

Rioting, Dissent and the Church in Late
Eighteenth Century Britain: The Priestley Riots of
1791

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Abstract

This thesis examines the origins, aftermath and legacy of the Birmingham Priestley Riots of 1791. Since the 1950s, the historiographical elevation of the crowd has generated a renewed interest in popular protest. The Priestley Riots have proved to be a prominent focal point, with historians persistently revisiting the debates surrounding their origins. The first part of this thesis returns to the issue of what caused the tumults. Rather than examine the riots in isolation, the thesis traces the longer-term decline in relations between Anglicans and Dissenters in Birmingham and Britain. The Priestley Riots are then placed into the context of the wider British reaction to the French Revolution. It is argued that the outbreak of rioting was caused by a combination of both religious and political grievances. The second part of the thesis examines the prosecutions of the rioters and the compensation claims made by the victims. It is suggested that the acquittal of the majority of rioters and the victims' inability to claim full financial remuneration resulted from three factors. Firstly, the failures of the local law enforcement agencies; secondly, the sustained animosity directed towards Dissenters; and thirdly, the idiosyncrasies of the eighteenth century legal system. Finally, the thesis considers the longer-term legacy of the riots for Birmingham's Dissenters. The conventional perception, that the riots had a ruinous impact, is overturned. Through examining Dissenters' congregational sizes, their choice of ministers and their involvement in wider Birmingham society, it is argued that, given the tumultuous events of July 1791, Birmingham Dissenters underwent a surprisingly rapid recovery.

To Wilfred James Atherton (1924-2002)

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Chapter 1: Introduction/ Historiographical Review

The Priestley Riots

The Birmingham ‘Priestley Riots’ of July 1791 were the most serious, violent and widespread popular disturbances to occur outside the capital in eighteenth century Britain. A dinner celebrating the second anniversary of the fall of the Bastille and the symbolic beginning of the French Revolution culminated in four nights of disorder in which some twenty-seven buildings were destroyed or severely damaged. Historians working on Birmingham, on popular disturbances in the eighteenth century and on Joseph Priestley have all provided attention to what was a formative event in the history of the town. Much of this interest has been concerned with providing a narrative of the riots and attempting to assess their causes. These themes have been continually revived during the course of the historiography. More recently attention has been focused on the impact of the riots although the scope of the analysis on this subject remains narrow and the conclusions tentative.

Early studies of the riots tended to take a rather limited approach in assessing their origins, focusing primarily upon Priestley’s personal role. This is characterised by the lively and vociferous debate between Bernard Allen and Ronald Martineau Dixon that occurred in the *Transactions of the Unitarian Historical Society* in the early 1930s.¹ The focus of debate was the single issue of Priestley’s culpability in organising the infamous dinner which celebrated the second anniversary of the

¹ See Ronald Dixon, ‘Recollections of Dr Priestley by John Ryland’, *Transactions of the Unitarian Historical Society*, IV (1927-30); Bernard Allen, ‘Priestley and the Birmingham Riots’, *Transactions of the Unitarian Historical Society*, V, 2 (1932), pp. 113-32 and Ronald Dixon, ‘Was Dr Priestley Responsible for the Dinner which started the 1791 Riots?’, *Transactions of the Unitarian Historical Society*, V (1931-34), pp. 299-323.

falling of the Bastille. Dixon denied Priestley had played any significant part in organising the dinner or encouraging others to attend. To this, Allen provided a somewhat more credible repudiation. By using Catherine Hutton's recollection that Priestley encouraged her father William Hutton to attend as well as an extensive enumeration of Priestley's other activities, Dixon successfully argued that Priestley did have a more extensive involvement in the organisation of the dinner than initially believed. Eric Robinson added an interesting addendum to this debate.² Robinson demonstrated that despite Priestley's claims to the contrary, he was active in organising and recruiting for the proposed Warwickshire Constitutional Society prior to the Priestley Riots. The society was intended to campaign for parliamentary reform but plans for its creation were abandoned as a result of the outbreak of violence in July 1791. The conclusion that can be drawn from this debate is that Priestley was evidently more active in political movements in Birmingham than he was prepared to admit. In reality these early histories added contention but little substance to a wider understanding of what provoked the riots.

The focus on Joseph Priestley was also reflected in Ronald and Francis Maddison's research, which focused upon how the riots affected Joseph Priestley.³ In a succinct examination of the trials and subsequent claims for compensation, sufficient contemporary evidence is presented to suggest that Priestley was forced to suffer considerable hostility on both of these occasions. Of greater significance is that this article marks the first attempt to explain the origins of the riots in Birmingham. The authors assert that the rioters were primarily motivated by the religious animosity

² Edward Robinson, 'New Light on the Priestley Riots', *The Historical Journal*, 3, 1 (1960), pp. 73-75.

³ Ronald Maddison and Francis Maddison, 'Joseph Priestley and the Birmingham Riots', *Notes and Records of the Royal Society*, 12, 1 (1956) pp. 98-113.

that existed towards Dissenters in Birmingham. The analysis is largely superficial, based solely on the memoirs of Joseph Priestley and Catherine Hutton. The connection of the riots with religious tensions caused by the agitation for repeal over the Test and Corporation acts is of particular significance. This interpretation was to find favour with historians who subsequently studied the riots and who expanded on this concept in greater detail.

Before 1950, the Priestley riots had received only cursory attention from historians. The apparent disinterest was not confined to the Priestley Riots. Historians up until this point considered popular disturbances unworthy of serious attention. This attitude was to transform with the development of 'history from below' that led to the historiographical ascent of rioting and popular disturbances, among other topics. Paramount to this newfound interest in rioting was the identity and motives of individual rioters. While this approach was initially pioneered by George Rudé in studies of popular protests in Paris and London in the eighteenth century⁴, it was first applied to the Priestley Riots by Barrie Rose.⁵

Rose's synthesis remains one of the most comprehensive studies of the riots. He provided a detailed narrative account of the disturbances before assessing their causes and, briefly, the criminal proceedings brought against the rioters. The primary achievement of this study is to provide the most detailed account of the riots and to dismiss contemporary accusations that the riots were the result of a government conspiracy against Dissenters. Instead Rose blamed three local magistrates for failing to take any action prevent the riot, or worse, of possible

⁴ George Rudé, *Paris and London in the 18th Century: Studies in Popular Protest*, (London, 1959)

⁵ Robert Barrie Rose, 'The Priestley Riots of 1791', *Past and Present*, 18 (1960) pp. 68-88.

collusion with the rioters. In line with the methodological approach advocated by Rudé, Rose sought to determine the identity of members of the crowd. This was achieved by examining the occupation of the rioters who were prosecuted. This research revealed that of the rioters brought to trial, the majority were industrial artisans or drawn from other sections of Birmingham's laboring classes. These findings were then used to form the basis of Rose's conclusion, that the riots were an 'explosion of latent class hatred...triggered off by the fortuitous coming together of old religious animosities and new social and political grievances'.⁶

Rose's conclusion has provoked much debate between subsequent historians of the riots. In particular, Rose's decision to prioritise social grievances as the primary cause of the riots has been widely attacked. This is despite the fact that many of the primary victims were both wealthy and prominent members of the local community. The riots are however largely examined in isolation, with little attention paid to the wider context within which they took place. No mention is made of the growing animosity between Anglicans and Dissenters in the decade preceding the riots beyond the Dissenters campaign to repeal the Test and Corporation Acts. In addition, there was only superficial contemplation of the influence of the outbreak of the French Revolution on British popular politics. Rose's attempt to establish the identity of the rioters was admirable although, given the deeply unsatisfactory nature of the trials, it is questionable whether those prosecuted were truly representative of the rioters as a whole.

In his seminal text, *Making of the English Working Class*, E. P. Thompson also devoted some attention to the Priestley Riots. Similarly to Rose, Thompson suggested that

⁶ Ibid., p. 84.

the local magistrates were complicit with the rioters and responsible for directing sections of the crowd to the Unitarian meeting houses. Thompson denied that widespread hostility towards the French Revolution was a significant motivating factor for the rioters.⁷ Instead, he argued that resentment of the Dissenters' wealth was the primary cause of the riots. Thompson concluded that the Priestley Riots were an 'episode in which the country gentlemen called out the urban mob to draw the Dissenting teeth of the aggressive and successful Birmingham bourgeoisie'.⁸

Thompson's depiction of the riots as an outbreak of class hostility is not entirely convincing when some of his arguments are scrutinised in detail. While Thompson described the riot as originating with the 'country gentleman', such a description was not applicable to the establishment figures of Birmingham. The magistrates could not in any sense be described as country gentleman. The only member of the aristocracy who was present at the riots was Heneage Finch, the fourth Earl of Aylesford (1751-1812) who, according to contemporary accounts, made every effort to prevent the disturbances from spreading.⁹ The attempt to downplay the role of religious and political animosities in favour of social tensions in Birmingham is not convincing given the religious and political controversies which preceded the riots.

The most convincing rebuttal of Rudé's and Thompson's interpretations was made by John Money in his subtle and wide-ranging analysis of the political culture of the West Midlands. Money insisted that the causes of the Priestley Riots were multilayered and an explanation of their outbreak should not concentrate on social

⁷ Edward Palmer Thompson, *The Making of the English Working Class* (Harmondsworth, 1968), p. 80.

⁸ *Ibid.*, p. 80.

⁹ Rose, 'The Priestley Riots of 1791', p. 75.

tensions alone. Money accepted that such tensions did exist in Birmingham, particularly in the local buckle and button trades, but he identified three further potential causes of the riots. Firstly, there were tensions within local government. Secondly, the 1780s witnessed renewed antagonism between Dissenters and Anglicans, caused by the Dissenters' attempts to repeal the Test and Corporation Acts. Finally, there was a growing Anglican fear of atheistic anarchy which had been precipitated by the American War and further intensified by the outbreak of the French Revolution.¹⁰ The regional and national campaigns to repeal the Test and Corporation Acts and the fierce debate to which they gave rise to are given priority in explaining the animosity that existed between Anglicans and Dissenters in Birmingham on the eve of the riots.

Money also made an interesting contribution regarding the impact of the Priestley Riots, a subject which at this point had been completely ignored by historians. His primary interest was to establish how the riots affected the reform movement in Birmingham. Money acknowledged that the reform movement was severely damaged by the riots, but not brought to a complete standstill. He argued that the men who led and sustained its revival after 1792 were not completely unconnected to the Rational Dissenters who had been the primary victims of the riots. Money identified the role played by Unitarians in administering reading societies and the continuing presence of the book club as even more significant than the burning of the New Meeting.¹¹ Money also addressed the debate surrounding Birmingham Dissenters' involvement in political matters before the riots. It is suggested that their involvement in the political movements of the 1780s was not as significant as

¹⁰ John Money, *Experience and Identity: Birmingham and the West Midlands 1760-1800* (Manchester, 1977) pp. 219-231, p. 271.

¹¹ *Ibid.*, p. 223.

previously suggested. Priestley's own tireless publishing on political matters should be balanced against Birmingham's lack of involvement with the Society of Constitutional Information in comparison to other industrial towns such as Sheffield, Norwich and Manchester. On the eve of the riots there was no democratic political association in Birmingham of the kind that existed in those towns.¹² Although such a conclusion illustrates the important role that reform societies continued to play in Birmingham, no attempt is made to assess the impact of the riots upon Nonconformity or upon Birmingham as a whole.

An alternative interpretation on the origins of the riots can be found in Martin Smith's PhD thesis on 'Conflict and Society in Late Eighteenth Century Birmingham'. Similar to Money, Smith prioritised the theological dispute and the fall out between Anglicans and Dissenters arising from the Test and Corporation Act repeal campaign as the most significant cause of the riots. He also identified the local working class pamphlet press as instrumental in disseminating anti-Dissenting ideas to the wider Birmingham populace. Smith deviated from previous historians of the riots over the role of the magistrates. While Rose suggested that the magistrates had failed to take positive action to prevent the riots and were potentially complicit with the rioters, Smith went much further, arguing that the riots came about as a result of a local conspiracy and a premediated plot by sections of the Birmingham establishment which included the local magistrates. He claimed that much of the destruction in the early stages of the riots bore the hallmark of prior planning.¹³ The argument has little evidential basis and rests primarily upon the claim that a list of buildings designated for destruction had been circulated around Birmingham before

¹² Ibid., p. 224.

¹³ Martin Smith, 'Conflict and Society in Late Eighteenth Century Birmingham', unpublished PhD thesis, University of Cambridge (1977), p. 30.

the riots. Although Joseph Priestley referred to this list after the riots, there is no hard evidence to suggest that it ever existed, let alone that the riots were ‘organised’ by the local justices.

