

Chapter 8: 'Starving and firing shall go together'¹: Still Swinging? 1831-1833

On the morning of Sunday 14 November 1830 Mr. Franks' Albury mill was set on fire, the incendiary also firing several shots through his bedroom window. The son of the Attorney General, in informing his father of the events in the West Surrey district, was not surprised as Franks in his late capacity as Albury overseer had become 'odious to the people'.² Fears were also raised that all machinery in the vicinity was at risk, for, according to Drummond, Irish paper-makers on the tramp through Kent and Sussex were in the area and were 'sworn foes to Machinery of all kinds'.³ James Warner, a 30 year-old labourer, was committed on 19 November to stand trial at the Surrey Assizes, and despite a belief that others were also involved, whom Warner through solidarity would not implicate, he was found guilty and sentenced to be hung. The conviction immediately provoked 'a strong sensation' in the locality, not least because Warner was the leader of a gang of 'poachers + depredators on every specie of Property in the adjoining parishes of Albury + Shere'. The immensity of the sentence needed to be pressed home locally, with calls for the execution to take place on Shere Heath or wherever else convenient close to the scene of the crime.⁴

Not only was the place of execution a source of contention, so too was the sentence. On 6 January 1831 shots were fired through the bedroom windows of the Master of Albury workhouse night and a threatening letter was affixed to a post near Drummond's residence, Albury Park. Reports of the letter vary as to its exact wording: 'We fired the mill; starving and firing shall go together' reported the *Kentish Gazette*, whereas the *County Chronicle* (four days later) claimed it read "It was *me* who fired the Mill - starve and fire go together'. Another threatening letter, found near the Guildford workhouse, also questioned the sentence: 'If Wrner is mured Franks Dromans (Drummond) an Smallpiece [a 'witness'] shal dye i culd clear im althethear you fals swaring villing'.⁵ This series of incidents

¹ Quote from *Kentish Gazette*, 14 January 1831.

² *Times*, 16 November; Attorney General, Court of King's Bench to Peel, 15 November, enclosing a letter from his son, 14 November 1830, PRO HO 52/10, ff. 194-6.

³ Henry Drummond, Albury Park to Peel, 17 November 1830, enclosing depositions (missing), PRO HO 52/10, ff.199-200. Drummond also reported that two men had been seen that morning 'looking into [Franks'] the cowyard from a hill'.

⁴ Indictment of James Warner, and Assize Calendar, Surrey Winter Assizes, PRO ASSI 94/2070; G. Holme-Summers, Hatchlands, Guildford to Melbourne, 4 January 1831, enclosing letter from G.W. Onslow, Guildford, n.d. (late Dec 1830 or early Jan 1831), PRO HO 52/12, ff.367-9.

⁵ George Walton Onslow, Chairman of the Guildford Bench to Melbourne, 8 January, PRO HO 52/12, ff.363-4; *Kentish Gazette*, 14 January; *County Chronicle*, 18 January; The *Kentish Gazette* (14 January 1831) gave a slightly different version: 'Warren is murdered; Franks, Drummond and Smallpiece shall die; I could clear him at the place, you false swearing villains!'

prompted a local gentleman to claim that the need for a local execution was even more pressing. Regardless, on 10 January 1831 Warner flew into eternity.⁶

Evidence of popular reactions to Assizes sentencing elsewhere is not quite so clear. From late December 1830 to mid January 1831, the immediate aftermath of the Assizes, incendiarism was almost solely confined to Sussex and Kentish London.⁷ An arson attack on Lewisham Church was followed by a letter sent to Mr. Wheatley, the Greenwich overseer threatening that a body of men were coming from 'Barkshire' to destroy his machines and stables, and that the writer was personally going to 'set fire to all the straw in your loft and poison your horses'. The letter was embellished with an illustration of a knife juxtaposed against a heart. Despite including the promise of a further two letters 'before action', the same night the theatre next door to Wheatley's omnibus depot (a hotbed of mechanic innovation) was set alight, the flames soon engulfing the supposed target.⁸ Initially in East Kent plebeian reactions to the sentencing seemed to be manifest in a resort to alternative means of 'peaceful' protest; a group of between '14 and 18 Herne paupers' marched to Canterbury to lodge a complaint with the Magistrates against Mr. Thorpe, the assistant overseer. However, on being ordered to pay the men 13/6 a week, the officers refused, claiming that the parish could not afford such a sum; the Bench retorted that whether the parish could afford the payment was not important, it was the responsibility of the Vestry to find the money.⁹ Magistrates were the labourers' friends: if called upon they would right any injustice. Paternalism was thus again invoked to prevent a re-stoking of Swing.

In the last fortnight of January the vicinity of Dover was plagued by three incendiary fires, one of which destroyed the produce of the Northbourne tithes purchased only days before.¹⁰ Moreover, that farmers, despite Swing, continued to use threshing machines, or at least not put beyond use, generated considerable resentment. A Whitstable farmer received three letters threatening to set fire to his premises unless he 'brought forward' his machine. At 2am on 17 January the threat was carried out, despite the machine having been 'put down', the fire tragically killing four people. Three days later a Donnington (near Chichester) farmer had a Swing letter, wrapped in a bill entitled 'Starvation of the Poor', thrown into his farm-

⁶ G. Holme-Summers to Melbourne, 7 January, PRO HO 52/12, ff.370-1; *County Chronicle*, 18 January 1831.

⁷ 27 December 1830: Funtington (*Hampshire Telegraph*, 2 January) and Cootham, nr. Storrington (*Maidstone Journal*, 4 January); 2 January 1831, Eastbourne (*Sussex Advertiser*, 10 January); 5 January 1831: West Lavington (*Hampshire Telegraph*, 10 January 1831).

⁸ *Kentish Gazette*, 4 and 14 January; *Kent Herald*, 13 January 1831.

⁹ *Kent and Essex Mercury*, 4 January 1831.

¹⁰ 1st fire: 14 January, Priory Farm, Dover (Mr. Norwood, Dover Post Office to Sir Francis Freeling, 14 January, PRO HO 52/13, f.10; *Kentish Gazette*, 18 January: pipes on two of the attendant engines were cut). 2nd fire: 26 January, Black Horse pub, Dover (*Rochester Gazette*, 1 February). 3rd fire: Ashley, Northbourne (*Kentish Gazette*, 1 February; Indictment of William Fagg, 26, and Calendar, Kent Easter Assizes 1831, PRO ASSI 94/2096).