

‘The caprice of a local Board of Guardians’: Geographies of new poor law procurement in England and Wales

Business History

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Abstract

Following poor law amendment in 1834, unions of parishes bought enormous quantities of goods to feed and clothe their paupers. As institutional poor relief grew dramatically during the nineteenth century, the role of poor law unions as customers in their local economies expanded. Suppliers were not subject to central government’s rules, so the unions to whom they sold enjoyed some freedom in their contractual arrangements – in stark contrast to the restrictions surrounding almost every other aspect of unions’ practices. This enabled a unique business atmosphere to develop. Poor law procurement was therefore embedded in social, as well as economic, geographies.

Key words

New poor law, procurement, contract, workhouse, supplier

I Introduction: The Poor Law World

In an effort to reduce the amount spent on poor relief, reform of the poor laws in 1834 took a double-pronged approach: on the one hand, to promote economies of scale through the unifying of parishes; on the other, to attempt to impose on these unions of parishes a degree of standardisation in relief distribution and administrative practices.¹ By forming unions and

through the dissolution of the smaller existing workhouses, parishes would, reformers hoped, enjoy more efficient administration and gain the benefits of union-level procurement of the goods and services essential for relieving the poor. The unions would be run by guardians of the poor, elected by the ratepayers who funded poor relief, and overseen by a new central government authority in the form of the Poor Law Commission (replaced in 1847 by the Poor Law Board, itself incorporated into the Local Government Board in 1871). The policy of the Poor Law Commission (PLC) was to reduce the number of paupers. To effect this, the use of payments by poor law unions in cash or in kind ('outdoor' relief), for able-bodied males at least, was discouraged under the new poor law in favour of relief inside the workhouse ('indoor' relief). To encourage the able-bodied to find employment, rather than apply for relief, indoor relief was to be run under the principle of 'less eligibility': That conditions in the workhouse should be no better than those enjoyed by the lowest-paid independent labourer. Reformers believed these policies (which had already been in place in certain parts of England and Wales for some years) would reduce applications for relief and therefore overall expenditure. The PLC's team of a dozen assistant commissioners (to become Poor Law Inspectors from 1847) were tasked with encouraging the formation of unions in their localities, and then trying to see to it that these new bodies were run as uniformly as possible. The new poor law guardians therefore had much less discretion over relief practices than the local officials who had formerly administered relief. Moreover, they had little power in the face of economic cycles, regional trade depressions, local outbreaks of infectious diseases and the like.

However, as this article shows, poor law guardians maintained the independence enjoyed by their predecessors in one particular area: procurement. In contracting for the supply of goods and services, they could exercise much more discretion than has been identified hitherto. Regulations issued by the central authority could circumscribe guardians' activities, but they could not bind the independent traders who sold goods to the unions.

Rather, these interactions were subject to existing contract law. This gave boards of guardians flexibility in their financial management and thereby their local relationships, putting social structures and processes at the heart of poor law economies.

To analyse this key feature of the relief system, this article proposes a new theoretical framework. The poor law was not a world unto itself, consisting only of government interaction with the most impoverished members of society. Rather, it was interwoven into the broader community through public procurement, in the relationships between poor law guardians and the people doing business with them. We can therefore usefully understand the position of the guardians who ran unions as being at an intersection of the ‘Poor Law World’ and the ‘Outside World’ (Figure 1).

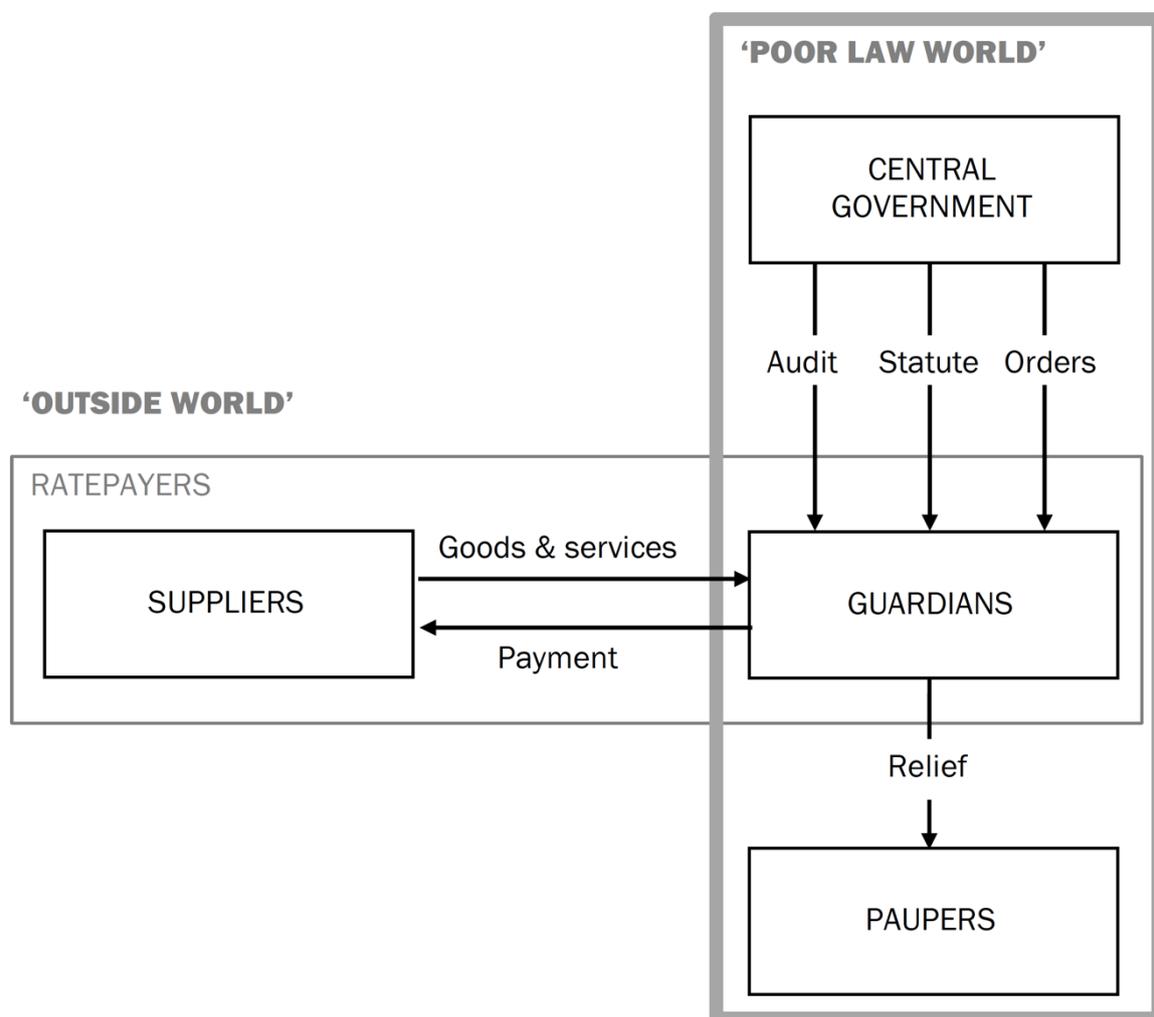


Figure 1. Inside and outside the Poor Law World. Source: Author.

The Poor Law World consisted of the poor law union itself, with central government providing overall policy through statute law and departmental orders, with audit and inspection as tools for control. The powers of poor law guardians were strictly limited, especially in comparison with those enjoyed by parishes under the pre-1834 relief system, though guardians in some parts of England and Wales did their best to continue as before.² Moreover, policy development was a two-way street in many ways.³ Nonetheless, there was a fairly restricted set of lawful actions available to guardians when it came to relieving the poor: Topping up wages for the able-bodied, for instance, was no longer permissible. The Poor Law World also included the poor themselves, who became subject to this regime by applying for relief and by becoming paupers (i.e. in receipt of relief), whether in or out of the workhouse. An indoor pauper was obliged, for example, to dress, eat, sleep, work and in all other ways behave according to workhouse regulations. Outdoor paupers might find themselves subject to examination by magistrates to determine their legal place of settlement – risking removal to another parish if their status was in doubt – and would moreover have to convince the guardians or relieving officers of their destitution by exposing their lives to scrutiny, in the hope that their circumstances would conform to local policy.⁴

In contrast, the Outside World contained everyone else. For our purposes, the relevant parts of the Outside World consisted of the ratepayers who funded poor relief through the levy on property value, and who elected the poor law guardians for their local union. Among these members of the public were the individuals who owned and ran the businesses which supplied poor law unions with the goods and services they needed to operate and to provide relief. They could not be bound by poor law regulations in the way that paupers or guardians could be.