A further contribution to understanding the origins of the riots can be found in the research of Arthur Sheps.¹⁴ Through examining contemporary satires and caricatures of Joseph Priestley and other leading Dissenters, Sheps provided an insight into the public perception of the Dissenters and how this might have influenced the outbreak of rioting. Sheps stressed the unique role played by Joseph Priestley in exacerbating existing tensions between Anglicans and Dissenters. Priestley’s involvement in the national campaign to repeal the Test and Corporation Acts as well as local controversies with Birmingham Anglicans, coincided with his appearance in a number of disparaging satires. These negative depictions reached sections of the public that were, as yet, untouched by newspapers or tracts. They helped to create a negative public perception of Priestley and his fellow Dissenters that successfully disseminated down the social orders.¹⁵ In discussing the causes of the riots, Sheps inclined towards the secular interpretation that the riots were an outbreak of class conflict and the rioters were motivated by jealousy of the wealth of Dissenters. In reality the work of satirists such as James Gillray, James Sayers and George Cruikshank also provide evidence of the religious and political controversies that existed in the early 1790s. Joseph Priestley was frequently depicted as both a heretic and a Jacobin, while Dissenters were often equated with French irreligion and republicanism. Sheps’ study provided a useful insight into how an anti-Dissenter ideology was circulated and also provides a valuable insight into how the

¹⁴ Arthur Sheps, ‘Public Perceptions of Joseph Priestley’, *Eighteenth Century Life*, 13, 2 (1989) pp. 46-64.

¹⁵ *Ibid.*, p. 63.

religious and political controversies of the late 1780s and early 1790s had become intertwined.

The 1991 bi-centenary of the Priestley Riots provided an opportunity for historians to return to the main debates surrounding the riots. In a review of literature relating to both the Priestley Riots and wider eighteenth century popular disturbances, Grayson Ditchfield re-examined the origins of the Priestley Riots. He argued that the riots were pro-Trinitarian in nature and that the religious animosity that existed within Birmingham 'did not require a conjunction with other grievances to take a riotous form'.¹⁶ Much of this argument rests on Colin Haydon's research on the Gordon Riots, which suggested that the outbreak of violence in London in 1780 resulted from anti-Catholicism as opposed to social grievances.¹⁷ Ditchfield cited extensively the view of contemporary Dissenters, such as Theophilus Lindsay, that religious party was the cause of the disturbances. In Lindsey's words, 'a mob pretended to be excited against them for their celebrating the anniversary of the French Revolution' but was prompted by Anglicans in hostility to 'the affair of the repeal of the Test laws'.¹⁸ Although Ditchfield's contention that religious resentment played a crucial role in causing the riot offers a useful corrective, the decision to do so at the expense of all other factors is unconvincing, especially given the aforementioned work of John Money which stressed a variety of motivating triggers. The comparison with Colin Haydon's study is admirable but misleading as the political climate in 1791 was quite different to that of 1780. Ditchfield failed to grasp that the Test Act repeal campaign was a political as well as religious controversy and

¹⁶ Grayson Ditchfield, 'The Priestley Riots in Historical Perspective', *Unitarian Historical Society, Transactions*, 20, 1 (1991/1994), p. 5.

¹⁷ See Colin Haydon, *Anti-Catholicism in Eighteenth Century England, C. 1714-80: A Political and Social Study* (Manchester, 1993), pp. 204-44.

¹⁸ Ditchfield, 'The Priestley Riots in Historical Perspective', p. 10.

that the outbreak of the French Revolution, and the Dissenters' decision to use French affairs as impetus for their pursuit of political rights, fundamentally altered the dynamics of the debate. The result is an over simplified analysis.

David Wykes also used the occasion of the bi-centenary to make the first serious attempt to examine the impact of the Priestley Riots. He returned to these themes in a second article in 1996.¹⁹ Wykes argued that, in the short term, the riots were responsible for encouraging Church and King feeling not just in the West Midlands but across the nation. Wykes cited examples of violence in areas such as Stourbridge, Nottingham, Manchester, Newcastle and Exeter between 1791-2 that were, at least in part, prompted by the events of July 1791 in Birmingham. While the winter of 1792 is often pinpointed as the time in which reformers were subjected to violence and intimidation, the major contribution of this article was to emphasise that disturbances against Dissenters were widespread before 1792 and that such outbreaks of hostility were not limited to Birmingham and the surrounding area. Wykes argued that the Priestley Riots had a profound impact on Unitarians and 'shattered' the 'confidence Dissenters felt concerning their position in society'. It was also suggested that the reaction to the riots, 'the failure to punish those responsible, inadequate and tardy payment of compensation, apparent public indifference or even approval of the outrages did as much to undermine Dissenting confidence as the riots themselves'.²⁰ These articles provide a valuable insight into the aftermath of the Birmingham riots. The scope of this research was relatively narrow, being

¹⁹ See David Wykes, 'The Spirit of Persecutors Exemplified: The Priestley Riots and the Victims of the Church and King Riots', *Unitarian Historical Society, Transactions*, 20, 1, (1991/1994), pp. 17-39 and "A finished monster of the true Birmingham breed": Birmingham, Unitarians and the 1791 Priestley Riots in Alan Sell (ed) *Protestant Nonconformists and the West Midlands of England* (Keele, 1996), pp. 43-69.

²⁰ Wykes, 'The Spirit of Persecutors Exemplified', p. 31.

primarily concerned with the consequences for Birmingham's Unitarians.

Furthermore, the research only dealt with the period up until the end of 1793. As a result, Wykes may have exaggerated the impact of the riots.

In two articles in *The Birmingham Historian* between 1995 and 1996, Denis Martineau returned to the question of the role of the magistrates.²¹ Although making no direct reference to Martin Smith's PhD thesis, the argument is similar. Martineau argued that magistrates were not just guilty of failing to prevent the riots but played a crucial part in instigating the riots and managing them. It is suggested that the controversial advert in *Aris's Birmingham Gazette*, which threatened to identify attendees of the dinner was, in fact, placed by the magistrates in an attempt to prevent the dinner, although no evidence was presented to support this claim. Having failed to prevent the Bastille celebrations from going ahead, Martineau suggested that the magistrates then attempted to disrupt the dinner by assembling a crowd outside of Dudley's Hotel and instructed the crowd to attack the Old and New meetings. The excesses of the rioters, the attacks on Priestley's house and the homes of other leading Dissenters was attributed to the magistrates losing control of the situation.²²

The conspiracy argument presented by Martineau is very similar to that made by Martin Smith but is no more convincing. Martineau cited the memoirs of James Amphlett, who at the age of sixteen participated in the rioting. Yet his recollections of the riots were not written until he was eighty-five years old, which must cast serious doubt on the reliability of this source. Meanwhile, the contention that the

²¹ Denis Martineau, 'Playing Detective: The Priestley Riots of 1791', *Birmingham Historian*, 12, (1995), pp. 15-18 and 13 (1996), pp. 11-16.

²² Martineau, 'Playing Detective: The Priestley Riots of 1791', 13, p. 13.

crowd outside Dadley's hotel was acting purely at the behest of the magistrates is unconvincing given the wider historiographical developments on the study of rioting. As will be shown, historians have stressed that crowds should not be considered as a homogenous mass but as a group of individuals, each with their own specific reasons for participation in such demonstrations.

It is unsurprising that Priestley's biographers have continued to show great interest in the riots. Robert Schofield, in his comprehensive two-volume biography of Joseph Priestley, devoted a substantial section to the riots. Schofield in particular scrutinised the role played by Priestley's arrival in Birmingham and provided a detailed account of Priestley's activities between his arrival in 1780 and the riots in 1791.²³ The result is an overly sympathetic account. While Schofield's criticism of Birmingham's Anglican clergy may not be unjustified, to describe Priestley as merely defending himself against those who attacked him somewhat misrepresented the reality of the theological and later political controversies that raged between 1780-91. Fundamentally, it underestimated the level of controversy Priestley's prose could cause and that at times he could be deliberately inflammatory.

What differentiates Schofield from other historians who have worked on the Priestley Riots is the criticism directed towards Prime Minister William Pitt the Younger. While not attempting to contradict Rose's contention that Pitt had no direct role in organising the riots, Schofield instead argues that Pitt's government 'sponsored' adverse propaganda in the press which drew parallels between the radicals of the French Revolution and the Dissenters' agitation for repeal of the Test

²³ Robert Schofield, *The Enlightened Joseph Priestley: A Study of his Life and Work from 1773 to 1804* (University Park, PA, 2004), pp. 263-289.

and Corporation acts.²⁴ Such propaganda was certainly commonplace in Britain during 1790, but Schofield did not cite any evidence to support this argument.

In his recent study of Birmingham's 'Industrial Enlightenment', Peter Jones revisited the debates surrounding the causes of the riots and provided further insight into their impact. Instead of examining the riots in isolation, Jones placed them in the context of growing conflict between Anglicans and Dissenters. Priestley's personal role was centralised; 'the quickness of opinion and his tendency to rush into print turned him into a source of irritation, and not just to Anglicans'.²⁵ The Dissenters' campaign to repeal the Test and Corporation Acts was seen as crucial in 'catalysing other niggling sources of tension in the town'. Jones concluded that the riots arose from a unique set of circumstances, of which 'the reawakening of religious tensions' was the main causal factor. He acknowledged that other ingredients such as 'recent political frustrations' contributed to the outbreak of violence.²⁶

Jones provided some important observations regarding the consequences of the riots for Birmingham's Dissenters. He suggested that the tendency of historians, such as John Money, to downplay the impact of the riots should be reversed. Jones argued that the riots exposed the divisions between Unitarians and the more moderate old Dissenting denominations. Jones emphasised that it was not just the Unitarians who suffered, as 'all members of the Dissenting family suffered marginalisation in the decade that followed'. The most palpable example of this was the disempowerment

²⁴ Schofield, *The Enlightened Joseph Priestley*, p. 276.

²⁵ Peter Jones, *Industrial Enlightenment: Science, technology and culture in Birmingham and the West Midlands 1760-1820* (Manchester, 2008), p. 189.

²⁶ *Ibid.*, p. 192.

of local Dissenters and their curtailed role in local government.²⁷ While these conclusions are significant, the aftermath of the riots is dealt with only briefly and, as with the research of David Wykes, the study is primarily focused upon the period up until the end of 1793.

A more substantial approach to the longer-term significance of the riots can be found in Harry Smith's recent article in *Midland History*.²⁸ Smith assessed the impact of the riots on Birmingham's Unitarians through a close reading of sermons and a wider consideration of the congregation of the New Meetings' activities. He argued that Birmingham Unitarians continued to adopt and develop the strand of Unitarian thought advocated by Priestley. In particular, ministers at the New Meeting adhered to the 'doctrine of candour' a strand of thought that Priestley was perhaps the most notable exponent.²⁹ Although Smith accepted that the Unitarians' involvement in politics was dramatically diminished, he insisted that the New Meeting remained an important part of life in the town and its members continued to make an important contribution to society through their activities in local institutions. Smith's study is of great significance as it marks the first attempt to assess the broader impact of the riots, albeit on only one Unitarian congregation. Smith's conclusions offer a subtle but useful corrective to historians such as Wykes and Jones who have depicted the riots as a disaster for Nonconformists in Birmingham.

²⁷ Ibid., p. 195-8.

²⁸ Harry Smith, 'The Blessedness of those who are persecuted for righteousness sake': The Role of 'Candour' and the Priestley Riots in Birmingham Unitarian Identity, 1791, *Midland History*, 35, 2 (2010), pp. 174-90.

²⁹ Ibid., pp. 180-5.

As noted at the beginning of the chapter, the major contribution of the research on the Priestley Riots has done much to further our understanding of their origins. In line with the wider historiographical trend, the social interpretations advocated by Rose and Thompson have increasingly been superseded by an explanation that stresses religious animosity as the primary incitement of the rioters. Despite this substantial research, the question of the origins of the riots remains an open one. Most historians have tended to focus on the short-term causes rather than take a longer-term approach. The political context in which the riots took place and the role of the outbreak of the French Revolution have also been continually overlooked in previous literature. This thesis will suggest that these factors played a decisive role in the outbreak of violence. Furthermore, given the large body of literature on the riots, it is surprising that more research has not been conducted into their aftermath and impact. While the work of Money, Jones and Smith has gone some way to redressing this balance, conclusions by other historians on this subject remain tentative and often lacking in evidential basis.

