.<sup>181</sup> In their printed declaration, the committee expressed their confidence 'that the inveterate Foe... will find that the spirit of Britons, when roused, will prove superior to every difficulty.'<sup>182</sup> To this end, a smaller committee was appointed to carry out what they believed to be the wishes of the government.

Volunteering shared many of the attributes of the loyalist association in its modes of political expression and its relationship to the existing local hierarchy. Ten members of the volunteer association committee had also signed the declaration of the anti-sedition committee. That leaves only eleven signatories who were not in both committees, at least one of whom had died. The first four men listed as committee members were the Master of the Rolls, John Silvester (in the year he became Recorder of London) and two barristers.<sup>183</sup> However, these

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<sup>178</sup> *The Morning Post*, 23 July 1803.

<sup>179</sup> An account of the resumption of volunteering in 1803 can be found in Gee, *The British volunteer movement*, pp.42-45.

<sup>180</sup> *The Morning Post*, 3 August 1803.

<sup>181</sup> Gee, *The British volunteer movement*, p.34.

<sup>182</sup> *The Morning Post*, 3 August 1803.

<sup>183</sup> WAL, LR/K/1/392, Minutes of a general meeting of the inhabitants to consider the Defence Act, 1 August 1803.

four were rarely in attendance once the committee began its day-to-day business, by which time the reins were passed to more firmly middling sorts. William Payne, the son of the man written about by Joanna Innes, continued in his father's tradition of civic involvement by becoming superintendent. At the same time, the committee were informed that the inspector for their district would be none other than John Reeves.<sup>184</sup> The hard core of members met very frequently, sometimes more than once a day, and the committee wasted no time in drawing up a specification for uniforms. By the middle of the month, eighty men had been found to already be volunteering, but seventy-two declared themselves willing to serve as volunteers for the Liberty of the Rolls, a figure which was immediately taken to the Lieutenant of the district, the Master of the Rolls and John Silvester.<sup>185</sup>

The committee then turned to the question of funding for equipment. Gee details attempts by collectors of the Liberty of the Rolls for a volunteer subscription to collect money from the inhabitants of Bream's Buildings on Chancery Lane, who gave a very mixed response. Many were out or unavailable; Mr Jolley was 'at dinner'. But of those that were at home, only some people enthusiastically agreed to subscribe. Others pleaded poverty or said they would contribute when they knew what their neighbours were giving; only a very few like Mr Walker bluntly 'refused to subscribe'.<sup>186</sup> Similar to the loyalist petitions of 1792 -3, 'raising subscriptions combined self-righteous appeals to public spirit with mild intimidation' and 'became an informal test of loyalty.'<sup>187</sup> Gee also describes how there was little correlation between economic status and willingness to contribute.<sup>188</sup> Mixed reactions to the request for money do not seem to have dampened the committee's enthusiasm in the least and a few days later they put in a request to the Master of the Rolls to drill in his garden. He 'readily and cheerfully agreed'.<sup>189</sup>

No sooner had the usual local group taken impressive steps to organise a force of 75 men, with equipment provided for, than the whole scheme collapsed into farce. On 30 August a letter was received from the Lord Lieutenant of the county saying that the number of volunteers for Middlesex had already reached its statutory limit. Unfortunately, some

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<sup>184</sup> Ibid., 4 August 1803.

<sup>185</sup> Ibid., 15 August, 1803.

<sup>186</sup> WAL, LR/K/1/435, Names of persons soliciting enlistments or contributions to the volunteer association, and list of persons visited, with notes of their replies, August, 1803.

<sup>187</sup> Gee, *The British volunteer movement*, p.219 and p.218.

<sup>188</sup> Ibid., pp.220-21.