In consequence, we are provided with an opportunity to examine what Williamson describes as the ‘atmosphere’ surrounding business, in our case specifically at the intersection

of the public sector and private enterprise in nineteenth-century Britain.⁵ As Williamson illustrates, the standard economic model ‘regards transactions in a strictly neutral, instrumental manner. However, it may be more accurate, and sometimes even essential, to regard the exchange process itself as an object of value.’⁶ I argue that the processes and rituals of poor law contracting were held to have intrinsic value – in building networks of trust, providing stability, or generating an environment of authority – which not infrequently resulted in economically suboptimal outcomes. This was made possible by the intertwined nature of public and private, of social and economic, that was an inherent feature of the poor law contracting landscape. Williamson points out that where market exchange tends to promote a calculative approach, ‘internal organization, by contrast, is often better able to make allowances for quasimoral involvements among the parties’. The default position was a formal separation between guardians of the poor and their suppliers, but the blurred boundaries between the Poor Law World and the wider business environment enabled guardians to see themselves in some cases as ratepayers and businessmen, or even to regard their suppliers as part of the Poor Law World. This explains some of the apparently perverse decisions made by guardians, such as granting *ex gratia* payments to suppliers disadvantaged by market movements.

Independence in contracting capability is a feature of the roles of poor law guardians which, I argue, allowed them to make fundamental decisions about the quantities and types of relief they offered to the destitute in their union. This was increasingly important over the course of the nineteenth century as indoor relief grew, especially in towns and cities. 12 per cent of paupers were relieved in England and Wales’s workhouses on 1 January 1850, and this figure rose to over 26 per cent by 1899. The sums involved were considerable: £0.9 million was spent on indoor relief in 1850, rising to £2.5 million by the end of the nineteenth century (Figure 2).⁷

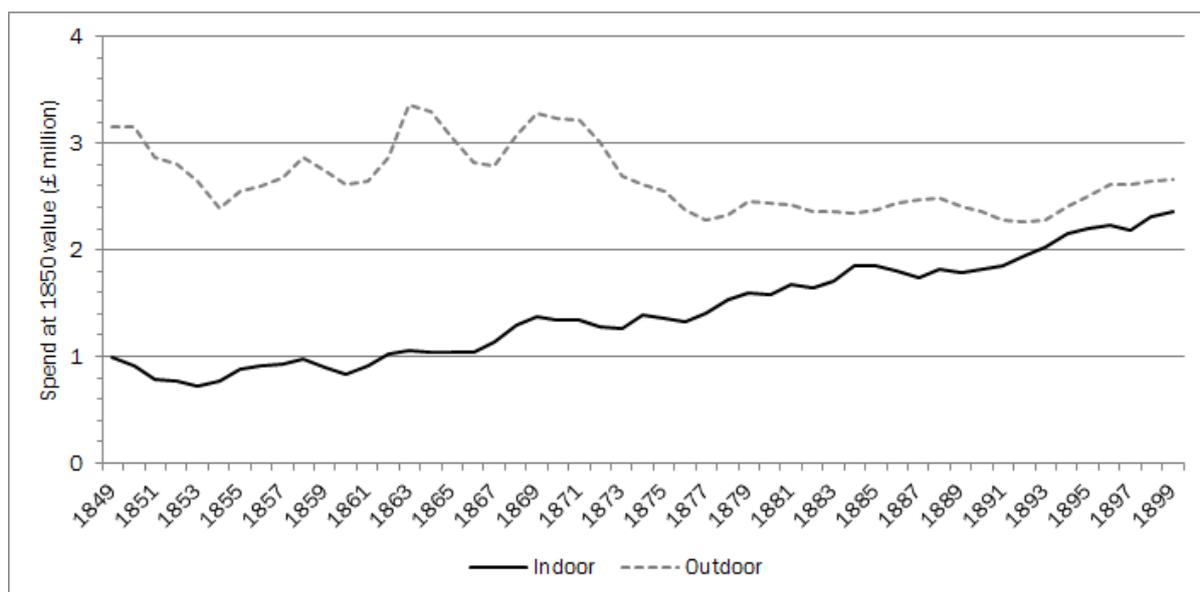


Figure 2. Expenditure on indoor and outdoor relief by poor law unions in England and Wales, 1849 to 1899, at 1850 values. Source: Annual reports of Poor Law Board and Local Government Board; O'Donoghue et al., *Consumer Price Inflation*.

The rise of indoor relief therefore requires that attention be paid to the ways unions managed not only the demand for relief but also its supply. The greater emphasis on indoor relief shifted the core business of boards of guardians from determining relief granted to individual paupers, towards contractual arrangements and institutional management. Money spent on paupers in the workhouse was to a great extent passed to the local businesses who provided the institution with food, clothing, fuel and other materials. The relationships formed between poor law guardians and their suppliers were a significant part of the guardians' strategies for controlling costs. For guardians, knowledge of potential contracting partners was essential for achieving a suitable balance of cost and quality for ratepayers and paupers, and for maintaining good terms with those ratepayers who sold to unions. For suppliers, an institution like a workhouse could be a vital source of income, potentially having a significant impact on a local economy by creating demand that would otherwise not have existed. Suppliers might in some cases have owed their existence to the local workhouse

consuming their goods. It was therefore in suppliers' interests to form connections with the officials responsible for allocating contracts. As poor law supply was constituted socially, in the relationships between guardians and local business, it is critical to understand the business practices surrounding contracting by unions and the relationships between them and their suppliers.

Geography was a key part of these supply relationships, as they potentially diminished in strength with distance. This is in line with Tobler's first law of geography: 'Everything is related to everything else, but near things are more related than distant things'.⁸ Guardians were more likely to know businesses well if they were in their own unions – and especially in the same town – compared to those further away. Small traders were most likely to supply only the unions in which they were located, first because the ability to send goods cheaply over any greater distance was a function of scale, and second because the opportunities to form essential selling relationships were more present locally. Larger enterprises were therefore better able to supply distant unions. Outside London, unions tended to buy from within their boundaries, and even in London, where there was a greater concentration of potential suppliers, guardians preferred to spend the rates on their own ratepayers. Guardians did not always spend more than necessary by seeking local suppliers over cheaper, more distant, sources – but when they did, I argue, it can be explained by their preference for knowing with whom they did business, or by having knowledge of a supplier's ability to fulfil the contract adequately, or by their wanting to keep the money circulating within the union. It was therefore in their relationships with their local economies, and especially with the firms and individuals that supplied goods to the workhouse, that guardians could fully exercise their patronage and discretionary powers. This sphere of local activity formed the operating framework within which guardians could make decisions about numbers of paupers and modes of relief.

To analyse guardians' purchasing decisions, data have been taken from two main sources. One source is the corpus of records of poor law union correspondence with the central authority, held by The National Archives in series MH12. The records start in 1834 and there are over 16,000 volumes of correspondence, all but 300 or so uncatalogued at item level, containing letters reporting information and requesting advice, clarification and permission, covering every topic of poor law administration. Nonetheless there are many missing volumes, and the scope of this research ends at 1900 because of the destruction by bombing of twentieth-century poor law records (among others) during the Second World War. To identify relevant material, contemporary subject indices were used. These index volumes are in series MH15, which also served as a kind of record of precedents for civil servants. The correspondence examined in this research was identified through MH15 using subject headers such as 'Contracts', 'Contracting' and 'Provisions'. The second source of data is the minutes of boards of guardians, which record information on the decisions made by poor law union administrators including in many cases the winners of tenders for contracts, and approved expenditure. These records are in local archives and their survival is even more sporadic. Where they do survive, they do not uniformly record full data on contractual arrangements. Because of the vagaries of contemporary record-keeping and missing volumes, therefore, the material does not lend itself to comprehensive statistical analysis. Nonetheless a survey approach has been invaluable for building a picture of the range of policies and practices in operation across England and Wales.