The Eighteenth Century Riot

It was not until the late 1950s that historians considered popular protest and popular disturbances worthy of scholarly attention. Any historians that did examine crowd actions tended to stereotype their participants as the ‘dregs’ of society; miscreants who were fuelled by alcohol rather than being historical actors in their own right. Christopher Hibbert typified this approach in his account of the Gordon Riots. Hibbert describes the outbreak of rioting in London as ‘senseless violence’, carried out in ‘drunken high spirits’ and ‘encouraged by trouble-makers, prostitutes and run away apprentices led by criminals’.³⁰ In a similar approach, Conrad Gill described the Priestley Riots as the result of a ‘multitude of untaught minds which found in looting and civil disorder an excitement similar to that of bull baiting or tavern brawls’.³¹ The wider fixation of historians with high politics led to riots being dismissed as historically unimportant or insignificant. These presumptions were initially overtuned by the work of two historians, George Rudé and Edward Thompson, who sought to rescue the crowd from historical obscurity.³²

Rudé’s primary aim was to understand the crowd from within. He wanted to understand the crowds behaviour, composition and how individuals were drawn into its actions.³³ Underpinning this approach was an interest in the identity of

³⁰ Christopher Hibbert, *King mob: the story of Lord George Gordon and the riots of 1780* (London, 2004), p. 61.

³¹ Conrad Gill, *History of Birmingham*, vol: 1, *Manor and borough to 1865* (London, 1952), p. 129.

³² A detailed overview of the historiography of rioting can be found in Adrian Randall, *Riotous Assemblies Popular Protest in Hanoverian England* (Oxford, 2006), chapter 1. See also John Archer, *Social Unrest and Popular Protest in England 1780-1840* (Cambridge, 2000), chapter 1. For a wider commentary on the impact made by Rudé and Thompson on the study of ‘history from below’ see Jim Sharpe, ‘History from Below’ in Peter Burke (ed.) *New Perspectives on Historical Writing*, (Oxford, 1991), pp. 25-42.

³³ This approach was used in a series of studies that examined the eighteenth century crowd. See Rudé, *The crowd in the French Revolution*, (Oxford 1959), *Paris and London in the 18th Century*:

individual rioters. This was achieved through examining police records and prosecuting evidence, sources that were previously ignored by historians. Rudé's approach was partly indebted to his mentor, Georges Lefebvre, who was the first to see crowds as not being a single entity but a group of individuals each with their own logical reasons for protesting.³⁴ Rudé's research built upon Lefebvre's conclusions and revealed that participants in the eighteenth century crowd were not criminals, delinquents or the unemployed but instead were 'ordinary' people of settled employment with rational beliefs and value systems. By successfully identifying the 'faces of the crowd', Rudé elevated the reputation of participants in popular gatherings. He also demonstrated that negative insinuations regarding the eighteenth century crowd, such as the phrase 'mob' or Burke's 'swinish multitude', were no longer appropriate.

This pioneering approach also enabled a detailed consideration of the causes of popular disturbances and an assessment of why individuals participated in crowd actions. Rudé found that rioters were often wage earners who were motivated by their beliefs and values or through economic necessity. Rioters were usually disciplined in their actions and directed their anger at specific targets, in most cases property rather than actual people.³⁵ Rudé's research spearheaded a dramatic surge of interest in popular protest and his method in identifying the social construct of the crowd set an important precedent for future study. Despite the value of this research, critiques of Rudé's wider approach to crowd actions have been

Studies in Popular Protest (London, 1959) and *The Crowd in History, 1730-1848* (London, 1964). *A Study of Popular Disturbances 1730-1848* (London, 1964).

³⁴ See Georges Lefebvre, *The Great Fear of 1789* (Princeton, 1973) and *The Coming of the French Revolution*, Translated by Robert Palmer (Princeton, 1967) pp. 143-155.

³⁵ See for example Rudé, 'The Gordon Riots: A Study of Rioters and their Victims: The Alexander Prize Essay', *Transactions of the Royal Historical Society*, Vol 6, (1956) pp. 93-114. Rudé argued that the Gordon Riots were a social as well as religious protest and that the riots manifested 'a groping desire to settle accounts with the rich, if only for a day', p. 111.

considerable. In particular his broader generalisations about crowd activity and his tendency to privilege social tensions above all other motivations has attracted substantial criticism. Some of these will be discussed in greater detail during this literature review.

The other historian who transformed our understanding of crowd activity was E. P. Thompson. Thompson's approach was more subtle and nuanced than that of Rudé's and focused specifically on food riots. Thompson argued that food riots were not simply caused by hunger. Instead, participants in food riots were informed by a clear and sustained value system which he labelled, 'the moral economy of the poor'. Thompson's moral economy encompassed a 'legitimising notion' and a belief that the crowd's members were 'defending traditional rights or customs'. This included a willingness to react to rising food prices, a sensitivity to legitimate and illegitimate practices in marketing and milling and the ability to recognise the malpractice of grain dealers. This was grounded upon 'a consistent traditional view of social norms and obligations' and 'of the proper economic functions of several parties within the community'.³⁶

The concept of a moral economy has proved to be highly durable. Not only has it been used by historians of British food riots but also has been adapted to explain food riots in other countries such as France, America and South East Asia.³⁷ The model has also frequently been applied to other types of disturbances including

³⁶ Edward Palmer Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past and Present*, 50 (1971), p. 78-9.

³⁷ See for example David Arnold, 'Food riots revisited: popular protest and moral economy in nineteenth century India' in Adrian Randall and Adrian Charlesworth (eds.) *The Moral Economy and Popular Protest: Crowds, Conflict and Authority* (London 1999), pp. 123-46; Edward Countryman, 'Moral economy, political economy and the American bourgeois revolution', in, *The Moral Economy and Popular Protest*, pp. 147-65; James C. Scott, *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia* (London, 1976).

political and industrial conflicts. Thompson has not always been comfortable with these approaches, expressing concern that such research has contributed to the dilution of the moral economy.³⁸ Despite this, criticisms of the moral economy thesis have been extensive.³⁹ Economic historians have accused Thompson of ‘economic reductionism’. Thompson has also been accused of neglecting the role of religion, women, the middling sorts and constructing his model in a rural society, thus misunderstanding the comparatively different world of eighteenth century urban society.⁴⁰ These criticisms have varying degrees of validity, although historians who have accused Thompson of being economically reductive have frequently underestimated the subtleties of the moral economy model.

The innovative and seminal work of Rudé and Thompson pioneered a new approach to examining crowd activity and provided a valuable insight into the composition of crowds and motivations for their behaviour. They remain mandatory reading for any historian interested in crowd actions and popular disturbances during the eighteenth century. Despite this, criticisms of both Rudé’s and Thompson’s approaches have been multifarious. In particular, the tendency to prioritise social grievances in preference to all others has provoked much debate amongst historians.

John Bohstedt attempted to offer an alternative approach to the arguments of Rudé and Thompson in a survey of riotous activity between 1790 and 1810. In a similar

³⁸ Edward Palmer Thompson, *Customs in Common* (London, 1993), pp. 339-40.

³⁹ The main criticisms of Thompson’s approach can be found in Dale Edward Williams, ‘Morals Markets and the English Crowd in 1766, *Past and Present*, 104, 1984, pp. 56-73. , John Stevenson, *The Moral Economy of the English Crowd, Myth and Reality* in Anthony Fletcher and John Stevenson (eds) *Order and Disorder in Early Modern England* (Cambridge, 1985) John Bohstedt, ‘The Moral Economy and the Discipline of Social Context’, *Journal of Social History* (1992) pp. 265-84.

⁴⁰ A summary of criticisms can be found in Randall, *Riotous Assemblies*, pp. 4-5.

vein to Rudé and Thomspen, the eighteenth century crowd was seen as ‘rational’ with its own beliefs and values. Bohstedt however warns against the danger of simply replacing one inaccurate stereotype, the ‘bad’ crowd or ‘mob’, with another, which considers all participants in riots to be ‘good’. In particular Bohstedt cites Richard Cobb’s contention that ‘Professor Rudé’s crowd is somehow altogether too respectable’.⁴¹ Thompson’s moral economy was praised because it provides an insight into the ideology of the crowd but also criticised because it did not explain why some acted on that ideology and others did not.⁴² Bohstedt also believes that the moral economy model is only of use when applied specifically to food riots. It is of far less value when applied to other types of rioting. Instead, it is suggested that it is necessary to go beyond the composition of the crowd if an explanation as to why riots occurred is to be achieved.

According to Bohstedt, in explaining the reasons behind the outbreak of rioting, it is not sufficient to ask why people rioted, but how riots were possible within the communities which they took place. It is possible to ascertain this by examining the social and economic structure of those communities. Bohstedt suggests that the riot was the most common form of popular politics. What he describes as the ‘classic’ riot occurred in older county towns, medium sized market towns and small manufacturing centers. These communities were large enough to grant the working classes some autonomy from authority but small enough to maintain sufficient association between the members of those communities and some co-operation with those in authority. The result was that a ‘protocol’ of riot could be observed by both

⁴¹ John Bohstedt, *Riots and Community Politics in England and Wales 1790-1810*, Harvard University Press, 1983, p. 11. See also John Bohstedt, *The Politics of Provisions: Food Riots, Moral Economy and Market Transition in England c. 1550-1850*, Farnham, Ashgate, 2010.

⁴² Bohstedt, *Riots and Community Politics*, p. 11.

sides. This enabled rioters to calculate the respective costs and gains of riot while those in authority were able to carefully consider their responses.⁴³ In essence riots were seen as means of collective bargaining. According to Bohstedt, riots were common in towns such as those in Devon because they were successful. They allowed the working classes to exert a certain amount of pressure on a particular target but they also followed a protocol which prevented the authority of the gentry being challenged.⁴⁴ In essence, they were highly controlled events with pragmatic outcomes. They would not challenge those in authority nor seek to overthrow existing institutions.

Bohstedt believes that the growth of urban environments such as Manchester or Birmingham substantially altered the politics of riot. Communities were now cities of 'strangers', a single market place no longer existed. No longer was the riot seen as a means of bargaining with the authorities but as a direct threat to order.⁴⁵ The Priestley Riots are identified as being significant in this transition. It is argued that the July 1791 riots were brought about by a 'polarisation within Birmingham's bourgeois elite'. Bohstedt suggests the riots were licensed by the local magistrate, in that the crowd were permitted to attack the Unitarian meeting houses and Priestley's home but the crowd exceeded their 'license' by attacking numerous other targets within the town and the surrounding region. This dissuaded authorities from allowing riots to go unchecked as they were now considered a genuine threat to the public peace.⁴⁶

⁴³ Ibid., p. 22.

⁴⁴ Ibid., p. 202.

⁴⁵ Ibid., p. 203.

⁴⁶ Ibid., p. 205.

There is much to commend in this approach. The decision to focus on the community and the context within which the riots took place rather than purely the identity of the rioters is praiseworthy and provides a greater insight into how local contexts and conflicts could be instrumental in contributing to the outbreak of popular disturbances. The attempt to provide a single unified theory with regard to the causes of rioting in this period leads to awkward analysis in some instances. For example, in regards to the Priestley Riots, although Bohstedt acknowledges the polarisation within Birmingham's elite, he centralises the role of the magistrates, who would have been unlikely to prevent the riot even if they wanted to. Despite Bohstedt's criticisms of the moral economy, his approach owes much to the work of E. P. Thompson. The crucial difference is that Thompson was concerned about the ideology of the rioters, whereas Bohstedt was more interested in the community within which the riot took place. Bohstedt's research is valuable to our understanding of the eighteenth century crowd, his interpretation should be seen as an alternative to those put forward by George Rudé and E. P. Thompson rather than superseding them.

The necessity of examining the context within which the riot took place was also advocated by Mark Harrison in his thoughtful study of crowd gatherings in English towns between 1790 and 1835. Harrison praised Rudé's efforts to identify the faces of the crowd and acknowledged that Rudé's observations regarding the composition of crowds have stood the test of historiographical time because they have largely proven to be correct.⁴⁷ Harrison criticised Rudé for his overly restrictive and selective definition of the crowd which was limited to what he found historically

⁴⁷ Mark Harrison, *Crowds and History: Mass Phenomena in English Towns, 1790-1835*, Cambridge, Cambridge University Press (1988) p. 270.