<sup>189</sup> WAL, LR/K/1/392, Defence Committee minutes, 19 August, 1803.

overenthusiastic members of the Liberty of the Rolls volunteers had already started to drill in the garden of the Master of the Rolls, forcing the committee to ‘disclaim the improper and officious Act of that Individual who did prematurely and unjustifiably call upon them to attend Drill.’<sup>190</sup> The committee prepared a letter addressed to all the volunteers thanking them, promising a return of their subscriptions, and to make it clear that they were only reprimanding the leader of the premature military outburst, expressed ‘the high sense they entertain of the Zeal of the Inhabitants who have offered their Services on the present Occasion.’ Precisely a month after its initial meeting, the Liberty of the Rolls volunteers returned all contributions with administrative costs paid by the Liberty. To compound the sense of humiliation, their rejection, ‘on account of the previous number of offers’, was reported soon afterwards in the newspapers.<sup>191</sup>

From then on the local bureaucracy were forced to concentrate on the militia, and were called into action in 1807 when special constables and those present at the Liberty of the Rolls residents’ committee meeting had to make lists of men eligible to serve in the militia for the Deputy Lieutenant.<sup>192</sup> Thoughts soon turned to how the local militia would be paid for. Mr Heraud, a law stationer living in Bell Yard, stated that the Liberty had a right to rate Lincoln’s Inn for the militia and using expertise presumably built up in his work, cited the relevant legislation.<sup>193</sup> Renewal of the struggle to have Lincoln’s Inn pay towards the parish rates is unsurprising given that when the militia rate was set a month later it was at four pence in the pound, at that time the same amount as the watch rate.<sup>194</sup> This section has shown that when associational activity moved into a sphere of direct interest to the state, discipline became of utmost importance. While the lawyers were mocked for their patriotic efforts, they managed to overcome any misgivings and create their own volunteer association with a socially diverse membership and which reflected their identity as a profession. As Clark indicates, ‘[v]oluntary associations were increasingly portrayed and perceived as central, not only to urban sociability, but also to public advancement and communal identity.’<sup>195</sup> The inhabitants of the Liberty of the Rolls were not successful in creating a unit of their own within the national volunteer movement and were left instead to mitigate the effects of being eligible for the militia, partly by attempting to force the lawyers of Lincoln’s Inn to share the

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<sup>190</sup> Ibid., 30 August, 1803.

<sup>191</sup> *The Morning Post*, 3 September 1803.

<sup>192</sup> WAL, LR/K/1/328, Minutes of meetings of the inhabitants, 16 September 1807.

<sup>193</sup> Ibid., 4 May 1808.

<sup>194</sup> Ibid., 9 June 1808.

<sup>195</sup> Clark, *British clubs and societies*, p.273.

burden. In the military sphere, the inhabitants were unable to remain the preeminent jurisdiction in their local space.

### **VIII: Society for the Suppression of Vice**

Apart from the initiatives arising from the residents' committee, the only other form of association that seems to have lasted into the 1800s was that seeking to reform the manners and morality of society. Moral reformers benefitted in a similar way to military volunteers from the groundwork laid by loyalists of the 1790s, who made voluntary association seem an acceptable response to national crises.<sup>196</sup> Local enthusiasts for improving society had been active in the area from the 1760s and included such disparate figures as William Payne, a member of the Society for the Reformation of Manners in the 1760s and Master of the Rolls Lloyd Kenyon, a member of the Proclamation Society during the 1780s.<sup>197</sup> In contrast to Wilberforce's earlier Proclamation Society, the Society for the Suppression of Vice had a decidedly aspirant middle-class membership, and as Roberts describes, had a rather different catchment area, 'drawing the bulk of its active supporters from the City of London rather than from Westminster and West End society.'<sup>198</sup> Its first meeting was in Gray's Inn coffeehouse in 1802, at which there were '8 clergy of the established church (none above parish rank), 5 lawyers, 2 surgeons and 1 government clerk as well as 1 stockbroker and 3 business proprietors (2 of them booksellers).'<sup>199</sup> The large number of lawyers involved in the society made legal London a natural choice for its base. One of the leading members of the society in its early years was John Bowles.