This research adds to our understanding of the relationship between local unions and central government, a topic which has generated long-standing debate among historians. Almost entirely, this has centred around the persistence of outdoor relief despite the central government's stated aims of reducing or eliminating it. For Beatrice Webb and Sidney Webb, in whose long shadows so much of poor law history has been written, the continued existence of outdoor relief was attributable to the piecemeal way in which the central authority imposed

its will on unions.⁹ In other words, local practices were a function of national political will. For many historians since the Webbs, the key problem has been the strength of local resistance to central power.¹⁰ That is a somewhat simplistic characterisation of the relationships in question, though. The reasons behind guardians' objections to central policy had much to do with the locally prevailing socio-economic conditions: As Boyer shows, for instance, industrial cities in the north-west of England persisted in granting outdoor relief to the able-bodied into the 1860s, in defiance of the principles of the 1834 act.¹¹ Even where the principles were considered sound, theory was put aside in times of economic distress when guardians were forced to cope with unemployed able-bodied men facing starvation. The persistence of allowances into the mid-nineteenth century was therefore a result of expedience.¹² Furthermore, dislike of the new regime, if and where it occurred, could co-exist with the adoption of its standards. The model of mutual antagonism is also challenged by Ogborn, who points out that the central authority did not attempt to impose its policies unilaterally on unions, and was fairly receptive to suggestions for change under certain circumstances.¹³ Similarly, Williams shows that the exercise of local autonomy was not always a reactionary force, and that policy was the product of continual negotiation.¹⁴ Moreover, argues Harling, personal dealings were often key, as seen in the importance of relationships between assistant commissioners and guardians in putting key union officers in post.¹⁵

It is worth intervening in this debate about the extent of local autonomy to point out that the ways in which boards of guardians bought goods and services were subject to hardly any central government control at all, and therefore are an important counterweight to the model of divergent central and local concerns. Items like workhouse supplies and bread for outdoor paupers made up a significant proportion of union expenditure. Food was the largest single element of indoor relief. Data were not collected systematically over time, but a one-off survey of London unions in 1881 gives an indication of the quantities (Table 1). Over 44

per cent of their workhouse spending was on food, including nearly 19 per cent on meat – twice the amount spent on salaries. Food became increasingly important over time as a category of expenditure: In London unions in 1908, food provisions accounted for 61.1 per cent of maintenance costs per indoor pauper. Clothing took up 9.5 per cent and other ‘necessaries’ the remaining 29.4 per cent.¹⁶

Expenditure item	Amount (£)	Proportion of subtotal (%)	Proportion of total (%)
Provisions			
Meat	91,640	42.6	18.9
Grocery	42,856	19.9	8.8
Flour and bread	39,091	18.2	8.1
Vegetables	13,640	6.3	2.8
Milk	13,298	6.2	2.7
Beer	6,221	2.9	1.3
Other provisions	5,026	2.3	1.0
Wine and spirits	3,551	1.6	0.7
Total provisions	215,323	100.0	44.4
Establishment			
Loan servicing	56,552	29.3	11.7
Salaries, gratuities, fees	45,566	23.6	9.4
Furniture and repairs	23,290	12.1	4.8
Building and repairs	21,478	11.1	4.4
Rations	20,837	10.8	4.3
Rent, rates, taxes, tithes, insurance	13,466	7.0	2.8
Other establishment	4,051	2.1	0.8
Drugs, medical, surgical appliances	3,945	2.0	0.8
Funerals	2,579	1.3	0.5
Uniforms	1,072	0.6	0.2
Total establishment	192,836	100.0	39.7
Necessaries			
Warming	21,728	46.5	4.5
Lighting	10,691	22.9	2.2
Cleansing	7,644	16.3	1.6
Water	4,444	9.5	0.9
Other necessaries	2,261	4.8	0.5
Total necessaries	46,768	100.0	9.6
Clothing			
Linen, cotton, woollen, flannel, other	23,622	78.1	4.9
Boots and shoes	6,621	21.9	1.4
Total clothing	30,243	100.0	6.2
Total all	485,170		100.0

Table 1. Breakdown of expenditure in thirty-three London workhouses operated by thirty unions, year ended Lady-day 1881. Source: PP 1882 XXX Pt. I 1. Eleventh Annual Report of the Local Government Board, 1881-82, Appendix D, no. 66.

Despite this increasing importance, studies of contracting by poor law unions have so far been limited to investigating some specific sectors, but not contracting as a whole, and the contracts themselves tend to have been treated tangentially.¹⁷ There is some discussion of the wider context of the desirability of market forces and private provision in public services.¹⁸ Medical arrangements made by unions have been the subject of a great deal of research, mostly concentrating on public health, the services available to paupers, vaccination and medical practitioners.¹⁹ Lunacy provision has received some attention too, focusing on the experiences of the paupers concerned.²⁰ Yet these works focus on contracts for service provision with individuals or institutions in direct contact with paupers, and not on the basic provisioning of the institutions concerned. The types of suppliers of goods to workhouses and other poor law institutions covered a wide spectrum, from national companies providing coal, to local smallholders selling farm produce. The historiography of business, however, has tended towards industrial activity at the larger end of the scale. Some limited attention has also been paid to retail, much of which has focused on the bigger high-street shops.²¹ A study of institutional supply therefore adds to this discourse.

The intersection of the Poor Law World and the Outside World has a further important implication for our understanding of the period: It demonstrates the underpinning of the economic by the social, throughout the period at which Polanyi identified the social's subordination to the economic as a fundamental part of the emergence of the market economy.²² In Polanyi's account, the end of the eighteenth century 'represented a complete transformation in the structure of society', in which the new 'market society' demanded a complete 'market economy' – comprising 'all elements of industry, including labor, land, and money'.²³ In what he describes as a 'double movement', the self-destructive drive towards marketisation was accompanied by a set of resistive measures integrated into key institutions which only just protected society from annihilation by marketisation's worst effects.²⁴ He

therefore sees the emergence of the almost-self-regulating market as an inexorable steamroller, destroying existing social relations in its path in the name of economically optimised supremacy. Polanyi used the Speenhamland system of poor relief – one regional variant of pre-1834 poor law provision – as a case study of socio-economic distribution (characterised by ‘reactionary paternalism’) whose removal by the Poor Law Amendment Act, he argues, was a prime example of the assertion of the market over human compassion.²⁵ In this light, the persistent importance of social relations in poor-law contracting is something of an anomaly, and one which contradicts Polanyi’s analysis.

II Local financial management

Poor law unions exhibited a wide range of relief practices and expenditure across England and Wales, and these geographies of relief can usefully be understood as being a question of local financial management. Central government provided a set of parameters within which local guardians had to demonstrate their frugality and administrative competence. These parameters affected their behaviour through legal constraints and surveillance, but unions were also limited by local circumstances. Guardians could control different elements of their expenditure to different extents in different places. Thus neighbouring unions did not necessarily have the same control over the numbers of people they relieved, the salaries of their officers, capital expenditure and the costs of the goods and services required to relieve paupers.

Within this context of variable control, the ways in which unions bought goods and services were key. It is therefore worth examining how far guardians could control their buying practices and the limits to their discretionary powers. Unions operated within a variety of legal constraints including pre- and post-1834 statute, case law and orders issued by the central authority. Nonetheless they had a certain amount of discretion, either explicitly allowed to them in law, or which they exercised by ignoring rarely enforced regulations,

following unorthodox contracting practices, or exploiting legal loopholes. Central government had remarkable surveillance capabilities through district auditors, poor law inspectors and direct correspondence, but had limited powers to force a union to obey its will unless the union acted unlawfully.

Mindful of the close eye ratepayers kept on their activities, guardians of the poor were keen to maintain the smooth running of their unions nonetheless. As Hennock points out, there were three principal ways for elected bodies to avoid ratepayer revolts: first, by ‘careful financial administration’; second, by ‘political skill and imagination’; and third, by ‘the possession of a substantial revenue independent of the rates’.²⁶ The majority of boards of guardians could not rely on the second and third of these, and for many even the first would have been beyond them. Contracting was one arena in which guardians had the opportunity to demonstrate their financial competence or lack thereof. As Thomas Mackay declared, ‘within the discretion, allowed by the law and by the orders of the Local Government Board, there is room for such diversity of action that whole districts can be made or marred, in respect of dispauperisation, by the caprice of a local Board of Guardians.’²⁷

The central authorities were renowned for the level of detail they controlled in so many other areas of activity, in contrast. A German observer commented in 1903: ‘By a multitude of rules that defy review, outdoor and indoor relief, schools and hospitals, and asylums for the poor, have been regulated in such precise detail that the Poor Laws themselves sink into comparative insignificance before the Poor Law Orders, so far as the actual work of administration is concerned.’²⁸ However, there were hardly any prescriptions from the PLC, PLB or LGB concerning contracts, tenders and the like: one short section of the general orders of 1842, one minor amendment to the form of cheques in 1857 and one slightly more substantial amendment to the form of contract in 1878. This may be contrasted with rest of the 1,500 or so pages of poor law orders on other subjects which were in force by 1898.²⁹ It is worth asking why so little of the central authorities’ activities were concerned

with such a large part of the unions' activities, once the regulations for contracting had been laid down in 1842. It would be wrong to suggest that the centre was not at all interested, however. Rather, guardians were subject to those regulations and could appeal against rulings of unlawful expenditure made by district auditors. The centre therefore did engage in a certain amount of correspondence regarding these rulings. For the most part, though, it would appear that the central authority saw little reason to interfere with the overarching regulations for contracting. The centre had set up a structure from the decentralised origins of poor relief administration, allowing guardians to work with local circumstances.