‘interesting and significant’, in this case the rioting or protesting crowd. Any and all non-violent crowd gatherings were excluded. The result was to reinforce the assumption that crowds were inherently violent, in Harrison’s words it ‘gave a face to the crowd, but it was a face only of anger’.⁴⁸ E. P. Thompson’s moral economy thesis was likewise praised but also criticised, although Harrison takes most issue with historians who have attempted to summarise the moral economy model and succeeded only in producing a garbled and vulgarised variation of the argument which have at times reduced Thompson’s theories to near absurdity. Thompson himself was guilty of applying the term ‘the English crowd’ to what was a very specific category of mass formation, namely the food riot. Harrison believed that the danger of reading Thompson and Rudé’s work is that it could lead to the assumption that all crowds were inherently violent, which Harrison stressed they were not.⁴⁹

This leads to wider criticism of previous historians who have worked specifically on popular disturbances. In particular Harrison was critical of the tendency to ‘conceptually compartmentalize’ rioting and riotous behavior.⁵⁰ He argued that most studies of popular disturbances deal with three simple themes, the context in which the riot occurs, the event of the riot itself and the immediate impact of the riot. As a result there is a temptation on the part of historians to give the riot what he described as ‘solipsistic’ qualities, meaning that everything around the riot becomes defined in terms of that riot itself. As a result context is seen as consisting of

⁴⁸ Ibid., p. 12.

⁴⁹ Ibid., p. 13.

⁵⁰ For a specific example of this criticism see Mark Harrison, ‘To Raise and Dare Resentment’: The Bristol Bridge Riot of 1793 Re-Examined, *The Historical Journal*, 26, 3 (1983), pp. 557-85.

previous riots, while the event is discussed in terms of the activities of the rioters and the forces of suppression.⁵¹

Individual studies of specific eighteenth century riots have also had ramifications for Rudé's methodological approach and for his tendency to prioritise class-conflict as the primary motivation for the outbreak of rioting during this period. A typical example can be found in Colin Haydon's detailed study of the causes of the Gordon Riots.⁵² Haydon took issue with Rudé's contention that rich Catholics were the main targets of the rioters. He suggested that Rudé's conclusion is flawed, given that his primary evidence (the use of claims submitted for damaged property) is unfairly biased towards the wealthy property owners. Haydon argued that in reality it was far more likely that attacks against the rich rather than the poor would be recorded. Wealthy property owners were able to claim compensation for their losses, while attacks against the impoverished were considered unworthy of going to court and would not have shown up in Rudé's sources. Haydon also noted that the Gordon Riots may have degenerated into wholesale attacks on the poorer Catholic communities if not for the intervention of the military.⁵³ While Haydon accepted that wealthy Catholics were the initial target of the rioters, he argued that this was because they were the most prominent members of the community and therefore the most obvious targets.

An important addition to the historiography of eighteenth century rioting was made by Nicholas Rogers. Rogers acknowledged a great debt to George Rudé for his ground-breaking work on the crowd, however he like Bohstedt and Harrison

⁵¹ Harrison, *Crowds and History*, p. 270.

⁵² Colin Haydon, *Anti Catholicism in Eighteenth-Century England*, pp. 204-245.

⁵³ *Ibid.*, p. 219.

highlighted the shortcomings of Rudé's wider approach and generalisations about crowd activity. In particular Rudé's approach was criticised for being too subjective. Roger's argued that Rudé was primarily interested in outbursts of popular revolutionary activity, and his focus on the crowd was primarily interested in political demonstrations and aggressive crowd actions. Rudé's definition of the crowd was described as being at once too broad but also too restrictive. For example he included street gangs but omitted electoral crowds, despite the fact that many political demonstrations were a byproduct of the electoral process.⁵⁴ Furthermore, it was argued that his preoccupation with the most dramatic forms of social and political protest led Rudé to explain popular disturbances in an overly simplistic manner. Rogers suggested that to categorise popular disturbances as simply reactive to events such as economic hardship underestimated other factors including the significance of 'ideological configurations' and the 'crowds own relations with authority'. Fundamentally, Rudé's decision to focus on the crowd in its most confrontational mode divorces the crowd from its 'deeper historical context' which should, in Rogers's opinion include non-violent as well as violent forms of popular protest.⁵⁵

Roger's own contribution is considerable. His study did not aim to be a comprehensive account of crowd activity during this period but a number of important observations are made about crowd interventions. He attempted to rescue the term 'the mob' previously dismissed by Rudé as derogatory. In relation to this study, Rogers's comments on the loyalist crowds of the 1790s are of particular use. The idea that loyalist crowds could simply be assembled at the behest of the

⁵⁴ Nicholas Rogers, *Crowds, Culture and Politics in Georgian Britain*, Oxford, Clarendon Press, 1998, p. 9.

⁵⁵ *Ibid.*, p. 12.

elites was refuted. In addition, Rogers did not regard effigy burnings of Tom Paine as reliable indicators of the strength of popular loyalism.⁵⁶ Considerable attention was given to the role of women and he argued persuasively that women played a much greater role in eighteenth century crowd gatherings than was previously thought.⁵⁷ Rogers also argued that crowd interventions should not be reduced to the bi-partite model advanced by E. P. Thompson. Thompson previously suggested that crowd interventions during the eighteenth century were played out between two distinct groups. There were, on one side, the plebeians who were determined to defend customary rights and liberties. They were opposed by the state whose priority was to maintain order. While the plebeians contested the authority of the ruling class they never fundamentally questioned its right to rule. Rogers argued that such a model does not make sufficient allowance for the middling voices⁵⁸, an argument that is made most specifically in his discussion of food rioting between 1756-7 and the trial of Admiral Keppel. In both cases, Rogers advocated the use of a tri-partite model which, broadly speaking, portrayed a three-way struggle between the authorities, middle classes and plebeians.

The majority of popular disturbances in the eighteenth century have tended to focus on a single riot, or one type of riot such as food riots. The studies of Rudé, Thompson, Bohstedt, Harrison and Rogers provide a broader approach but remain highly selective in the examples of popular protest which they select. The most comprehensive study of riotous activity during this period was undertaken by Adrian Randall. Randall, who had previously written extensively on food and industrial riots widened the focus of his research to encompass all major types of

⁵⁶ Ibid., p. 213.

⁵⁷ Ibid., chapter 7.

⁵⁸ Ibid., p. 275.

popular disturbances including those that were political or religious in nature. The primary aim of his study was to establish whether an overarching pattern or model could be distinguished that helps to explain popular protest within wider society.⁵⁹

Randall aimed to build on the bi-partite model initially advanced by E. P.

Thompson. In doing so Randall attempted to rescue the concept of a two-way struggle between the authorities and the plebeians which had previously been dismissed by Nicholas Rogers as 'reductive' because it ignored the role of the middling sorts. Other historians have also developed variations upon this model.⁶⁰ Randall argued that, despite the criticisms, the bi-partite approach provides a useful framework within which examine to all types of popular protest.

Randall also argued that, during the eighteenth century, there was a 'common and sustainable ideology that went beyond the food rioting crowd'.⁶¹ The way in which crowds drew on preconceived legal precedents to legitimise their actions is perhaps the most striking example of the way in which this ideology manifested. Randall also found that the rioting crowd was usually restrained, the targets of their hostility were often very specific. Even when there was no coercive force to prevent their attacks, the crowd was generally reluctant to cause widespread destruction. Local magistrates, despite representing the state, were rarely the targets of a crowds' hostility due to their responsibility for subsequently apprehending the rioters and the fact that their support may assist the rioters' cause.⁶² Randall also identified the role of the press, especially the provincial press, as instrumental in the process of whether

⁵⁹ Adrian Randall, *Riotous Assemblies Popular Protest in Hanoverian England* (Oxford, 2006), p. 8.

⁶⁰ See Dror Warhman, 'National Society, Communal Culture: An Argument about the Recent Historiography of Eighteenth Century Britain', *Social History*, 17, 1, (1992), pp. 43-72 and David Rollison, 'Property, Ideology and Popular Culture in a Gloucestershire Village, 1660-1740, *Past and Present*, 93, (1981), pp. 70-97.

⁶¹ Randall, *Riotous Assemblies*, p. 304.

⁶² *Ibid.*, p. 309.

disaffection could turn to disorder. Newspapers were at times unwilling to report riotous activity for the fear that it would trigger fresh outbreaks of violence. Randall also remains sensitive to the political climate within which the riot took place. When discussing the Priestley Riots of 1791, the decision of Birmingham reformers to adapt the rhetoric of the French Revolution and adapt it for their own campaign was seen as ‘dangerously provocative’.⁶³

This historiographical overview may not be exhaustive but it does emphasise how historians’ approaches to the origins of rioting and popular protest have become increasingly refined and sophisticated. The pioneering work of Rudé and Thompson remains crucial to our wider understanding of popular disturbances; subsequent research such as that of Bohstedt, Rogers and Harrison have offered both useful correctives and subtle alternate interpretations. The research cited also reveals the preponderance with focused on the origins of causes of riots rather than their impact. There are very few specific studies that discuss the impact of a riot on the particular location within which it took place, although assessments can be found in broader histories such as John Money’s *Experience and Identity*. There are exceptions to this rule, especially the studies of David Wykes and Harry Smith in relation to the Priestley Riots and Colin Haydon’s thoughtful but brief assessment of the short-term impact of the Gordon Riots.⁶⁴ Yet all of these studies remain relatively short and narrow in focus. In regards to the eighteenth century riot in general and the Priestley Riots in particular, there remains a scarcity of research into how the disturbances effected the community within which they took place.

⁶³ Ibid., p. 309.

⁶⁴ Haydon, ‘The Gordon riots in the English Provinces’, *Historical Research*, 63 (1990) pp. 354-9

Loyalism in the 1790s

The subject of loyalism in the 1790s has proved to be a popular area of research for historians. Historical accounts of Britain in the 1790s have frequently characterised the conservative reaction to the French Revolution as primarily among the propertied elite, suggesting that the majority of the middling and lower orders became affiliated to the cause of reform.⁶⁵ The failure of reformers to affect change is instead blamed on the hysterical reaction of the propertied elite and through a Government inspired 'reign of terror' that checked the activities of radicals at every turn.⁶⁶ More recent research has illustrated the popular dimension of British conservatism and that a loyalist and patriotic ideology was successfully disseminated down the social hierarchy. This has led historians to attempt to determine the fundamental paradox of the 1790s, why the British middle and lower orders so stoutly defended an elitist constitution and monarchy.

It is necessary to place the Priestley Riots into the context of the growth of loyalism during the 1790s. Historians frequently pinpoint the winter of 1792 as the moment of a wider conservative backlash against the French Revolution and the resulting widespread establishment of local loyalist associations.⁶⁷ The Priestley Riots were arguably the most serious outbreak of popular loyalism yet they predated the wider conservative reaction to the French Revolution by over a year. It is thus imperative to establish to what extent loyalist activity was evident before the riots.

⁶⁵ For a succinct discussion of this see Emma Macleod, 'British Attitudes to the French Revolution', *The Historical Journal*, 50, 3 (2007), pp. 689–709.

⁶⁶ Harry Dickinson, 'Popular Conservatism and Militant Loyalism, 1789-1815', in Dickinson (ed.), *Britain and the French Revolution 1789-1815*, (Basingstoke, 1989), p. 103.

⁶⁷ Mark Philp, 'Introduction', in Philp (ed.), *The French Revolution and British Popular Politics* (Cambridge, 2004), p. 8.

Despite there being considerable suspicion towards events in France by members of the establishment, especially by members of the Anglican Church, the initial British reaction to the fall of the Bastille was overwhelmingly positive.⁶⁸ The origins of the conservative reaction to the French Revolution in Britain is generally considered to have occurred with the publication of Edmund Burke's *Reflections on the Revolution in France* in November 1790. Burke provided the first warning that if domestic radicals were not resisted, they could cause the collapse of the church, of monarchy and the existing social order. Burke's target was as much the British reaction to the French Revolution as events in France itself, it was after all a reply to Richard Price's *Discourse on the Love of Our Country* (1789). Historically Burke's *Reflections* has been viewed as the cornerstone upon which the conservative reaction to the French Revolution was built. The recent historiographical trend has disputed Burke's very centrality to the ideological dispute. Kevin Gilmartin emphasised that the conservative British response to the French Revolution was multifarious and should not be portrayed as adaptations of themes established by Burke. In a discussion on the wider impact of the *Reflections* and Burke's subsequent writings upon popular opinion, Gilmartin argued that historians' preoccupation with Burke has restricted their understanding of counter-revolutionary culture and led to the neglect of other significant factors such as the wider outpouring of literature and other modes of public discourse and the repressive exercise of state power and violence.⁶⁹

Gilmartin reiterated this interpretation in a recent essay on counter-revolutionary

⁶⁸ Gregory Claeys, *The French Revolution Debate in Britain: The Origins of Modern Politics*, (Basingstoke, 2007), p. 8. See also Mcleod, 'The Crisis of the French Revolution' in Dickinson (ed.) *A Companion to Eighteenth Century Britain* (Oxford, 2006), p. 114.