Bowles, the son of a City of London print seller, was a barrister and commissioner for bankruptcy, the offices for which had now moved to new premises in Southampton Buildings, at the north-eastern end of Chancery Lane. Political opponents identified him as the author of *An address to the public from the Society for the Suppression of Vice* published in 1803. This publication contained a list of the society's committee members, another two of whom were also commissioners for bankruptcy, one of whom was based in Lincoln's Inn and

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<sup>196</sup> M. J. D. Roberts, *Making English morals, voluntary association and moral reform in England, 1787-1886* (Cambridge, 2004), p.61.

<sup>197</sup> Innes, 'The reformation of manners movement', p.90.

<sup>198</sup> M. J. D. Roberts, 'The Society for Suppression of Vice and its early critics, 1802-1812', *The Historical Journal*, 26, 1 (1983), p.161.

<sup>199</sup> *Ibid.*, p.161-2.



the other in Chancery Lane. Of those committee members whose professions can be identified in the law lists or London directories, nine were legal professionals. Of the full membership, eight lived on Chancery Lane itself, seven in Lincoln's Inn, one in Staple's Inn and another two on roads leading directly off Chancery Lane. Unlike many of the other associations discussed here, the Society for the Suppression of Vice was keen to enrol female members and two of the above list were women, albeit it whose husbands had also joined. Largely absent from eighteenth-century associations, women were increasingly able to participate after 1800, partly due to the rise of highly structured subscription organisations in which female membership was regarded as quite respectable.<sup>200</sup> By 1804 the Society had established a headquarters at 22 Bell Yard from which it sold *An address to the public* and received communications, subscriptions and donations from ten until four everyday apart from, of course, Sundays.<sup>201</sup> The annual general meeting of the Society was held in the Old Crown and Rolls in both 1805 and 1806.<sup>202</sup>

The Society's core activity was to prosecute anyone found to be flaunting laws passed for the good of their morality. Two dancing masters and 16 couples were brought before the magistrate at Hatton Garden, charged by the Society for Suppression of Vice with having assembled near the stable yard at Bream's Buildings on Chancery Lane. No more detail is given than that they were acting 'contrary to the statute made against such unlawful practices', although only the dancing masters would have to face the charges.<sup>203</sup> The prosecution was presumably being brought under the law which prohibited '[a]ny house, room, garden, or other place, kept for public Dancing, Music, or other public entertainment, in London, or within 20 miles, without a Licence.' This information was helpfully provided in a foldout page contained in *An address to the public* which also stated the particular statute and the punishment which could be expected, in this case payment by the dance's organiser of the legal costs of the plaintiff and a £100 fine. Numerous other laws and their consequences pertaining to activities the Society hoped to stamp out were listed in a table on the foldout, possibly as a handy reference tool when vice was witnessed unexpectedly out and about in London's streets. The society felt such anxiety about dances because the 'practice conduces very much to seduction and debauchery... all reserve is laid aside, and where the

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<sup>200</sup> Clark, *British clubs and societies*, p.204.

<sup>201</sup> *The Morning Post*, 20 April 1804.

<sup>202</sup> *Ibid.*, 6 May 1805 and *The Morning Chronicle*, 3 November 1806.

<sup>203</sup> *The Morning Post*, 29 February 1804.

passions are inflamed by partial intoxication'.<sup>204</sup> Events like this could break down vital social boundaries and mean 'profligates and prostitutes, mix with tradesmen's daughters, and female servants'.<sup>205</sup> Dances were denounced as particularly profligate if held on the Sabbath.<sup>206</sup>