The PLB reviewed this *laissez faire* approach in 1871 when it noticed that London unions were paying different amounts for the same goods.³⁰ The PLB commissioned the Admiralty's superintendent of contracts, Francis Rowsell, to inquire into whether unions were getting value for money and a suitable standard of goods under their existing arrangements.³¹ Rowsell unsurprisingly drew attention to shortcomings in these arrangements and recommended in their place the sorts of processes the Admiralty had adopted, though he did not suggest fully centralising procurement for workhouses.

The report was promptly ignored. Neither the PLB nor its successor the Local Government Board took any strong action to encourage unions to sharpen their tendering procedures, beyond distributing Rowsell's findings among the London boards of guardians.³² Rowsell's report was the most wide-ranging and detailed survey of contracting practices commissioned by the central authority. For the whole of the second half of the nineteenth century, therefore, unions saw no major changes in the rules for workhouse supplies. This is extraordinary consistency at a time of no little socio-economic and governmental upheaval in almost every other respect. It is an especially remarkable fact given that, taken together, poor law procurement represented one of the largest elements of state expenditure in the nineteenth century, behind only the army and navy (Table 2).

Department	Spend £
Army	3,601,000
Navy	2,008,000
Workhouses: Food, fuel, clothing and bedding (England)	1,524,700
India	1,400,000
Prisons	625,000
Workhouses: Food, fuel, clothing and bedding (Ireland and Scotland)	475,300
Police	435,000
Stationery, printing and binding	376,000
Trinity House (lighthouses)	150,000
Post Office	117,000
Inland Revenue	77,000
Total	10,789,000

Table 2: Estimated spending on stores and supplies by selected parts of government, 1872-73. Wales's unspecified workhouse expenditure was probably included in the figure for England. Source: F.W. Rowsell, 'The Public Stores: Their Purchase and Administration', *Macmillan's Magazine* 26 (May - October 1872), 478-485.

Furthermore, in contrast to those institutions, there was little uniformity in the ways that poor law guardians went about buying supplies. In other areas of government spending, individual departments differed from each other but increasingly tended to have internally coherent procurement strategies or systems: Until the first half of the nineteenth century military institutions found their supplies locally but in 1855 the War Office introduced centralising reforms, and the Admiralty eventually followed suit in 1869.³³ This contrast was a result of several factors: First, organisations like the Army and Navy were now part of central government, whereas poor law unions were local government and responsible to local ratepayers. Here can be seen the importance of the Outside World in forming poor law practice. Second, the legal framework in which boards of guardians operated allowed them to exercise a good deal of discretion (section III, below).

This lends weight to Bellamy's description of the central poor law authorities' aim as being to 'minimise error... rather than to maximise performance.'³⁴ The opportunity cost of

centralising procurement among poor law unions would have been very high, even on a regional basis. Unions, after all, already represented centralised procurement among groups of parishes. The gains would have been uncertain; guardians might be expected to be the best sources of knowledge about local markets; and it was up to the ratepayers to decide whether they were happy with what guardians bought with their rates. It was for the guardians themselves to choose to adopt Rowsell's recommendations or to discard them, for instance. Guardians therefore had a great deal of discretion allowed by the fairly broad regulations on contracting and supplies.

III Regulatory environment

Boards of guardians operated within a legal framework of case law, statute law and orders from the central authority. The centre also had the role of sanctioning unusual expenditure and remitting unlawful expenditure where it was in the interests of fairness. Statute law, in the form of the Elizabethan poor laws, the Poor Law Amendment Act and in some cases local acts, gave boards of guardians the right to spend the rates on maintaining the poor, and gave the PLC and its successors the right to make orders and regulations on guardians' behaviour. Case law provided explication by the courts on points of contention and, where necessary, the courts looked to pre-1834 cases for precedents concerning the expenditure of the poor rates. Poor law unions and the central authority were therefore governed by legislation and precedents specifically concerned with poor relief, and they were, of course, also constrained by the laws which applied to other areas of life, in particular those relating to contracts. But unions bought goods and services from suppliers who were not themselves subject to the poor laws (except as ratepayers). A supplier did not become obliged to conform to the orders of the central authority simply by selling to a union. This gave rise, therefore, to an area concerning the poor law which was in the Outside World and hence of limited or tempered control for the central authority: it could not exercise the same degree of management over

workhouse supplies that it could over dietaries, for example, even though they were closely related parts of a union's business.

In the first years of the new poor law, the PLC explicitly allowed guardians to purchase bread, flour, meat and other workhouse supplies as they saw fit, 'in such manner as may appear to such guardians best calculated to prevent imposition, and to promote economical management'.³⁵ The only stipulation was that purchases should 'be made upon tenders after public advertisement in one county newspaper at least.' The PLC was keen to stress in its first annual report the price advantages of contracting for unions in contrast to the high costs faced by individual parishes. (This was just one of many claimed benefits of joining a union.) Uckfield union, the PLC reported, now paid 44s for a hundredweight of cheese, whereas its constituent parishes had paid 51s 4d. Tenders for flour had fallen by a couple of shillings per four-bushel bag to between 25s 4d and 27s 6d. Local tradesmen did not need to be concerned about losing business, though, as 'the purchases of the independent labourers have, to a considerable extent, made up for the diminished consumption of goods by the parish.'³⁶

Fairly quickly, though, the PLC became worried that suppliers with a vested interest in the old regime would do their best to undermine the new system. A group of Bermondsey master bakers presented a memorial in 1836 asking the Commissioners to approve a ticket system of outdoor relief in the parish. Among the many evils of such a system, PLC secretary Edwin Chadwick wrote in reply, was:

[T]he interest which it is found to create on the part of many persons to obtain the management and control of the parochial rates, not for the public advantage, but for the sake of the patronage and influence acquired by the distribution of such supplies; which influence affords strong motives to the undue retention or extension of out-door relief, to the serious injury of the condition and morals of the labouring classes,

amongst whom inducements to indolence, filth, and imposture, are thus maintained and diffused at the expense of the rate-payers.³⁷

The bakers were labouring under the ‘common error’ that the new system would operate to their detriment; and the Commissioners knew better as they had ‘extensive experience beyond that of any single parish’. The PLC, therefore, responded to this memorial by traders in the same way as it dealt with many other objections to the new system: Opposition, they argued, resulted either from ignorance or from a vested interest in the old system.

To reduce the chances of such interests controlling workhouse supply, the PLC set out more detailed rules for tendering and entering contracts in a general order in 1842, and these were reissued in similar form in the 1847 Consolidated General Order (CGO).³⁸ They provided that any contract worth £50 or more was to be put out to tender and advertised in a local newspaper by the guardians.³⁹ Potential suppliers were to submit sealed bids to be opened on a given day at a meeting of the guardians, who would choose the most appropriate, though they were not bound to accept the cheapest. The guardians could – but did not have to – ask suppliers to provide sureties for the due performance of their contracts. Payments to suppliers were to be made by orders – i.e. cheques – drawn upon the union treasurer.⁴⁰ In April 1857 the PLB amended the regulations to ensure these cheques were payable to named individuals rather than to the bearer.⁴¹ The PLB was acting in response to two fraud cases which took place in early 1857; in one, the assistant clerk of City of London union, attempted to embezzle over £700; in the other, the assistant clerk of North Bierley, West Yorkshire, altered a series of cheques.⁴²

It was not for the central authority to ensure that unions received good value or resisted cartels and ‘combinations’ of traders, but it did show some concern for the good order of poor law supply. The centre acted to ensure contracts were enforceable, for example by insisting on proper advertising, tendering and contracting procedures such as contracting

under seal. Any deviation from these rules might render parts of a contract unenforceable – but the existing body of contract law would still apply.