⁶⁹ Kevin Gilmartin, 'Burke, popular opinion and the problem of a counter revolutionary public sphere', in John Whale (ed.), *Edmund Burke's Reflections on the Revolution in France, New Interdisciplinary Essays*, (Manchester, 2000) pp. 94-96.

culture. He noted, as did Gregory Claeys,⁷⁰ that the immediate impact of the *Reflections* was less pivotal than has previously been thought. Gilmartin also suggested that loyalist activities relied more on William Paley and Hannah More for their polemics and that Burke cut an increasingly isolated figure in the 1790s.⁷¹

This interpretation found favour with a number of historians, not least Mark Philp who sought to move away from explaining the growth of loyalism from the intellectual debate. Philp questioned whether the outpouring of literature can even be termed a 'debate' at all considering the discordant nature of the views expressed.⁷² Fundamentally, Philp argued that the complex reaction to the challenge of revolution abroad and growth of domestic radicalism inspired a 'vulgar conservatism' that reached beyond boundaries ever envisaged by Burke. Through examining the activities of loyalist associations in the 1790s, Philp found that such associations committed themselves to a campaign of popular instruction. This inherently rejected Burke's contention that the 'vulgar' were the mere objects of conservative thinking and not the intended participants in it.⁷³ Philp reminded us that although the *Reflections* was never intended for a wider audience, loyalist associations made considerable use of literature designed for the lower orders, thus advancing a process of mass participation that must have been anathema to Burke and his followers.⁷⁴

⁷⁰ Gregory Claeys, 'The *Reflections* refracted: the critical reception of Burke's *Reflections on the Revolution in France* in the 1790s', *Edmund Burke's Reflections on the Revolution in France, New Interdisciplinary Essays*, pp. 40-60.

⁷¹ Kevin Gilmartin, 'Counter-revolutionary culture', in *The Cambridge Companion to British Literature of the French Revolution in the 1790s*, edited by Pamela Clemit (Cambridge, 2011), p. 131. See also Gilmartin, 'In the Theatre of Counterrevolution: Loyalist Association and Conservative Opinion in the 1790s', *The Journal of British Studies*, 41, 3 (2002), pp. 291-328.

⁷² Mark Philp, 'Vulgar Conservatism, 1792-3', *The English Historical Review*, 110, 435 (1995), p. 43.

⁷³ *Ibid.*, p44.

⁷⁴ *Ibid.*, p. 45.

The move to de-emphasise Burke's role in the conservative reaction to the French Revolution has not found universal favour. Nicholas Rogers argued that although Burke's attack on the French Revolution was premature, his *Reflections* certainly helped to shape conservative fears of it in Britain. According to Rogers, the increasing totality of the French crisis combined with developing antagonism in provincial politics helped bring conservative fears more sharply into focus and fuel hostility to pro-French sentiment.⁷⁵ Although accepting that Burke's pamphlet was never intended for a general audience, Rogers suggested that his popularisers in the press did much to circulate his message. This may have helped fuel further hostility to Dissenters in Birmingham as they were the targets of Burke's most vitriolic attacks. Burke linked the Dissenters' pursuit of the repeal of the Test and Corporation Acts with French Jacobinism and suggesting that there was a natural progression from rational Dissent to irrational revolution. Through this, he portrayed Dissenters as the greatest domestic threat to the social order.⁷⁶

Rogers' suggestion that the press played a crucial role in disseminating Burke's ideas is significant. Assessing to what extent newspapers adopted Burke's ideas in the short term is more problematic. The initial response of the press to the fall of the Bastille was overwhelmingly positive.⁷⁷ Most major studies of the newspaper press in this period suggest that it was not until 1792 that the press began its widespread denunciation of events in France. This is the view of Hannah Barker who pinpointed the September massacres of 1792 as the time in which the widespread

⁷⁵ Rogers, *Crowds, Culture and Politics*, p. 191-2.

⁷⁶ *Ibid.*, p. 191.

⁷⁷ Norbert Schurer, 'The Storming of the Bastille in English Newspapers', *Eighteenth Century Life*, Vol 29, No, 1 (2005), pp. 50-81.

euphoria which had initially greeted the French Revolution finally gave way to alarm and dismay. The massacres in France were greeted with a tirade of anti-French sentiment in the press.⁷⁸ Barker noted that there was evidence of considerable hostility towards the French Revolution before this time in elements of the provincial press. The Birmingham press were cited as a conspicuous example. Barker suggested that inflammatory letters and paragraphs that appeared in the Birmingham press prior to the riots were actually a major cause of the unrest.⁷⁹ This is an argument that will be echoed in this thesis. Through examining the periodical press in the revolutionary period, Stuart Andrews found that although the majority of periodicals remained supportive of the French Revolution prior to the Priestley Riots, the *Gentleman's Magazine* was opposed almost from the very beginning, spuriously claiming that Louis XVI had 'done all that a king...could do to alleviate the distress of his people'.⁸⁰ It also lavished praise upon Burke's *Reflections* when it was published. This was in stark contrast to the rest of the periodical press which condemned the *Reflections*.

To what extent Burke's fears of the French Revolution were relayed to a wider audience before the Priestley Riots is difficult to establish. Indeed the majority of the research on the reception of the *Reflections* is confined to the reaction of the ruling elite.⁸¹ It is worth noting, as Harry Dickinson did, that the Dissenters' attempts to repeal the Test and Corporation Acts excited a more tangible popular loyalist reaction than Burke's *Reflections* and one that predated its publication by several months. The Dissenters' third attempt at repeal in March 1790 led to the formation

⁷⁸ Hannah Barker, *Newspapers, Politics and English Society* (Harlow, 2000), p. 179.

⁷⁹ *Ibid.*, p. 181.

⁸⁰ Cited in Stuart Andrews, *The British Periodical Press and the French Revolution 1789-99*, (Basingstoke, 2000), p. 10.

⁸¹ Claeys, 'The *Reflections* refracted', pp. 40-60.

of many Church and King clubs in major urban centres such as Birmingham and Manchester in order to defend the existing order.⁸²

Despite this, the strength of popular loyalism before those defining months of the summer and winter of 1792 remains firmly ensconced. The Priestley Riots have often been seen as an anomaly by historians who have researched the riots, and those working on the wider 1790s have shied away from placing the riots into the context of a loyalist tradition, often seeking an explanation in other factors such as social or purely sectarian antagonisms. As will be shown in this thesis, much of the primary evidence relating to the outbreak of violence in Birmingham provides some indication that the desire to protect the Anglican Church, the monarch and the existing social order were motivating factors. The Priestley Riots are perpetually defined as ‘Church and King’, riots indicating they were made in defence of the existing social order, yet this has been frequently forgotten by historians.

Wider studies of the 1790s sometimes play down the loyalist element of the 1791 riots. Gregory Claeys for example, suggested that many of the rioters were inebriated and were only involved because it provided an opportunity for destruction and bad behaviour.⁸³ Likewise the fact that one rioter allegedly shouted ‘no popery’ is too often used to suggest that the rioters did not know what they were protesting against. Given that this argument unfairly divorces the crowd from having cohesive reasons to riot, such conclusions, in light of extensive research into the causes of the Priestley Riots and eighteenth century can be seen as completely erroneous.

⁸² Harry Dickinson, ‘The Political Context’ in Pamela Clemit (ed.) *The Cambridge Companion to British Literature of the French Revolution*, (Cambridge, 2011), p. 8.

⁸³ G. Claeys, *The French Revolution Debate in Britain*, p. 79.

Moving away from examining the extent of loyalist activity before the Priestley Riots, it is now necessary to attempt to establish why loyalists were so successful in the 1790s and how public opinion was mobilised against reformers who sought to improve the standing of the lower orders. This question has produced a broad body of literature. In his wide ranging and informative study of loyalist activity during this period, H. T. Dickinson argued that the conservatives were able to win the ideological argument through the persuasiveness of their ideas and tactics. As a result a large proportion of the British population actually appreciated the benefits provided by the existing social and political order, such convictions therefore made people hesitant to calls for reform made by radicals.⁸⁴ Dickinson also stressed the importance of conservative propaganda in this process as this provided the means by which loyalist thinkers were able to undermine the intellectual ideas of radicals. As events in France took an increasingly radical and violent course, propagandists such as Hannah More, John Bowles and William Jones were able to illustrate the stark contrast between the benefits enjoyed by British citizens and the horrors being experienced by the French. According to Dickinson these were not simply variations on Burke but relied on more pragmatic arguments to appeal to the middling and lower orders.⁸⁵

In the short term, this interpretation was greeted with such favour by historians that John Dinwiddy branded it the 'Dickinsonian consensus'.⁸⁶ Ian Christie picked up the baton, arguing that the conservative case was 'formidable' and that they were

⁸⁴ Dickinson, 'Popular conservatism and militant loyalism', p. 104.

⁸⁵ Ibid., p. 105.

⁸⁶ John Dinwiddy, 'Interpretations of anti-Jacobinism' in *The French Revolution and British Popular Politics*, p. 38.

able to promote the lessons of history and of pragmatism in defence of the existing system of government.⁸⁷ Philip Schofield likewise argued that conservatives successfully propagated an intellectual case in favour of stability by emphasising that inequalities in property and rank in Britain were necessary and promoted both individual and general welfare. According to Schofield conservatives were able to contrast the British example with France where sovereignty of the people had given way to tyranny.⁸⁸

Dinwiddy argued that such an interpretation is too simplistic, that it underestimates the range of dialogue that was in process in the 1790s and that a recognition that although in some areas, conservatives were able to effectively counter radical arguments, there were others in which they had to resort to little more than evasiveness and misrepresentation.⁸⁹ Dinwiddy also argued that circumstances played a crucial role, enabling conservative polemicists to misrepresent supporters of reform as French style Jacobins.⁹⁰ Mark Philp also took issue with the suggestion that loyalists won the ideological argument, arguing that it is impossible to distinguish two clearly opposing sides in the mass of published literature and that little emphasis should be placed on the 'natural loyalty' of the people. Philp emphasised that popular loyalism was a complex and evolving phenomenon and prioritised the growth and organisation of loyalist associations such as the

⁸⁷ Ian Christie, *Stress and Stability in Late Eighteenth Century Britain: Reflections on the British Avoidance of Revolution* (Oxford, 1984) p. 159.

⁸⁸ Philip Schofield, 'Conservative Political Thought in Britain in Response to the French Revolution', *The Historical Journal*, Vol. 29, No 3 (Sept 1986), pp. 621-22.

⁸⁹ Dinwiddy, 'Interpretations of anti-Jacobinism', p. 41.

⁹⁰ *Ibid.*, p. 48.

Association for the Preservation of Liberty and Property against Republicans and Levellers in mobilising popular support for the conservative campaign.⁹¹

A further explanation of the failure of reformers lies in the suggestion that the British government systematically and ruthlessly repressed the reform movement during the 1790s. This was certainly the view of some contemporaries. The memoirs of both Thomas Hardy and Francis Place recall how during the 1790s, Prime Minister William Pitt and his government imposed a 'reign of terror' upon the British public.⁹² This argument was popularised by E. P Thompson who claimed that the terror and repression that existed within Britain during the 1790s revealed a government lurching in the direction of dispensing with the rule of law, dismantling constitutional structure and exercising power by force.⁹³

These claims have, to an extent been dismissed by Clive Emsley, in his comprehensive and informative discussion of government sponsored repression in Britain during the 1790s. While Emsley acknowledged that Pitt's government repressed radicals and political opponents during this period, he argued that any such comparison with the 'terror' of the French Revolution is 'ludicrous'.⁹⁴ Emsley argued that during the 1790s the machinery of government repression barely changed and that although some repressive measures were considered, most of these did not see the light of day. The suspension of Habeas Corpus during 1794 is acknowledged, but it is argued that this was rapidly overturned in the courts and

⁹¹ Philp, 'Vulgar conservatism', p. 68.

⁹² Cited in Jennifer Mori, *Britain in the Age of the French Revolution 1785-1820*, (Harlow, 2000), p. 92

⁹³ Thompson, *The Making of the English Working Class*, chapter 5.