Roberts cites a number of reasons as to why the society was in many ways a successor to the loyalist associations of the 1790s, including an overlap of some personnel. They were also organisationally indebted to the earlier loyalists: 'Vice Society publicists explicitly acknowledged the work of the loyal associations in making voluntary public 'combinations' respectable.'<sup>207</sup> A member of the committee of the Society for the Suppression of Vice, Henry Grimston, published a defence of the society which included this glowing endorsement of Reeves's association: 'the association at the commencement of the late war has been acknowledged by all to have saved the constitution.'<sup>208</sup> An anonymous reply to Grimston, signed ANTI-PURITAN, appeared soon afterwards in *Cobbett's Political Register*. They argued that as Grimston 'has thought proper to infer the utility of the Society for the Suppression of Vice from the utility of the loyal association', the same criticism could be applied to both: they represented 'an unauthorized combination of private individuals, in a manner unknown to the law, and contrary to the spirit of the constitution of the state to which they were subject.'<sup>209</sup> Cobbett was the foremost conservative critic of the Vice Society which he felt infringed upon the traditional authorities of church and state, impugning their competence and effectiveness.<sup>210</sup>

By acting as conduits for advancement of their members, associations facilitated renegotiation of social relations, even when their political principles were firmly conservative. Men like William Payne could develop confidence in the public arena through participation in vestry politics and go on to try to shape society by joining associations which could represent a variety of different interests and ideals. Even the loyalist associations had somewhat ambiguous political outcomes. Eastwood points out that

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<sup>204</sup> *An Address to the Public from the Society for the Suppression of Vice* (1803), p.59.

<sup>205</sup> *Ibid.*, p.59.

<sup>206</sup> *Ibid.*, p.60.

<sup>207</sup> Roberts, 'The Society for Suppression of Vice', p.164.

<sup>208</sup> Henry Grimston, 'Society for the Suppression of Vice', 21 January 1804 in *Cobbett's Political Register*, vol. V (1804), p.78.

<sup>209</sup> 28 January 1804 in *Cobbett's Political Register*, vol. V (1804), p.114.

<sup>210</sup> Roberts, 'The Society for Suppression of Vice', p.168.

in a state which explicitly denied the majority a significant public role, an opportunity to act on the public stage could be seized as an opportunity to extend the role and influence of the *disfranchised*. Calling for mass demonstrations of support for 'the constitution' had the effect of democratizing political *practice* even where formal political *institutions* remained narrowly elitist.<sup>211</sup>

This democratic feature was recognised by the critics of movements from the reformation of manners, through the loyalists in the 1790s and onto the volunteer associations.

Clark shows that upper- and middle-class associations were increasingly powerful and jealous of their jurisdictional control, placing constraints upon state action that were further enhanced 'by the growing identification of societies with the leadership of local communities and with local autonomy.'<sup>212</sup> In Chancery Lane we have seen how the interaction between the community and political associations was also affected by its particular position within the political geography of London. Location was vital to the microclimate in which political associations attempted to operate. Important institutions in this area such as Lincoln's Inn and the residents' committee of the Liberty of the Rolls had an influence on the associations which formed. Some drew membership and connections from these institutions and were able to branch out with their help. Others were opposed by them and had to resist them, or risked being closed off. Particularly during the polarised period after the French Revolution, the extent to which an association was embedded within the community was highly influential to the association's continuing ability to meet in this area. The inability to meet around Chancery Lane was obviously not terminal to any group whose interests extended beyond the very local, but it was indicative of its prospects of having influence in wider society, or even continuing to exist. Radicals, loyalists and groups with social or philanthropic goals were all negotiating the place of civil society in relation to the state, whether through conscious political argument or the mode of organisation they used.

Lawyers represent a fascinating subcategory in the experience of associations as a form of self-advancement. Their ability to provide vital administrative support to local associations made lawyers, as secretaries to many groups, central to how and where they operated. Chancery Lane's wealth of associational activity was often brought into its orbit by legal residents, who in turn benefited greatly from their involvement in associations. Associations of lawyers were an important method of self-organisation. Associations were vital to lawyers

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<sup>211</sup> Eastwood, 'John Reeves and the contested idea of the Constitution', p.207.