Here, the ramifications of the intersection of the Poor Law World and the Outside World become clear. For example, where a contract was entered into by a union with a supplier but it was not under seal, if the supplier defaulted before the end of the term of the contract then the liability would only be for goods already supplied, rather than for the goods which would have been supplied for the remainder of the term. If a contract was made in conformity with general contractual law but not with the regulations of the PLB it was not void unless the PLB declared it void. The Braintree guardians, for instance, asked the PLB in 1865 for its opinion on taking legal proceedings against a baker whose contract stipulated that bread should be delivered the day after it had been baked. Despite frequent complaints, he persisted in delivering it ‘hot from the oven and consequently weighing much more than it would have done after the lapse of twelve or twenty four hours’.⁴³ The PLB, however, told the guardians to seek independent advice, because the contract was not termed according to official recommendations. Unions could, therefore, gain the protection of the central authority by adopting its protocols. They could lawfully ignore these protocols, but would be left unprotected if they did.

The benefits to unions and to suppliers of adopting the central authority’s protocols were great. For instance, once it had been agreed, a contract could not legally be altered. However, the central authority could sanction the guardians putting an end to it prematurely, should the parties find it desirable, if it were a poor-law boilerplate contract. The records contain numerous examples of this, all through the second half of the nineteenth century.⁴⁴ The centre therefore took a pragmatic stance within its legal boundaries which promoted the smooth running of the local business of poor relief.

The centre did not take a direct role in ensuring that unions complied with contracting regulations, and did not exercise the same degree of surveillance over supply as it did over

other areas. Unions did not have to submit data to the centre regarding tendering and supply in the way they did for pauper numbers and relief expenditure. Rather, it was one of the jobs of the district auditor to check that a union's tendering process complied with the law.

District auditors were a key part of the centre's overall surveillance framework, and had a dual responsibility to the ratepayers as well as to the centre, but were not effective supervisors of contracting. They had a number of other functions, including checking that the various books of several union officers were correctly filled up and that ledgers and accounts were consistent. They had to certify that the rates were spent on items connected with poor relief as prescribed by law. But they had no power to ensure that, for instance, the goods delivered to workhouses were compared with the samples provided by suppliers when tendering; nor could they require boards of guardians to justify their choice of a particular supplier. This remained an area outside the Poor Law World. Auditors might be strict about ruling certain expenditure unlawful, but they could not force unions to pay suppliers. It was for the suppliers themselves to chase unions for payment, through the courts if they had to. Although unions were supposed to delay payment to creditors for no longer than twenty-one days after the end of the quarter, payments made after this time were not generally ruled unlawful by the auditors. There was, after all, no fair way of recovering money from suppliers once they had been paid by the union. Furthermore delayed payments were such a common practice, and early payments so inconvenient for unions, that it was difficult for the central authority to end them.

The district auditor was bound to disallow expenditure from the rates if it did not strictly fulfil the legal requirements, but on appeal by the party liable for the sum the central authority could overrule the disallowance or remit the amount in the interests of fairness. The Local Authorities (Expenses) Act 1887 enabled the LGB to sanction unlawful expenditure before the district auditor disallowed it if it had been made in good faith or inadvertently, whereas until this statute sanction could only be given afterwards.⁴⁵ This was designed to

reduce the number of appeals, according to the LGB, though a Fabian critic of the audit system writing in 1925 suggested that district auditors had become too independent-minded for the department.⁴⁶

Guardians and their suppliers worked under an existing body of contract law that applied to all transactions, not just those between public authorities and their suppliers. But there were also laws predating 1834 about poor law administrators and their relationships with suppliers. Guardians and similar managers or directors of the poor were not allowed to supply goods for the poor at a profit, nor to be business partners with anyone else who did, under legislation of 1815.⁴⁷ This remained in force under the new system. Here, it might be argued, was a barrier between the Poor Law World and the Outside World that blocked free commerce between them. In reality, though, this could be a very permeable border. In 1851, for instance, the only farmer capable of supplying Ross union, Herefordshire, with milk was nominated for election to its board of guardians. The PLB told the union that the farmer should ‘carefully abstain from supplying the Union with milk so long as he continues in office’.⁴⁸ The nominated guardian was therefore expected to resign once elected. Overseers and other persons with responsibility for the local poor were prohibited from providing the poor with goods ‘for profit’ by the 1815 act, but judgments handed down in two subsequent cases found the prohibition did not apply if the contractor made no profit from the contract.⁴⁹ This circumvention enabled a printer to supply at cost the Wycombe union, of which he was a guardian, in 1851.⁵⁰

Guardians and the PLB were therefore both constrained and given some flexibility by the statute and case law which predated the new poor law. Unions were obliged to conduct their contracting in specific ways by the orders of the post-1834 central authorities, but they still had to behave within general contract law – the Outside World – and according to the special nature of poor-law contracting which had developed under the old poor law. At the same time, guardians were given a certain degree of freedom by a transactional ‘atmosphere’

engendered by a body of law and systems of institutional behaviour that evolved to recognise the practicalities of arranging the supply of goods for the maintenance of the poor. The central authority, therefore, had a key role to play in promoting this atmosphere.

IV Atmosphere and discretionary powers

The key freedom enjoyed by guardians in their contracting arrangements was that they were not bound to accept the lowest bid. This is in contrast to other areas of government procurement: The director of contracts in the War Department, for example, was obliged to make special application to the Secretary of State if he wanted to purchase from any but the cheapest bidder.⁵¹ Thus they could avoid being obliged to buy poor quality goods or to contract with suppliers they knew were unreliable or unsuitable. Camberwell's clerk told the Admiralty's Francis Rowsell that decisions were made 'partly by prices, and partly by the repute of the parties tendering. The guardians do not accept a tender solely on account of price.'⁵² Of the twenty-six unions who answered Rowsell's query as to whether the lowest bid was always accepted, only two replied yes without qualification, the other twenty-four mostly saying that they took into account the quality of goods previously supplied and the character of the supplier.

Guardians must therefore have had a fairly strong knowledge of local suppliers. In some cases, indeed, the line between a good working relationship and friendship could be blurred. For instance, when an unexpected rise in duty on tea and sugar was announced in April 1855, it was met with alarm by grocers who had contracted with unions at a lower price than they could afford after the increase. Brentford's guardians asked the PLB to allow them to pay their supplier more.⁵³ William Hull and John Craney, who supplied several metropolitan unions, wrote directly to the PLB asking if they were justified in adding the new duty to their existing contracts.⁵⁴ The answer was no, at first, but when Parliament enacted the new levels of duty a few months later a section was inserted allowing contractors to do

just that.⁵⁵ The same legal provision was made in other duty increases, such as for spirits in 1885.⁵⁶ Boards of guardians and central government alike were therefore concerned to promote an atmosphere of mutual confidence between guardians and their suppliers: It was important not to alienate local businesses through heavy-handedness or punitive conditions, as these businesses were understood to be in partnership with poor law unions – and furthermore were run by ratepayers.

Examples of this can be found across the country and at different periods. A new district auditor discovered in 1855 that Uppingham union's relieving officer made his rounds with the baker who supplied bread to the union's outdoor paupers, on the baker's horse and cart. The auditor did not believe the practice was illegal, but he thought it 'likely to subject the Relieving Officer to suspicions regarding the integrity of the discharge of his duties, and to produce a tendency to destroy that independence of Tradesmen and Contractors which is so desirable to be observed by Union officers'.⁵⁷ Poor law inspector Robert Weale noted that he knew of the practice and thought it did no harm, and the clerk told the PLB that it gave the relieving officer an opportunity to observe the quality of the bread.⁵⁸ The PLB took no action. In another case, the Lanchester guardians worked so closely with their butcher in 1864 that they voted to make him an extra payment of £10 when meat prices rose and he found his contract unsustainable.⁵⁹ The butcher was a 'young man just commencing business' and the guardians thought it would cost more than £10 to scrap the agreement and contract with another supplier. The auditor disallowed the payment but the PLB remitted the amount with a caution against repeating such expenditure.⁶⁰ One of the PLB's officials noted wryly on the correspondence: 'If the price had fallen, and the Contractor had made an unexpected profit, I suppose he would not have made the Gdns a present of £10.'⁶¹ These two examples demonstrate that such behaviour was a feature of the central authority's desired form of business atmosphere, whereas the auditors' preferred form of atmosphere – one rejected by the PLB – preserved formality and separation. Such decisions by the guardians, upheld by the

central authority, may have been indefensible on a narrow transactional calculus, but they preserved an environment characterised by reciprocity. They can be seen as an example of the phenomenon described by Williamson of ‘preferences for atmosphere [which] may induce individuals to forego material gains for nonpecuniary satisfactions’.⁶²