⁹⁴ Clive Emsley. 'Repression, 'Terror' and the rule of law in England during the decade of the French Revolution'. *The English Historical Review*, 100, 397 (1985), p. 802.

those arrested during that period swiftly released. In all the government inspired 'reign of terror' amounted to some two hundred prosecutions for sedition, many of which resulted in acquittals. The numbers put on trial were considerably less than the Jacobite emergencies of 1715-16 and 1745-46.⁹⁵ Thus according to Emsley, the 1790s did not constitute a new departure or serious attack on English liberty, instead it merely exposed some of the limits of boasted liberty within the British constitution. Furthermore the 1790s demonstrated the powers already available to English rulers to maintain their ascendancy.⁹⁶

Furthermore, Emsley emphasised the importance of drawing a distinction between the terror employed by law and the unofficial terror of beatings, inquisitions, sackings and other forms of ostracism that went on in Britain during the 1790s.⁹⁷ H. T. Dickinson likewise drew attention to the importance of the 'unofficial terror' that took place as a result of the actions of loyalist and Church and King clubs during the early 1790s in intimidating and repressing reformers and Dissenters.⁹⁸

This theme has received a more detailed investigation from Alan Booth in his study of popular loyalism in the northwest of England. Booth challenged the misconception that loyalist violence was limited to large scale but infrequent disturbances in major industrial urban centres such as those seen in Birmingham in 1791, Manchester in 1792 and Nottingham in 1794. Booth identified twenty-five incidents of loyalist violence in the Northwest during the first half of the 1790s. He

⁹⁵ Emsley, 'Repression, 'Terror' and the rule of law', p. 806, p. 822. See also Emsley, 'An Aspect of Pitt's 'Terror': Prosecutions for Sedition during the 1790s', *Social History*, 6, 2 (1981), pp. 155-84. For the way in which the Home Office gathered information about reformers see Emsley, 'The Home Office and Its Sources of Information and Investigation 1791-1801', *The English Historical Review*, 94, 372 (1979), pp. 532-561.

⁹⁶ Emsley, 'Repression, 'Terror' and the rule of law', p.824.

⁹⁷ Ibid., p. 802.

⁹⁸ Dickinson, *British Radicalism and the French Revolution 1789-1815*, p. 32.

suggests that the majority of these were small-scale disturbances and occurred as frequently in smaller urban settlements as they did in the larger manufacturing centres.⁹⁹ Booth also pinpointed a number of similarities between examples of loyalist disorder during this period, the most striking being the unwillingness of the authorities to act. Regardless of the scale of the disturbance, magistrates were apathetic towards the plight of reformers and frequently failed to act all together. There was also a consistent failure to bring the perpetrators to account. Where arrests were made it was often the victims that found themselves incarcerated for using or threatening to use firearms in self defence.¹⁰⁰

The issue of loyalism in Birmingham has attracted only sporadic interest from historians. The most detailed analysis of that subject can be found in Martin Smith's PhD thesis. Smith found that through the existence of a local conservative coalition, the Bean Club, there existed a long-standing organisational structure upon which opposition to reform could be built in the 1790s.¹⁰¹ Smith identified the second half of 1792 as the period in which Church and King enthusiasm in the town reached its peak, with the establishment of a number of loyalist associations of varying degrees of respectability. The numbers attracted to such associations massively outnumbered those of the recently formed Birmingham Society for Constitutional Information. Smith noted that some members of the Bean Club, whose membership was drawn from the established ranks of society, also had a hand in administering the less respectable loyalist organisations. As was the case nationally, Smith stressed the role played by local loyalist propaganda, primarily the Nott pamphlets in

⁹⁹ Alan Booth. 'Popular Loyalism and Public Violence in the North-West of England: 1790-1800', *Social History*, 8, 3 (1983), p. 297.

¹⁰⁰ *Ibid.*, p. 301.

¹⁰¹ Smith, 'Conflict and Society', p. 64.

manipulating public opinion.¹⁰² Smith also argues that the relative explosion of the Association movement placed the most pressure on the Dissenters, yet as will be argued in this thesis, harassment of Dissenters was dramatically curtailed in the second half of the 1790s.

John Money likewise asserted that the Bean Club played a central role in loyalist activity in Birmingham during the 1790s. Money however emphasised that the Bean Club was not reactionary, it was a conservative coalition whose membership had played an instrumental role in the development of Birmingham. Despite the role played by its members in the harassment of Dissenters in the 1790s, the Bean Club had in other respects done much for the town.¹⁰³ The formation of other loyalist clubs in Birmingham is also discussed in some detail. Money emphasised the role played by the Church and King club and less respectable organisations such as the Loyal True Blues in mobilising support for the loyalist cause and subjecting reformers to harassment and intimidation.¹⁰⁴

The discussion of loyalism in the 1790s has demonstrated that the riots preceded the more widespread expressions of popular animosity towards the French Revolution. Despite this, opposition to events in France was evident before July 1791, not only in the writings of Burke but in newspapers and other forms of print. Recent work has shown that the success of the loyalist movement should not only be attributed to a desire to protect the existing social and political order. Certain characteristics of the Priestley Riots were also evident in later outbreaks of loyalist violence, notably the reluctance of authorities to act and the failure to successfully prosecute the rioters.

¹⁰² Smith, 'Conflict and Society', chapter 3.

¹⁰³ Money, *Experience and Identity*, p102.

¹⁰⁴ Money, *Experience and Identity*, p236.

This historiographical review has examined the research conducted into the Priestley Riots, eighteenth century popular disturbances and loyalism in the 1790s. Such research has made an important contribution to the understanding of the causes of rioting in the late eighteenth century and placed the Priestley riots into the context of 1790s loyalism. It has also demonstrated the shortcomings of research conducted specifically into the outbreak of violence in Birmingham. With the exception of the work of John Money, considerations of the causes of the Priestley Riots lack the sophisticated analysis that has been applied to the wider eighteenth century riot. Neither do they consider the significance of the national context within which the riots took place. Reflecting the wider historiography, there also remains a paucity of substantial research on the impact of the Priestley Riots and conclusions on this subject remain provisional until further research is carried out.

Purpose of the Thesis

Given the significant amount of research carried out into the Priestley Riots and into the wider eighteenth century riot outlined in the previous section, a further study of the riots may initially be regarded as a redundant exercise. The question may be asked, to what extent is a new study of the riots even necessary? Despite the considerable exertions of historians on this subject, the fascination with the events of July 1791 has largely been confined to establishing the causes of the riots and to provide an account of the destruction. This is, in part, a reflection upon the wider historiography of rioting in the eighteenth century. For Rudé, Thompson, Harrison and Bohstedt, examining the causes of outbreaks of popular disturbances has taken

preference over considerations of their aftermath and impact. In line with this historiographical trend, there remains several aspects of the Priestley Riots about which relatively little is known.

The prosecutions of the rioters and victims efforts to claim compensation are two such examples. Historians of the Priestley Riots frequently allude to the outcome of the criminal and compensation trials, without exception in disparaging terms, yet little substantive evidence is presented to support these conclusions. This reflects the wider historiography where interest in criminal prosecutions and compensation suits brought after a riot is largely confined to establishing the identity of the rioters and their victims in view of attempting to discover the cause of the riot.¹⁰⁵ No previous research on the Priestley Riots has considered how the outcome of the criminal prosecutions or the compensation suits were reached or considered the local and national context within which the trials were held. Neither is much attention given to the idiosyncrasies of the eighteenth century legal system. Thus, the unanimous conclusion, that the trials were ‘disgraceful’,¹⁰⁶ cannot be sustained until further research is conducted. The expansive collection of primary material available in Birmingham Archives and the National Archives provide a unique opportunity for comprehensive studies of both the prosecutions of the rioters and the compensation suits brought by the victims. Chapters 4 and 5 will provide a detailed analysis of events prior to, during and after the criminal and compensation trials. This will encompass a consideration of the role of both local law enforcement agencies and the British Government. The typicality of these trials will also be considered in the wider context of the eighteenth century legal system. This will enable rigorous

¹⁰⁵ A typical example of this approach can be found in Rudé, ‘The Gordon Riots’.

¹⁰⁶ Dent, *The Making of Birmingham*, p. 222-3.

scrutiny to be placed upon the conventional perception that the judicial proceedings failed to provide justice to the victims of the riots.

As noted in the overview of literature, considerations of the impact of the Priestley Riots have largely been absent from the historiography. More recent research on the riots has attempted to redress this balance¹⁰⁷, although such studies remain narrow in focus dealing only with the one or two years sequential to the events of July 1791. These studies have provided us with brief overviews but little more. The most recent publication related to the Priestley Riots took a longer-term view but confined itself to considering the impact of the tumults upon the local Unitarian congregations. Despite the scarcity of research, historians have not been hesitant in making assertions about the consequences of the riots, especially upon Birmingham's Dissenters. The riots are frequently described as having a ruinous effect upon Birmingham's Dissenting community. The final chapter will seek to challenge these conclusions through a more substantial study of Birmingham's Dissenters between 1791-1820. This survey will include some quantitative analysis, for example considering how the riots affected the congregation sizes of each of the local Nonconformist denominations. The chapter will also include a wide-ranging discussion of how the riots effected the contribution made by Dissenters to wider Birmingham society. This will encompass a discussion of ministers and other personalities who came to Birmingham after 1791. It will also examine local Dissenters' involvement in the major political movements of the 1790's and assess whether this was curtailed in comparison to the 1780s. Finally the contribution

¹⁰⁷ See Wykes, 'The Spirit of Persecutors Exemplified', pp. 17-39, 'A finished monster of the true Birmingham breed', pp. 43-70, Jones, *Industrial Enlightenment*, pp. 188-201 and Smith 'The Blessedness of those who are persecuted for righteousness sake', pp. 174-90.

made by Dissenters to other aspects of Birmingham society such as local government and the field of education will be considered.

Preceding these chapters will be an extensive analysis of the causes of the riots. The historiographical review has already established that although a number of historians have examined the origins of the riots, the question of what actually caused the outbreak of violence in Birmingham remains an open one. When discussing whether the riots were social, political or religious in origin, Peter Jones recently concluded that ‘all these ingredients plus some others went into the making of the riots’.¹⁰⁸ This demonstrates the kind of uncertainty that continues to prevail in relation to this question. Despite the extensive research already carried out on this subject, an authoritative analysis, considering the complexities of the riot and the local and national context within which the disturbances took place has not been attempted. Much of the latest research examines only the immediate causes of the Priestley Riots and fails to place them into their wider context. Chapters 2 and 3 of this thesis will attempt to rectify this situation. The second chapter will establish the relative positions of the Anglican Church and Protestant Dissent in Birmingham before tracing the breakdown in relations between the two parties that occurred between 1780-91. Chapter 3 will then briefly discuss events immediately prior to the outbreak of violence before providing a detailed analysis of their origins.

¹⁰⁸ Jones, *Industrial Enlightenment*, p. 192.

Chapter 2: Religious Structures and Cultures in Late Eighteenth Century Birmingham

It is readily apparent that questions over the origins of the Priestley Riots have provoked considerable debate between historians. Rose's theory, that the riots were an outbreak of class animosity, was accepted for some time. The recent historiographical trend has placed religion at the forefront of attempting to explain the outbreak of violence. Strong emphasis is often placed on the role of Joseph Priestley, suggesting he did much to stir up hostility against Birmingham's Dissenters, particularly the Unitarians.¹ In contrast, John Money has stressed that tensions between Anglicans and Dissenters preceded Priestley's arrival in Birmingham.² If an understanding is to be gained as to why only the Bastille celebrations in Birmingham resulted in violence, it is necessary to enquire into the relative positions of the Church and Dissent in Birmingham. In particular, this chapter will scrutinise the nature of tensions between the two groups and ascertain whether these were caused by theological, political or social differences. Contemporary literature has alluded to a decline in this tension between Priestley's arrival in 1780 and the outbreak of rioting in 1791. The final section of this chapter will trace this decline in relations and establish whether Priestley's arrival was indeed a turning point in the town's trajectory towards the riots of 1791.

¹ Sheps, 'Public Perceptions of Joseph Priestley', pp. 49-55.

² Money, 'Science, technology and dissent in English provincial culture: from Newtonian transformation to agnostic incarnation', in Paul Wood (ed.) *Science and Dissent in England, 1688-1945*, (Aldershot, 2000), p. 87.

The Established Church

Until recently the state of religion within eighteenth century Birmingham has been largely ignored by historians. This is no longer the case. Peter Jones' study of 'Industrial Enlightenment' within Birmingham between the years 1760-1820 includes a detailed analysis of the state of Nonconformity within the town.³ Jones does not provide similarly detailed scrutiny to the Established Church except to emphasise that tensions existed between Anglicans and the town's Unitarian congregations, primarily due to the activities of Joseph Priestley. The position of the Church in Birmingham has hitherto attracted very little interest from historians. If an understanding is to be reached as to why such tensions existed, then it is necessary to consider the position of the Church in Birmingham in the late eighteenth century. To this end, it is important to briefly consider the wider position of the Church in late eighteenth century Britain and to what extent the Anglican presence in Birmingham reflected this. It will consider the main challenges faced by the local clergymen during this period, in particular the threat posed by Protestant Dissenters. Finally the chapter will examine the impact of the French Revolution and consider how this shaped conflict between Anglicans and Dissenters.