<sup>212</sup> Clark, *British clubs and societies*, p.468.

as a form of networking, whilst also allowing them to show their increasing standing in society.<sup>213</sup> Local and national elites occasionally became unsettled by the actions of associations, as during the time of the Gordon riots or during the 1790s. These periods brought about clashes over what constituted acceptable political opinion and behaviour, which had lasting repercussions at all ends of the political spectrum. It was not only repression that emerged from these crises, but also novel forms of association and ways of relating to one's local area and community.

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<sup>213</sup> Ibid., p.151 and 251.

## Conclusion

This study is a new piece of research on an area that historians have not examined in its own right, and highlights the importance of producing more detailed local studies to further inform the writing of future histories of London. It would benefit from comparative works in other areas of London, as well as other big international cities such as Paris or New York. Local history is important because it helps to uncover otherwise neglected details and stories, concerning individuals and communities. It also encourages us to differentiate between communities in London and allows us to explain the social and spatial dynamics of their interaction. Active consideration of ‘space’ allows the historian to make connections between large-scale processes and local idiosyncrasies. Although spatial theory can be harnessed to produce illuminating historical research, there is still a need for historians to settle upon a shared terminology of space to provide more clarity to reader and researcher alike.

The major theme that has emerged from studying Chancery Lane as a political space in London is its liminality in the standard description of London as a bipolar city, concentrating on Westminster and the City. Various groups from parishes to voluntary associations were present in this political interstice, but the one group which represented the area to the world at large, the legal profession, did not produce a defining, coherent political narrative and structure for the area. However, the lawyers did aspire to wealth, security and respectability, realising that to attain these goals, they would sometimes have to work alongside other local residents, despite being strongly inclined towards separatism and isolation. Documenting their efforts has shed new light on the social history of lawyers, still a relatively underexplored field. The method of studying the social and political influence of a profession or trade within a locality has obvious scope for being reproduced in different eras and contexts, from Spitalfields weavers to Grub Street writers.

Chancery Lane shared the same social problems prevalent throughout London during this period, fuelled by the growing metropolis and sporadically tackled by fragmentary institutions, usually the parishes.<sup>1</sup> Certain problems were magnified in Chancery Lane, particularly traffic and jurisdictional uncertainty. Both formal and informal political

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<sup>1</sup> Joanna Innes, 'Managing the metropolis: London's social problems and their control, c.1660-1830' in Peter Clark and Raymond Gillespie (eds.), *Two capitals, London and Dublin 1500-1840* (Oxford, 2001), p.53.

participation was informed by a desire to order the urban world and instil respectable, polite and regular behaviour throughout political and social life. At the same time, a fierce spirit of independence, a sense that the ideal citizen was beholden to no one but himself, made coordinating the large variety of groups a very difficult task. Maintaining control of street life always included an element of compromise. The desire for respectability was always tempered by the limitations of social and economic reality, expressed by the presence of crime, prostitution, unruly taverns, misuse of public office and political conflict. There was also a balance to be maintained between working to make local space functional for those who used it and managing its appearance and reputation in wider society. Uncovering these two aspects of Chancery Lane (lived functionality and imagined reputation) and the tension between them has been one of the major contributions spatial theory has made to this work.

Close study of the area around Chancery Lane has revealed the importance of particular variations in the spaces different people occupied to their experience of living in the city. Furthermore, the constellation of political influences in Chancery Lane did not just depend upon the idiosyncrasies of the local community, but was also affected by its place within the surrounding metropolis. The structure of local politics has been shown to arise from the interaction between individual political beliefs, attempts to address the perceived social and environmental problems of a locality, the needs and aspirations of local interest groups, and finally the influence of regional and national laws, policies and economies. In short, studying Chancery Lane as a political space has illuminated the uneven pattern and texture of urban life.