The occasional appearances of fraud and other financial improprieties in the records also suggest that close relationships were valued by guardians and suppliers. It was not unknown for poor-rate collectors, relieving officers, clerks, masters and other such officials to be charged, dismissed or required to resign because of some form of defalcation.⁶³ The discovery of fraud by guardians or suppliers was uncommon, though, either because it was not easy to commit or because it was not easy to discover. Nonetheless, those examples of irregularities or illegality which do exist suggest that they resulted from collusion between suppliers and guardians or other officials. In 1843, for instance, a former guardian of Skipton union was found to have employed three young workhouse inmates at his factory for eleven hours a day, paying their wages to the governor of the workhouse; according to a report by the Poor Law Commission, ‘their employment in such factory was sanctioned by the Board of Guardians, but very much complained of and protested against by the Poor Law Commissioners, and their Assistant Commissioner, Mr Clements, when the same came under their observation’.⁶⁴

Similar behaviour by guardians was discussed in 1928 by George Lansbury, himself a former Poplar guardian who had by then become chairman of the parliamentary Labour party. In his memoirs he described how he found the Poplar board when he was first elected to it in 1892:

Most guardians were freemasons, and so were many of the officials and all the contractors. I do not think there was any real corruption except that people did look after their friends. You scratch my back and I’ll scratch yours was the kind of policy where jobs and contracts were concerned.⁶⁵

Lansbury thus gave the impression of an all-too-comfortable local élite enjoying a long-standing *status quo* – to be contrasted, of course, with his own necessarily radical faction. Lansbury’s criticisms of the old Poplar board must be seen in the context of the allegations made about the union under his time in office there. Not only did the guardians give far more outdoor relief than the LGB and many ratepayers would have liked, but they were also ‘rumblings’ of corruption in their own contracting arrangements.⁶⁶ In any case, Lansbury’s presence on the board does not appear to have had an effect on the practices of his colleagues: Beatrice Webb attended a meeting of the Poplar guardians in 1906, and noted in her diary that the procedure for allotting the contracts for the year was ‘utterly reckless’. She wrote:

The tenders were opened at the meeting, the names and prices read out and then without any kind of report of a Committee or by officials straight away voted on. Usually the same person as heretofore was taken, nearly always a local man – it was not always the lowest tender and the prices were, in all cases, full, in some cases obviously excessive. Butter at 1/2 [1s 2d] a lb. when the contracts ran into thousands of £-worth was obviously ridiculous!... If there is no corruption in that Board English human nature must be more naively stupid than any other race would credit.⁶⁷

George C.T. Bartley, another guardian-turned-M.P., noted that guardians defied the law prohibiting them from supplying goods to the workhouse ‘with very little attempt at concealment’.⁶⁸ On one occasion, he recounted in his ‘handy-book’ for new guardians, his union’s board approved a large purchase of firewood at the end of a meeting, when few guardians were there. It emerged that one of the guardians was to cart the wood from the canal to the workhouse:

On drawing attention the Act of Parliament and the circumstance of a Guardian being a sub-contractor to cart the timber, which he openly acknowledged he was, the Clerk of the Board stated, as reported in the local paper, that “There was a doubt about the

matter, and he was not in a position to say what construction would be put upon such an act in a court of law.” The case was aggravated by this same Guardian acting on the Finance Committee, whose duty it was to see to the payments, and also on the House Committee, whose duty it was to see to the timber being measured.⁶⁹

V Geography

Given the importance of the social economy in patterns of poor law supply, an understanding of the spatial relations between unions and suppliers is vital. The records of the guardians of six case-study unions were used alongside street directories to determine as far as possible, therefore, where their suppliers were located. The six unions are Southwell (Nottinghamshire), Llanfyllin (Montgomeryshire), St Saviour Southwark (Surrey), Chester le Street, Houghton le Spring and Durham (County Durham).⁷⁰ These represent a range of union types with varying workhouse use in different parts of England and Wales, and as the three County Durham unions were neighbours we can see variation between geographically close authorities. To assess the changes in poor law supply in the second half of the nineteenth century, records for two periods were used: c.1849-51 (with the exception of Llanfyllin, for which c.1843-44 was used owing to gaps in the records) and c.1879-81. Only those suppliers whose locations could be determined with some degree of accuracy are included. Owing to the nature of the records it is not possible to guarantee that the correct individual has been identified in every case, but all those presenting significant doubt have been excluded. Traders at the smaller end of the scale are slightly less likely to be included in the analysis than larger, as they were less easy to trace. However, the locations of smaller traders frequently appear in guardians’ minutes alongside those of larger traders. The distances between supplier locations and the unions’ workhouses were calculated using geographic information systems software (ArcGIS).

Outside London, unions were most likely to buy from suppliers within their boundaries, though by the 1880s an increasing amount of business tended to be given to suppliers from outside the union (Table 3). Furthermore, three of the five case study unions outside London bought ledgers and forms from London printers in 1880. For the most part, though, the external suppliers were fairly close to their poor law customers and, aside from the London printers, were rarely more than one union away. The exception was St Saviour Southwark, which bought from businesses across London and, from the late 1860s, from a milk seller in Essex. Food in particular tended to be bought from local suppliers except when the union was remote (e.g. Llanfyllin) or in decline (e.g. Southwell, whose population fell from 25,596 in 1851 to 20,351 in 1881), as in these cases there were fewer such local suppliers. Urbanisation boosted the provisions sectors in the five growing case study unions, but it also enabled the development of inter-urban networks of supply which saw non-food suppliers (e.g. furniture, ironmongery) sell to neighbouring unions. Not only could Houghton le Spring's local businesses increase their ability to supply the Houghton union over time, therefore, but the growth of the union as a potential customer (by virtue of its new workhouse built in 1864) made it interesting to businesses in Newcastle, Gateshead, Sunderland and Durham. Such businesses already supplied the Chester le Street union in 1850, which was similar in population and growth to Houghton, but whose workhouse was bigger. As Chester le Street grew in population, a higher proportion of its workhouse supplies came from businesses inside the union, but it continued to buy from traders further afield too.

Union	Suppliers identified	Suppliers in union		<10 miles from WH		Furthest (miles)	
		N	%	N	%		
1850	Chester le Street	38	26	68.4	36	94.7	10.4
	Durham	33	33	100.0	33	100.0	1.3
	Houghton le Spring	21	20	95.2	21	100.0	4.9
	Llanfyllin	53	32	60.4	33	62.3	159.3
	Southwell	37	31	83.8	32	86.5	13.5
	St Saviour Southwark	87	42	48.3	87	100.0	3.7
1880	Chester le Street	43	35	81.4	42	97.7	22.6
	Durham	67	58	86.6	59	88.1	233.7
	Houghton le Spring	35	26	74.3	30	85.7	237.2
	Llanfyllin	34	23	67.6	24	70.6	159.3
	Southwell	73	61	83.6	64	87.7	16.3
	St Saviour Southwark	27	11	40.7	26	96.3	18.7

Table 3. Distances between workhouses and their suppliers, 1850 and 1880. N.B. Suppliers are only those with identifiable addresses. Source: Guardians' minutes and general ledgers; commercial directories.

Chester le Street's suppliers in 1850 were mostly in the town itself, with a few from elsewhere in the union including the Birtley Iron Company, a significant ironworks and colliery owner with an output of over 8,000 tons of iron per year in 1848.⁷¹ This was the only supplier which was not named as an individual in the guardians' minutes. Those from outside the union were a grocer, an ironmonger and a dressmaker from Newcastle; a baker from Sunderland; a stationer and a draper from Gateshead; and a stationer and a salt merchant from South Shields. In 1880 fewer businesses outside Chester le Street union supplied its workhouse, but those that did tended to be large wholesalers or specialist suppliers, named usually as non-family partnerships or companies, including municipal utilities. Examples of these larger suppliers are Gateshead mealman Robert Dowson, Durham stationers Proctor & Son, Middleton quarry owners Ord & Maddison, London stationers Knight & Co and Shaw & Sons, and four Sunderland concerns: brewers Fenwick & Co, the Sunderland Gas Company, Sunderland Eye Infirmary and aggregates firm J.T. French & Co. This change in types of external suppliers reflects an increasing number of businesses within Chester le

Street which were able to provide the union with high volumes of goods, though there were still some gaps in provision which needed to be filled by companies from further afield. In particular, mealman Robert Dowson was able to take the place of the several suppliers who had previously sold the union groceries and flour.