There has been much division between historians on the subject of the Church in eighteenth century Britain. The debate between 'optimists and pessimists' has continued.⁴ On one side, the notion that the Church was severely weakened by events of the seventeenth century and had become increasingly corrupt in the

³ See Jones, *Industrial Enlightenment*, chapter 5.

⁴ John Walsh and Stephen Taylor, 'The Church and Anglicanism in the "long" Eighteenth Century' in John Walsh, Steven Taylor and Colin Haydon (eds.) *The Church of England c. 1689- c. 1833: from Toleration to Tractarianism* (Cambridge, 1993), p. 2.

eighteenth century has proved popular.⁵ More recent studies have tended to offer a more positive interpretation. This restoration of the Church's reputation has been led by Jonathan Clark. Clark argued that the Church was not substantially weakened and remained an integral part of the English state during the eighteenth century. The Glorious Revolution has often been seen by historians of the Church as a decisive moment in its declining influence. Clark argued that while the Glorious Revolution had changed the monarchy, it did not seriously weaken the Established Church and its place within English Society. Clark also argued that by the late eighteenth century, Britain was not dominated by ideas of democracy and representation but by ideas of allegiance to the Church and state.⁶ The real threat to the Church during this period was not a self-imposed implosion but by a more assured and assertive form of Dissent. After 1760 Dissenters dogmatically sought equality with Anglicanism within the state. Clark's research has gone some way to restoring the reputation of the Church during this period. John Walsh and Stephen Taylor have emphasised that regional diversity and variation affected all areas of Church life and such diversity has provided evidence to support both sides of the debate. In particular, they refer to a north/south divide and a divergence between towns and the countryside.⁷ A recent series of local studies has provided further support to this argument.⁸ Donald Spaeth's recent contention that the 'rigidity' of

⁵ See for example Alan Gilbert, *Religion and Society in Industrial England. Church, Chapel and Social Change 1740-1914*, (London, 1976), p. 4, D. Hempton, *Religion and Political Culture in Britain and Ireland: From the Glorious Revolution to the Decline of Empire*, Cambridge, 1996), p. 6.

⁶ Jonathan Clark, *English Society 1660-1832* (Cambridge, 2000), pp. 14-39

⁷ Walsh and Taylor, 'The Church and Anglicanism in the "long" Eighteenth Century', p. 12.

⁸ See Jeremy Gregory, *Restoration, Reformation and Reform, 1660-1828: Archbishops of Canterbury and their Diocese*, (Oxford, 2000); Jeremy Gregory and Jeffrey Chamberlain (eds.) *The National Church in Local Perspective: The Church of England and their Regions, 1660-1800*, (Woodbridge, 2002).

the Church left it ill equipped to face the challenges of the later eighteenth century⁹ however illustrates that a consensus is unlikely to emerge.

The position of the Church in Birmingham is equally open to debate. This is largely due to the absence of detailed research on the Birmingham parishes. The solitary recent study of note was conducted by Zillah Scott in her PhD thesis. Guided by Clark's theory that the Church was a powerful and accepted force within English Society, Scott argued that the Church maintained a strong presence in Birmingham and was an important part of life in the town.¹⁰ She also suggested that in the last quarter of the century Dissenters emerged as an increasing threat to the Church's position in Birmingham.¹¹ The remainder of this section will now assess the validity of this claim.

By 1750 Birmingham had three major places of worship. The parish church of St Martin's dates back to the twelfth century. It was built at the centre of the medieval village. It was rebuilt at the end of the thirteenth century and underwent a major renovation in 1690.¹² The benefice was about £350 per annum in 1771 but increased to £700 by the time of the riots.¹³ The church of St John the Baptist in Deritend was originally founded in the second half of the fourteenth century. The building was capable of accommodating around seven hundred persons in total.

⁹ Donald Spaeth, *The Church in an Age of Danger: parsons and parishioners, 1660-1740* (Cambridge, 2000) pp. 258-9.

¹⁰ Zillah Scott, 'The Enquiring Sort: Ideas and Learning in Late Eighteenth Century Birmingham', unpublished PhD thesis, University of Warwick (2006), p. 166.

¹¹ *Ibid.*, p. 166.

¹² C. R. Elrington, 'Religious History: Churches', in W.B. Stephens (ed.), *A History of the County of Warwick: Volume 7: The City of Birmingham* (London, 1964), p. 365.

¹³ William Hutton, *The History of Birmingham*: sixth edition, Birmingham, James Guest, 1835, p. 256.

The annual income of the chaplain was £100 in 1791.¹⁴ At the beginning of the eighteenth century it had become apparent that a single parish church was no longer sufficient to accommodate the needs of a town whose population was steadily expanding. The church of St Philip was built between 1711 and 1725 as a result of an Act of Parliament from 1708. This allowed for a new parish to be created within the existing parish of St Martin's. St Philip provided seating for some two thousand people, although it had been known to accommodate nearer three thousand in some instances.¹⁵ The benefice was sufficiently valuable to allow the rector a generous annual income of £289 13s 4d in 1781. It also provided provision for the employment of a curate to assist the rector.¹⁶ By 1791 the annual income had risen to £300. The income combined with where the church was situated allowed it to attract a candidate of distinction to the position of rector.¹⁷

Illustration 1. Hanson's map of Birmingham (1781) identifying locations of Anglican Churches.¹⁸

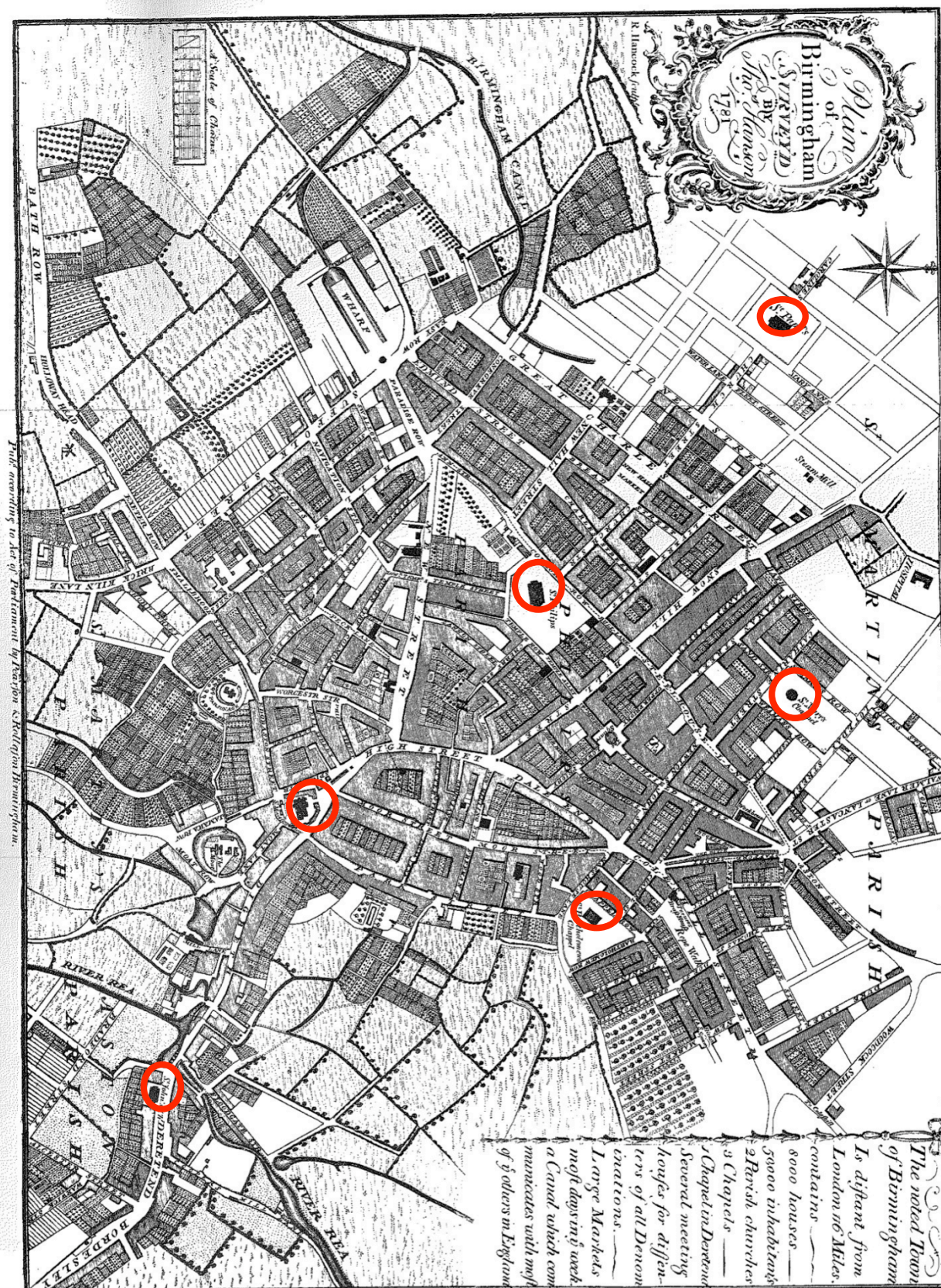
¹⁴ Hutton, *The History of Birmingham*, p. 258.

¹⁵ Hutton, *The History of Birmingham*, p. 263.

¹⁶ Elrington, 'Religious History: Churches built before 1800', p. 377.

¹⁷ Z. Scott, 'The Enquiring Sort', p. 167.

¹⁸ W. Hutton, *An History of Birmingham, The Second Edition*, Birmingham, 1781.



Over the course of the eighteenth century further churches were constructed in order to accommodate the town's growing population. Between 1750 and 1800 the population in Birmingham more than trebled, rising from around 23,000 to approximately 73,000. As a result the existing churches in Birmingham were no longer large enough to accommodate a growing population. In 1749 the church of St Bartholomew was built as a chapel of ease to St Martin's. The church could accommodate eight hundred and the incumbent received an annual stipend of £100.¹⁹ In 1772 the rapid expansion of the town necessitated a further act of parliament which made provision for the construction of further chapels to ease the burden upon the Parishes of St Martin's and St Philips. The church of St Mary was constructed in 1774 as a chapel of ease to St Martin's. The income of the incumbent was around £200 in 1781.²⁰ The church of St. Paul in Birmingham was built between 1777 and 1779 as a chapel of ease to the parish of St. Martin's. The chapel was administered by a curate who received an annual income of over £200 in 1778.²¹ Despite efforts to accommodate a rapidly increasing population it seems apparent that these churches only provided for a small percentage of Birmingham's burgeoning population which by the time of the riots was just over 70,000. These churches were often frequented by the town's middle classes.²² As a result there was a substantial percentage of the population who did not attend their parish church.

At the beginning of the eighteenth century the existence of a large body of impoverished clergy was a source of continued embarrassment for the Church. This problem had been partly eased by remunerative augmentations which substantially

¹⁹ Elrington, 'Religious History: Churches', p. 362.

²⁰ Lichfield Record Office (hereafter LRO) B/A/1/24. Episcopal register of Rev Richard Hurd Bishop of Lichfield and Coventry 1777-85.

²¹ Stephens, 'Religious History: Churches', p. 365.

²² Scott, 'The Enquiring Sort', p. 170.

increased clerical incomes.²³ There remained however considerable diversity in clerical incomes.²⁴ In comparison to many of their brethren the Birmingham clergy appear to have been relatively well paid. The incumbents of St Martin's and St Philips were earning in excess of £700 and £300 a year respectively.²⁵ Meanwhile incumbents of the chapels of ease were each earning over £100.

Members of the clergy would often face other difficulties within their parishes aside from poverty. The issue of boredom was actually commonplace, particularly for clergy operating in rural areas.²⁶ This was not a problem in the growing industrial town of Birmingham. The local clergy had little difficulty in finding similarly minded company within the town. For example, Dr Benjamin Spencer, the vicar of Aston and a local magistrate was a prominent member of the Bean Club, a gentleman's loyalist dining club.²⁷ There were also ample opportunities for them to be involved in philanthropic activities and clergymen played pivotal roles in both the local hospital and during the 1780s the establishment and administration of Sunday schools.

It was these opportunities that enabled Birmingham to attract clergymen of some stature.²⁸ A typical example of this is provided by Spencer Madan, the rector of St Philips between 1787 and 1811.²⁹ Madan had links with both the senior clergy and the aristocracy. He was the son of Spencer Madan senior (1729-1813), the bishop of

²³ Michael Snape, *The Church of England in Industrialising Society: The Lancashire Parish of Whalley in the Eighteenth Century*, (Woodbridge, 2003), p. 144.