The Liberty of the Rolls was a microcosm of many of the features that were widespread in other London parishes, although the variations in structure made it impossible to speak of a 'typical' parish. Following the wider trend of local government in London, powers over policing and street management were concentrated in the Liberty, while their methods of management became increasingly formalised. The Liberty of the Rolls was unusual because of its small size and unique for the involvement of the Master of the Rolls, a conduit to Parliament and government that no other parish enjoyed. Cooperation between parishes remained sporadic and haphazard, a point which was emphasised by the several parishes in Chancery Lane and by the divisive presence of Lincoln's Inn. The numerous legal professionals in this area shaped its popular identity, but collectively the lawyers were not willing to become embroiled in local politics except to advance their status or to protect their

self-regulated independence. Informal political participation displayed a slow but steady shift from outdoor to indoor, from the politics of the crowd and the street to that of the voluntary association. The trajectory of this trend in Chancery Lane was determined by its position in London, marginal to the political cultures of Westminster and the City and yet a thoroughfare between the two.

The core modes of political participation in Chancery Lane were through parish, Parliament and informal political structures, including crowd protest and voluntary societies. These were the ways in which different interest groups in the area were able to advance their competing claims including residents, lawyers, tradespeople, public officials, political radicals, loyalists and moral reformers. Political participation also offered the individual an opportunity for self-advancement. Even by London's standards, the parishes covering Chancery Lane were particularly fragmented and the variation in their political cultures was increased by their position, spanning the border between Middlesex and the City. Chancery Lane's relationship to Parliament came in two distinct forms. During general elections, voting patterns were staunchly pro-ministry. The electorate around Chancery Lane was dominated by legal professionals, who were often reliant upon their relationship to government for their personal advancement. While other electors asserted their independence by backing opposition or radical candidates, the legal profession were staunchly pro-ministry. More important to most lawyers was their professional freedom to self-regulate, which would be better won through influence within government circles. Parliament was also important to local politics between elections, when MPs were lobbied by the several parishes and Lincoln's Inn, for legislation to devolve power to the parishes and the Inn of Court.

At the beginning of the period under study, c.1760, the crowd was an important mode of informal political participation. As previous historians starting with George Rudé have shown, crowds used the streets of London as a stage for political protest and the expression of political allegiance. Chancery Lane's position as a thoroughfare in the centre of the metropolis meant that it was often passed through by crowds moving from the City to Westminster. Buildings on Chancery Lane were also targeted by occasional mobs that saw the legal infrastructure in the area as symbolic of the system against which they were protesting. As elsewhere in the capital, however, the use of London's streets for political protest became less acceptable and declined during the latter part of the eighteenth century. Meanwhile, the growing population and commercial activity in London meant that Chancery

Lane was busier than ever. Though crowds were less likely to gather for political reasons, the populousness of London became ever more problematic.

Heavy traffic was an endless complaint in the major city thoroughfare of Chancery Lane. Many plans were put forward for significant overhaul of the street environment, but in the absence of a single, unifying public authority or private landlord, no major transformation of the street layout, comparable to what took place in the north and west, was possible. Minor changes were made, initially by the Westminster Paving Commission in the northern end of the Lane and the City to the south. The sluggishness of improvement left residents (who had previously been individually responsible for maintaining the paving outside their houses) frustrated, particularly as they were blamed by those forced to use their road and by newspaper commentators. Eventually, local control was reasserted after lobbying Parliament for new legislation through the Master of the Rolls. This was not a reassertion of individual responsibility for maintaining the street; instead the Liberty represented a more legitimate and accountable collective body to collect the rates and carry out improvements.