In 1850 all but one of Houghton le Spring's suppliers were located inside the union, the exception being a butcher in Sherburn village, in neighbouring Durham union. All were named as individuals rather than partnerships or companies. At this time, though, the union did not need a large number of suppliers as it did not favour indoor relief: only 17 of its 776 paupers were relieved indoors on 1 January 1850, and it had capacity for no more than 46.⁷² It is remarkable that it required more suppliers than it had indoor paupers. The town was growing in importance, though, and it was one of several mining communities emerging as 'local centres of shopping and services, catering for their own little planetary systems of smaller pit villages'.⁷³ The workhouse was enlarged in 1864, so by 1880 a much higher proportion of paupers were indoor.⁷⁴ As the workhouse consumed more, more of its goods were bought from outside the union. All its food continued to come from businesses inside the union, but hardware and other material came from Sunderland (for iron work, plumbing and glasses), Gateshead (glasses), Newcastle (furniture), Durham (printing by George Proctor & Son, who also supplied Durham and Chester le Street), and London (three stationers: Knight & Co, Shaw & Sons and Haddon Best & Co). Suppliers now included four non-family partnerships and another four incorporated firms, most of which were outside the union.

All of Durham's workhouse provisions in 1850 came from businesses within the union but by 1880 the guardians bought from a few suppliers from elsewhere. Rope was sourced from South Shields; furniture or school books from the North of England School Furnishing Company in Darlington; water from Weardale and Shildon District Water Works Company's reservoir in Wolsingham; and stationery from the three London firms which also

supplied Houghton. All the suppliers to Durham in 1850 were named as individuals except Seawin & Monks (seed merchants) and Elvet Colliery. In 1880 there were many more partnerships. Some were between family members, such as W.H. & J. Ferens (drapers); G. & A. Cooke (drapers); George Procter & Son (printers); George Gradon & Son (builders); Hauxwell & Son (ironfounders); and Heron Brothers (plumbers). Non-family partnerships and companies included Johnston & Coxon (drapers); Scawin & Burn (chemist); and several coal, gas, iron and water companies in and around the county.

All but a handful of Southwell's suppliers in 1850 were inside the union, mostly in Southwell town itself, and they were all recorded as individuals. Those outside the union included a grocer in Mansfield, another in Nottingham, a shoemaker also in Nottingham, a draper in Sneinton and a farmer near Balderton who supplied milk. In 1880, the locations of suppliers to Southwell reveal the relative rise in importance of Newark and Mansfield as centres of distribution. Ten of Southwell's suppliers came from these towns, five from each. As these towns grew, therefore, their local businesses began to look further afield to find customers. The Mansfield businesses were all food suppliers: two butchers, a farmer, a publican and a potato dealer. Those in Newark were a flour factor, butcher, ironmonger, currier and chimney sweep. There were a further two from Nottingham (both drapers) and two from Retford (one brewer and one draper). Suppliers in 1880 included nine family partnerships, one non-family partnership – Bates & Co, grocers and mealmen – and Southwell Gas Company. It also included one John Garratt, the district surveyor of highways and union sanitary inspector, from whom the union bought stone. It seems likely that he was selling stone from highway maintenance on behalf of the county.

A smaller proportion (but still the majority) of Llanfyllin workhouse's suppliers in the 1840s were inside the union, compared to other unions. However, several suppliers from outside the town itself provided goods such as straw, shoes, dairy produce, brushes and some groceries. The workhouse was supplied by a wide range of businesses from outside the union,

including grocers, chandlers and potato merchants in Oswestry, stationers and shoemakers in Shrewsbury, and two dairy farmers in Llandidloes. Some goods had to be bought from suppliers at a greater distance: glass from Birmingham, drapery from Manchester, stationery from London and slate from Pontrhydyfen, near Port Talbot. Five of the union's fifty-three suppliers in 1844 were partnerships and one was a company, all of which were outside the union. Paradoxically, therefore, it appears that a more remote and less populated union like Llanfyllin was obliged to source provisions from suppliers outside the union at an earlier period than those with better communications: Llanfyllin's traders did not have access to goods on the scale that the workhouse required, whereas those in Oswestry and Shrewsbury did. By 1880 there was a similar number and variety of suppliers from within the union as in 1844, but patterns of distribution from outside the union had changed somewhat. Five companies supplied the union in 1880, four of which were outside the union, the other being the Llanfyllin Coal Company. As well as a few specialist suppliers (such as a shoemaker and cheesemonger in Shrewsbury, and a clock repairer in Corwen), there were now some larger enterprises supplying a greater range of goods. Joseph Evans of Oswestry, for instance, sold the union oatmeal, split peas, coffee, sugar, candles, soap and soda. This business was therefore performing the functions which thirty years earlier may well have been carried out by individual mealmen, grocers, chandlers and oilmen.

St Saviour Southwark's suppliers reflected a broader London picture in which businesses from all over the capital – though concentrated in the centre – sold to many poor law unions at one time. Nonetheless, London unions were keen to buy from suppliers within their boundaries, and St Saviour was fortunate in having in it a number of large suppliers capable of meeting the demand generated by many unions. St Saviour continued to buy from London-wide big suppliers between 1850 and 1880, supplemented by smaller local businesses, but the number of local businesses winning contracts was somewhat diminished

by 1880 as much of London's institutional provisioning became consolidated among a few large enterprises.⁷⁵

In all the case studies, supplier types and locations depended on the changing circumstances of the unions. Within Chester le Street, where the population was growing, increasing numbers of businesses were able to supply the required volumes of goods, though the union still needed to contract with suppliers from further afield. In neighbouring Houghton le Spring, where the workhouse was enlarged, there were enough food suppliers but more goods of other sorts needed to be brought from outside the union. Durham's connections to other nearby towns enabled it to expand its geographical importance by becoming a potential customer to more distant businesses over time. In declining Southwell, the union was less and less able to rely on local traders, and its suppliers' locations reveal the increasing importance of neighbouring Nottingham, Newark and Mansfield. Remote Llanfyllin continued to rely on external suppliers, whereas St Saviour Southwark benefitted from a dense concentration of local businesses able to take advantage of the high number of institutional customers in London.

VI Conclusion

The ability to discriminate between potential suppliers on grounds other than price meant that poor law guardians were uniquely positioned in the intersection between the Poor Law World and the Outside World. Certainly, as representatives of their ratepayer electorates, guardians were mindful of the need to keep costs down. But this liminal status also meant that they were members of their local communities first, and government administrators second. They would have known their local suppliers fairly well, especially in unions outside the densely populated cities, and even within urban areas they would have had long-standing working relationships with particular union suppliers. For this reason, guardians and, to some extent, the central authority, could choose to prioritise the quality of their relationships with local

businesses over the pecuniary benefit of the cheapest bid. The fostering of this sort of atmosphere is apparent in the requests guardians made to the central authority to make extra payments to suppliers or to alter contracts advantageously towards them.

The central authority was concerned to eliminate clear abuses of ratepayer funds and to ensure that guardians did not act *ultra vires*. This is true of central government efforts to promote all sorts of policies, such as the ways certain classes of pauper were relieved. Such policies were intended to have an impact on the ratepayer burden through restricting the numbers of paupers relieved, or the amounts of relief they received. This article demonstrates that the same forces identified by historians as relating to policy transactions were also at work when it came to the ways guardians spent money on goods and services. For instance, Bellamy describes the central authority as working to ‘avoid the breakdown of relations’.⁷⁶ This is apparent in the authority’s willingness to sanction unlawful expenditure after the fact, and in the persistence of the legality of non-standard contracts between unions and suppliers. Such contracts were allowed because there was already a statute and case law framework for contracting. Enforcing a standard contract would have had an impact not just on unions, whose activities were also highly regulated, but also on ordinary tradesmen and women. The poor law in this respect operated as a set of social relationships which could not be co-opted into a purely administrative framework, even though these relationships were a necessary product of government process. To this extent, the poor law’s operation at union level should not be seen as the expression of central-local tensions, but instead as the space in which the Poor Law World and the Outside World – public authorities and private enterprise (and, indeed, paupers) – interacted and overlapped to different degrees at different scales.

Notes

¹ 4 & 5 Will. IV, c. 76. Poor Law Amendment Act 1834.

² Rose, *The Allowance System*.

³ Shave, *Pauper Policies*.

⁴ Lees, *Solidarities of Strangers*, especially chapter 6, 177-229.

⁵ Williamson, *Markets and Hierarchies*, 37.

⁶ *Ibid.*, 38.

⁷ Annual reports of the Poor Law Board (1851) and Local Government Board (1899).