In this study, the influence of the legal profession within the local community of Chancery Lane has shown how a spatial approach to political activity draws together different methods of historical enquiry that might otherwise be treated in isolation. Sugarman calls for sociological approaches to the legal profession to bring in a variety of historical interests:

[s]tudying the nature and experience of legal work and the values and ideas that aggregate around it constitutes a valuable way of bringing together strands of history that are all too often treated as discrete: the history of law and lawyers, the history of ideas, economic history, business history, social history, the history of gender and ethnicity, and the history of the visual.<sup>2</sup>

This observation is just as valid when studying the nature and experience of lawyers not just as legal professionals, but as neighbours and individuals with wider social interests. By analysing a space in which many lawyers worked, but also lived, this thesis has attempted to provide a more rounded account of the incidental relationships lawyers had thrust upon them in the busy urban environment. The lawyers around Chancery Lane had two main concerns related to their presence in the area: isolating themselves from the bustle and street life of the thoroughfare and parish politics; and designing and using their own buildings to project an

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<sup>2</sup> David Sugarman, 'Simple images and complex realities: English lawyers and their relationship to business and politics, 1750-1950', *Law and History Review*, 11, 2 (1993), p.299.



image of power and respectability. In turn, their growing self-confidence as a profession was caricatured by satirists. In these ways, Chancery Lane became a site of contestation over the public image of lawyers.

Attempts to maintain law and order also led to contests over local public space. Rate paying residents were confronted with all manner of problems, from crime and prostitution to disorderly public houses. Rather than personally police their own area, their response became more focused upon paying watchmen to take over a role that had previously fallen to private citizens. The committee of inhabitants had difficulty maintaining their ideal of regular and sober behaviour, particularly as the watchmen themselves often failed to live up to it. To combat such misbehaviour, increasingly complex systems of oversight and punishment were put in place. Major changes to the watch came after acute crises such as the Gordon riots in 1780, rising anxiety about crime during the Revolutionary Wars in the early nineteenth century and after the Ratcliffe Highway murders in the winter of 1811.<sup>3</sup> To remove temptation for immoral behaviour in the area, brothels were pushed out by the threat of legal action and public houses were repeatedly warned to keep their customers under control and threatened with legal action and the loss of their licence.

Anxiety about loose morals was focused particularly upon women in the area. And those women transgressing moral boundaries were careful to do so at the fringes of public space, in buildings or in dark alleys. Prostitution is perhaps the best example of how broken up jurisdictions around Chancery Lane allowed illegal or undesirable activities to flourish. Crime amongst women was overwhelmingly opportunistic, taking advantage of a chance to steal from a building that they had access to and a victim that they already knew. Women involved in prostitution plied their trade on the dark side streets just off Chancery Lane. Much action was taken against brothels and prostitutes, but there was rarely any effort to achieve anything more than moving such activities to a different part of London. More ambitious attempts to impose the moral vision of householders were made in the workhouse where Christian ideals could be imposed upon the inmates, mainly women and children. Hard work was seen as key to instilling a good ethic in the poor and needy.

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<sup>3</sup> See chapter 4 on policing and crime.

Political associations were a major avenue for participation and self-advancement for all of the middling sorts of Chancery Lane, from artisan householders whose political interest began in service to the vestry, to lawyers who might start their public life in professional organisations. The wide variety of political associations able to flourish around Chancery Lane experienced common developments in political culture. Their organisation and formal procedures were increasingly rigorous and standards of behaviour and respectability were imposed on organisations of all types. There was a concomitant rise in associations interested in controlling the behaviour of the public outside of their membership. The febrile atmosphere of the 1790s exacerbated the desire of loyalist and moralist associations to control behaviour in both public and private places around Chancery Lane. Artisan radicals were particularly susceptible to the intervention of both local loyalists and state repression because they lacked security in their meeting spaces. Interrogation from the Privy Council made clear that the very privacy of their meetings was in itself suspicious. Meanwhile, militaristic associations that arose during the wars with France, particularly during the early nineteenth century, presented an opportunity for locals (and particularly lawyers) to fashion collective identity, whilst also expressing their patriotism. Establishing a voluntary association allowed locals to avoid conscription and assert their independence from government. Thus even loyalist associations thought it important to maintain local autonomy and reject state intervention, without openly challenging the political establishment.