⁸ Tobler, "Urban Growth," 236.

⁹ Webb and Webb, *English Poor Law Policy*, 90.

¹⁰ Crowther, for instance, describes the new poor law as 'a striking example of central policy contending against local independence' characterised by 'great differences of practice in the localities'; Crowther, *The Workhouse System*, 6. Driver explains the geography of policy implementation – the 1852 Outdoor Relief Regulation Order in particular – as a question of 'competing interpretations of local autonomy as well as questions of relief policy'; Driver, *Power and Pauperism*, 51.

¹¹ Boyer, *English Poor Law*, 236-7.

¹² Eastwood, *Governing Rural England*, 180.

¹³ Ogborn, "Local power".

¹⁴ Williams, *From Pauperism to Poverty*, p. 67.

¹⁵ Harling, "Power of Persuasion".

¹⁶ British Parliamentary Papers ('PP') 1910 LIII. Royal Commission, 728 ff.

¹⁷ For the size and importance of London's poor law suppliers in several sectors, see Brown, "Supplying London's Workhouses".

¹⁸ Such as Somers and Block, "Poverty to Perversity".

¹⁹ These include Brunton, *Vaccination*; Digby, *Making a Medical Living*; Flinn, "Medical Services"; Green, "Medical Relief"; Hodgkinson, *National Health Service*; Novak, "Professionalism and Bureaucracy"; Waddington, *Medical Profession*.

²⁰ Bartlett, "Insane Poor"; Forsythe, Melling and Adair, "County Pauper Lunatic Asylum".

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- ²¹ The predominant interests of retail historians are discussed in Alexander and Akehurst, “Modern Retailing”.
- ²² Polanyi, *Great Transformation*, 74.
- ²³ Ibid.
- ²⁴ Ibid., 79.
- ²⁵ Ibid., 107.
- ²⁶ Hennock, “Finance and Politics,” 218-22.
- ²⁷ Mackay, *Public Relief*, 131-32. The context was an appeal for guardians to be trained in the principles advocated by the Charity Organisation Society, of which Mackay was a senior member.
- ²⁸ Redlich and Hirst, *Local Government in England*, 262.
- ²⁹ Cunningham Glen and Cunningham Glen, *Poor Law Orders*; in Redlich and Hirst, *Local Government in England*, 262.
- ³⁰ PP 1870 LVIII 563. Contracts.
- ³¹ PP 1872 LI 599. Supply of Provisions.
- ³² The National Archives (‘TNA’) MH19/1, LGB to London unions, 5 January 1872.
- ³³ Rowsell, “The Public Stores,” 479.
- ³⁴ Bellamy, *Central-Local Relations*, 117.
- ³⁵ PP 1835 XXXV 107. PLC 1st Annual Report. p. 52, Appendix 6: Orders and regulations, article 26: Purchase of Provisions and other Articles.
- ³⁶ Ibid., 28-29.
- ³⁷ PP 1837 XXXI 127, 321. PLC 3rd Annual Report., pp. 77-79, Appendix A: R. Reynolds, A. Baxter, J. Green, W.T. Gordon to PLC, 25 October 1836; reply 24 November 1836.
- ³⁸ PP 1842 XIX 1. PLC 8th Annual Report., p. 84, appendix A, no. 7: General order on Proceedings of Boards of Guardians, articles 15-20; Archbold, *CGO 1847*, 37-140 (‘CGO 1847’) pp. 37-140.

³⁹ Archbold, *CGO 1847*, arts. 44-47.

⁴⁰ *Ibid.*, art. 84.

⁴¹ *Ibid.*, 260., ‘Payments to Guardians’.

⁴² “The frauds on the City of London union.” *Daily News*, December 23, 1856, 3; “Central Criminal Court: The City Union frauds.” *The Era*, February 8, 1857, 7; “Forgery and embezzlement.” *Bradford Observer*, February 5, 1857, 7.

⁴³ TNA MH12/3381 29367/65, William Vallance, clerk to Braintree guardians, to PLB, 22 July 1865; reply 3 August 1865.

⁴⁴ TNA MH12/7916, 11115/49, John Smith, clerk to Whitechapel guardians, to PLB, 11 April 1849; reply 18 April 1849; MH12/10213 25537/55, Thomas Coles, clerk to Bedminster guardians, to PLB, 20 June 1855; 26239/55, 23 June 1855; reply 29 June 1855; MH12/12644, 25559/58, Mr Blake, clerk to St Saviour guardians, to PLB, 17 June 1858; 28155/58, Blake to PLB, 5 July 1858; 28155/58, PLB to Blake, 13 July 1858; MH12/12969 107790/82, A.R. Inskipp, clerk to Hastings guardians, to LGB, 10 November 1882; reply 1 December 1882.

⁴⁵ 50 & 51 Vict., c. 72.

⁴⁶ PP 1888 XLIX 1. LGB 17th Annual Report; Robson, *The District Auditor*, 6.

⁴⁷ 55 Geo. III c. 137. Poor Relief Act (1815).

⁴⁸ TNA MH12/4408, 14247/51, Thomas Edwards, clerk to Ross guardians, to PLB, 29 March 1851; reply 1 April 1851.

⁴⁹ *Pope v. Backhouse*, 8 Taunt 239 SC; *Skinner v. Buckee*, 3 B. & C. 6.

⁵⁰ TNA MH12/532, 932/51, G. Cannon to PLB, 4 January 1851; MH12/532, 8559/51, Harman to PLB, 10 February 1851 and PLB to Harman, 21 February 1851.

⁵¹ PP 1857 II 623, Select Committee on Contracts, q. 101, evidence of T. Howell.

⁵² PP 1872 LI. Supply of Provisions, 35.

⁵³ TNA MH12/6903 16512/55, William Ruston, clerk to Brentford guardians, to PLB, 4 May 1855.

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- ⁵⁴ MH12/12469 25576/55, William Hull to PLB, 21 June 1855; MH25/11 16345/55, J.E Craney to PLB, 3 May 1855.
- ⁵⁵ 18 & 19 Vict. c. 21 s. 4; TNA MH12/6903 34060/55, PLB to Ruston, 11 September 1855.
- ⁵⁶ TNA MH12/9479 48702/85, G.M. Howard, clerk to Nottingham guardians, to PLB, 11 May 1885; reply 2 June 1885; 48 & 49 Vict., c. 51. Customs and Inland Revenue Act 1885.
- ⁵⁷ TNA MH12/9810 14853/55, John Bowring to PLB, 27 April 1855.
- ⁵⁸ TNA MH12/9810 17328/55, W. Shield, clerk to Uppingham guardians, to PLB, 8 May 1855.
- ⁵⁹ TNA MH12/3169 23709/64, J. Thompson, clerk to Lanchester guardians, to PLB, 8 June 1864.
- ⁶⁰ TNA MH12/3169 33640/64, PLB to Thompson, 22 October 1864.
- ⁶¹ TNA MH12/3169 29337/64, Thompson to PLB, 16 July 1864.
- ⁶² Williamson, *Markets and Hierarchies*, 39.
- ⁶³ They might also flee to avoid prosecution, as did William Ward, master of Coventry workhouse, who was suspected of embezzlement. See Hall, "Coventry Workhouse Registers," 111-21.
- ⁶⁴ PP 1843 XLV 233. Skipton Union.
- ⁶⁵ Lansbury, *My Life*, 134.
- ⁶⁶ Brown, "John Burns," 169.
- ⁶⁷ Webb, "Diary 1905-06".
- ⁶⁸ Bartley, *Handy Book for Guardians*, 209.
- ⁶⁹ *Ibid.*, 210.
- ⁷⁰ Sources for suppliers are guardians' minutes and general ledgers: Durham County Record Office: U/CS 3; U/CS 70; U/DU 2; U/DU 8; U/DU 9; U/HO 2; U/HO 9. Powys County Archives Office: M/G/B/8/1, M/G/B/8/13; Nottinghamshire Archives: PU S 1/1/8; PU S 1/1/9. London Metropolitan Archives: SOBG/039/009 to 035. Southwell data also from

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⁷¹ PP 1849 XXII 395. Report... into... the mining districts, 26.

⁷² PP 1876 LXIII 1. Paupers, 65; PP 1854-55 XLVI 13. Population &c., 3.

⁷³ McCord, *Nineteenth-century North East*, 261.

⁷⁴ PP 1867-68 LXI 171. Poor law (workhouse inspection), 303.

⁷⁵ Brown, "Supplying London's workhouses".

⁷⁶ Bellamy, *Central-Local Relations*, 117.

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