Much of this activity was directed at imposing ideals of respectability and order within a small area. Local organisations including the Liberty of the Rolls, Lincoln's Inn and various political associations were fairly successful in achieving these ideals within their own communities over the period 1760-1815. However, there were problems associated with a lack of cooperation between different jurisdictions, partly because a third ideal of independence was often expressed as a desire for isolation. Separating off even the walled community of Lincoln's Inn proved impossible. Social problems experienced across London could not be kept at bay, and it was sometimes impracticable to impose orderliness upon those who held a tenuous stake in the politics and economy of the local area, including thieves, prostitutes and radicals like Thomas Spence.

Chancery Lane's position as a thoroughfare in the very middle of London and the presence of legal professionals holding public office made it a highly visible and visited place. Respectability, order and independence were the standards by which society made

comparisons between different urban spaces and Chancery Lane often drew scorn for its relatively unimproved state, particularly when compared with Westminster. Chancery Lane was often equated with legal professionals living and working in the area. Failure to improve the local area was used to hold lawyers and the legal system to account using spatial metaphor. The people of Chancery Lane shaped their local area in the image of their community, but their success or failure was judged by contemporaries often without reference to the utility and functionality of the road for local residents, and as a component part of a larger city and society. Studying Chancery Lane has revealed the unique political character of the area, as well as the ways in which localities in eighteenth-century London held meaning as political spaces, both real and imagined.

During the course of the nineteenth century, Chancery Lane lost some of its personal association with the Master of the Rolls. Sir Thomas Plumer ceased using Rolls House as his private residence in 1823.<sup>4</sup> The site's use for record-keeping expanded and the Public Record Office was established in the Rolls Chapel in 1838. A purpose-built repository for the nation's archives was built in Chancery Lane between 1851 and 1858. The character of the area was further changed by the building of the Royal Courts of Justice between 1873 and 1882, obliterating several blocks west of Bell Yard. The Rolls Chapel was demolished in 1895-6. The Liberty of the Rolls was grouped within the Strand District, when it came under the control of the Metropolitan Board of Works in 1855. It became a civil parish in 1866, was made part of the County of London in 1900, and was finally abolished as a civil parish in 1922. It is beyond the scope of this study to discuss the importance to Chancery Lane of reforms to the country and its capital including the Metropolitan Police Act of 1829 and the Reform Act of 1832, but it is clear that the rationalisation of the local political space was accompanied by a reduction in the social and economic diversity which was characteristic of the area during the period studied here.

It is better that we leave the last word to a report in *Punch* in 1860 of the proceedings in Parliament, which shows that in terms of public perception, little had changed. A call was made to widen the north end of Chancery Lane, where John Gwynn had called for changes to be made over 90 years before. The report summarises many of the issues and prejudices already described:

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<sup>4</sup> Adrian Lawes, *Chancery Lane 1377-1977 'the strong box of the empire'* (1996), p.18.

Who says that the Peers of England are not affable? They condescended to receive a petition from a law-stationer in Chancery Lane, who complains that the Holborn end of that evil thoroughfare is so narrow that traffic is impeded, and cabmen are quarrelling there all day. As Lawyer Lane is W.C. (remember it by Wicked Cheats) we suppose the City Corporation have nothing to do with it, or we might have recommended that some of the plunder the greedy Fathers of the City collar, by letting St. Paul's be blocked up by new warehouses, should be applied to doing away with so much of the nuisance of Chancery Lane as is of an inorganic kind. However, we do not see very much in the grievance, because any impediment to the usual run of professional business in Chancery Lane must be a benefit to society generally.<sup>5</sup>

Obstructions in the thoroughfare of legal London were again represented as just retribution for the corruption of lawyers. Chancery Lane remained as the embodiment of their role in society.

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<sup>5</sup> *Punch*, vol.38 (1860), p.61.

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