²⁴ Walsh and Taylor, 'The Church and Anglicanism in the "long" Eighteenth Century', p. 7. See also Nigel Yates, *Eighteenth Century Religion and Politics* (Harlow, 2008), p. 133.

²⁵ LRO B/A/1/24.

²⁶ Hempton, *Religion and Political Culture*, p. 17.

²⁷ Money, *Experience and Identity*, p. 100.

²⁸ Scott, 'The Enquiring Sort', p. 168.

²⁹ LRO B/A/1/25. Episcopal Register of the honourable James Cornwallis, Bishop of Lichfield and Coventry 1786-91.

Peterborough and Lady Charlotte Cornwallis who was the daughter of Charles Cornwallis (1700-62), the first Earl Cornwallis.³⁰ Madan was also the brother-in-law of the hon. James Cornwallis who was appointed as the Bishop of Lichfield and Coventry in 1781. Cornwallis himself was the nephew of the Hon. Frederick Cornwallis who was the Archbishop of Canterbury between 1768 and 1783.³¹ It is highly likely that James Cornwallis played a considerable role in Madan's appointment to St Philips in 1787. Madan was educated at Westminster School and Trinity College Cambridge and was a notable academic. His aristocratic and clerical connections secured him rapid promotion. He was only 29 when he was appointed Rector of Birmingham but his career was already in its ascendancy. In 1788 Madan was also appointed as chaplain-in-ordinary to the king, a post which he held until 1832.³² Madan remained in Birmingham until 1809. The fact that Spencer Madan was present at Birmingham during the height of his career provides an indication as to the quality of candidates that the town was able to attract and the prestige of the livings available in the town.

Other notable clergy in Birmingham in the late eighteenth century include Charles Curtis who was rector of Birmingham St Martin's between 1781 and 1829. Despite being the son of a wealthy Presbyterian, Curtis was a churchman of straight orthodoxy. He was also a magistrate and a 'fine example of a rich sporting parson'.³³ Curtis was assisted by a lecturer who between 1785-1789 was John

³⁰ Robert Hole, 'Madan, Spencer (1758-1836)', *Oxford Dictionary of National Biography* (Oxford, 2004) <http://www.oxforddnb.com/view/article/17750?docPos=2>.

³¹ Ditchfield, 'Cornwallis, Frederick (1713-83)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/6340?docPos=1>.

³² Hole, 'Madan, Spencer (1758-1836)'.

³³ Warren Derry, *Dr Parr: A Portrait of the Whig Dr Johnson*, Oxford, Clarendon Press, 1966, p. 140.

Clutton.³⁴ Clutton was a belligerent opponent of the Unitarians in Birmingham and of Priestley in particular. He had played a key role in the Birmingham library dispute and vehemently attacked Priestley in his final sermon before moving to Hereford.³⁵ When Clutton departed it is likely the Birmingham clergy sought a similarly charismatic opponent of the Unitarians. In George Croft they found the ideal candidate. Croft was educated at University College Oxford and like Madan was a respected scholar.³⁶ Croft was interested in education but he was most well known for his outspoken criticism of Dissenters. He had earned an enviable reputation as a preacher and in 1786 was invited to deliver the prestigious Bampton lectures. He used this occasion to launch scathing attacks on Dissenters.³⁷ In 1788 Croft attacked Joseph Priestley with his *Cursory Observations chiefly respecting Dr Priestley* which was a strongly worded rebuttal of Priestley's theological opinions. In 1790 Croft had spoken out against the repeal of the Test and Corporation Acts. Croft said that the restraints imposed by the acts were necessary for anyone who opposed the doctrine of the Trinity.³⁸ Thus, when he arrived in Birmingham in 1791 Croft was already a renowned opponent of Priestley.³⁹ Croft's record of effectively impugning Priestley can only have assisted in his appointment at St Martin's. Together with Spencer Madan, Croft was a leading loyalist in Birmingham during the 1790s. He sharply attacked Priestley after the riots and proved to be as an effective adversary of parliamentary reform as he was against Dissenting communions.⁴⁰

³⁴ LRO B/A/1/25.

³⁵ Scott, 'The Enquiring Sort', p. 168.

³⁶ Peter Nockles, 'Croft, George (1747-1809)', *Oxford Dictionary of National Biography* <http://www.oxforddnb.com/view/article/6715?docPos=1>

³⁷ See George Croft, *Eight Sermons Preached before the University of Oxford, in the Year 1786* (Oxford, 1786).

³⁸ Nockles, 'Croft, George (1747-1809)'.

³⁹ Nockles, 'Croft, George (1747-1809)'.

⁴⁰ Nockles, 'Croft, George (1747-1809)'.

Since its construction, St Mary's Chapel had already established a reputation for housing vocal clergyman. John Riland was appointed as curator in 1774 and served in that position until 1785. Riland was one of the most influential clergymen in the area⁴¹ and during the American War of Independence published a series of pamphlets entitled *The Sinful State of the Nation*. In these Riland warned that the nation was going astray and this was partly caused by Dissenters.⁴² While these pamphlets were published five years before Priestley's arrival, they reveal the growing discord between Church and Dissent that was apparent in the 1770s. Riland was succeeded at St Mary's by Edward Burn who served as lecturer and curate between 1785 and his death in 1837. Burn was educated at Oxford and known for his exemplary oratory. Since his arrival in Birmingham, Burn had established himself as an opponent of Joseph Priestley. Burn published his and Priestley's exchanges in the form of *Letters to Dr Priestley on the infallibility of the apostolic testimony concerning the person of Christ* (1790). This brought their controversy into the public domain and served to end what had been a mutual acquaintance.⁴³ After the riots Burn again engaged Priestley over his *Appeal to the Public on the subject of the late riots in Birmingham*. He accused Priestley of provoking the people of Birmingham with his attacks on the Church and his steadfast defence of the French Revolution. In later life Burn was to become more conciliatory and more tolerant of Dissenters.⁴⁴ In the 1780s Burn was firmly conservative in his thinking and hostile to Priestley and the Unitarians. He was also deeply suspicious of the French Revolution and an avid opponent of the Dissenters' attempts to repeal the Test and Corporation Acts.

⁴¹ Money, *Experience and Identity*, p. 195.

⁴² Ibid., p. 196.

⁴³ Alexander Gordon and Rev Philip Carter, 'Burn, Edward (1762-1837)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/4040>.

⁴⁴ Gordon and Carter, 'Burn, Edward (1762-1837)'

The Birmingham clergy were affluent, assertive and occupied a substantial position within the town. Despite this, they faced a number of challenges. Jonathan Clark has argued that an increasingly assured and forceful dissent presented the primary threat to the Church in this period. While many dioceses in Britain found the small and decreasing numbers of Dissenters of little concern,⁴⁵ in Birmingham the problem was particularly acute. As an expanding industrial town it was the kind of area where Dissent thrived. The West Midlands area has often been described as an area where Nonconformity had a substantial presence during this period, although Peter Jones recently described the West Midlands as ‘neither a stronghold of religious nonconformity nor a region in which dissent was notably weak’.⁴⁶ Jones calculated that between 1771 and 1780 11.6% of the Birmingham’s houses were occupied by Dissenters, although acknowledges that these figures may not be entirely accurate.⁴⁷ If the Dissenters did not make up a large percentage of the Birmingham population then they formed a particularly vocal minority, particularly the Unitarians who counted amongst their numbers one of the most controversial ministers in the country, Dr Joseph Priestley. The fact that a number of the Unitarians were also some of the wealthiest and influential men within the town made them a very real and credible threat to the Church. This threat was to become more apparent as the decade wore on.

As will be shown, the years between Priestley’s arrival in 1781 and the riots in 1791 witnessed a breakdown in relations between Anglicans and Birmingham’s Unitarian congregations. The outbreak of the French Revolution in 1789 added a new

⁴⁵ See W. M. Marshall, The Dioceses of Hereford and Oxford, 1660-1760 in Gregory and Chamberlain (eds.), *The National Church in Local Perspective*, pp. 219-221.

⁴⁶ Jones, *Industrial Enlightenment*, p. 162.

⁴⁷ Jones, *Industrial Enlightenment*, p. 171.

dimension to these hostilities. It would be incorrect to assume that the reaction of the Church to the French Revolution at the time of its outbreak was purely negative. While some members of the clergy such as Samuel Horsley were vocally hostile towards events in France from the outset, others were more cautious.⁴⁸ In Warwickshire there was a small cohort of clergy who greeted events in France with some sense of optimism. John Henry Williams, a Warwickshire clergyman believed 1789 was a natural progression from Britain's Glorious Revolution. Williams praised many of the revolutionaries ecclesiastical reforms carried out in the early stages of the revolution. In particular he applauded redistribution of clerical wealth and the declaration of man's civil and ecclesiastical liberty.⁴⁹ Samuel Parr at Hatton was another cleric who welcomed the French Revolution. Parr considered the French Revolution to be the advancement of liberty and remained a supporter of events in France even in the wake of Burke's tirade.⁵⁰ Parr gained notoriety amongst the Birmingham clergy for praising Priestley in a sermon delivered in Birmingham in 1790. Parr stated that Priestley, despite having 'dangerous tenets upon a few controversial subjects', was 'one of the brightest ornaments of our age'.⁵¹ Parr's untactful sermon provoked the censure of the Birmingham clergy. This led to a printed exchange between Parr and Charles Curtis on the subject of the French Revolution.

The majority of clergy in Britain were at the very least deeply sceptical of the French Revolution.⁵² In particular, the clergy in Britain greeted the revolutionaries'

⁴⁸ Yates, *Eighteenth Century Religion and Politics*, p. 183.

⁴⁹ Colin Haydon, *John Henry Williams 1747-1829 'Political Clergyman': War, the French Revolution and the Church of England* (Woodbridge, 2007), p. 73.

⁵⁰ Derry, *Dr Parr*, p. 145.

⁵¹ Derry, *Dr Parr*, p. 131.

⁵² Haydon, *John Henry Williams*, p. 75.

abolition of tithes, in August 1789, with great concern. Tithes had been a primary source of increasing wealth for clergyman in the Eighteenth Century.⁵³ In general most clergymen's opinions of the French Revolution ranged from suspicion to downright hostility. There was particular concern about the ecclesiastical changes occurring in France. The minority of clergy such as Williams who had been openly supportive of the French Revolution quickly found themselves to be isolated and the targets of resentment from some members of their brethren.⁵⁴

In Warwickshire the vast majority of the clergy were firmly conservative in their thinking.⁵⁵ This was certainly the case in Birmingham. After the Revolution broke out there was an increasing confidence and willingness among the local clergy to assert their beliefs publically and to actively engage anyone who challenged them. Outspoken Anglicans who had welcomed the French Revolution, such as Samuel Parr, were targeted in print and via the pulpit. Dissenters with such beliefs were treated with similar disdain.⁵⁶ In Birmingham Madan, Curtis, Burn and Croft were vociferous in their opposition to Joseph Priestley and their refutation of his political beliefs. While Priestley was despised for his perceived heresy he was also deplored for his dangerous political beliefs. The outbreak of the French Revolution had brought Priestley's own political beliefs sharply into focus. Priestley's support for the revolutionaries appeared to confirm him as a genuine threat to the Church and the Crown alike. His presence in Birmingham greatly alarmed local Anglicans.

⁵³ Yates, *Eighteenth Century Religion and Politics*, p. 133.

⁵⁴ Haydon, *John Henry Williams*, p. 74.

⁵⁵ *Ibid.*, p. 75.

⁵⁶ Derry, *Dr Parr*, p. 139.

Hostility towards Dissenters was increased as a result of their renewed attempt to repeal the Test and Corporation Acts in 1790. This issue will be discussed in greater detail in the final section of this chapter. A few initial observations need to be made. The first attempts to repeal the acts in 1787 and 1789 preceded the French Revolution. Events in France provided a natural stimulus for a third repeal attempt in 1790. The Dissenters' advocacy of political and ecclesiastical rights was already seen as a threat to the Church.⁵⁷ The Dissenters' decision to link French affairs with their own repeal agitations backfired and they found themselves tarnished by the connection.⁵⁸ Increasingly Dissenters' demands for equality were being equated as just the first stage of a program of political reform that would change the entire fabric of the British constitution. This notion was further strengthened by the fact that one of their most vocal protagonists was campaigning for political reform that went far beyond political equality for Dissenters. Joseph Priestley used the occasion of the third attempt at repeal to call for significant changes to Parliament as well as changes to the authority wielded by the monarchy. In the words of one historian, Priestley's campaigning 'fell little short of calls for rebellion'.⁵⁹ The repeal campaign resulted in bitter exchanges between Priestley and Madan. These exchanges further divided local Anglicans and Dissenters.

In the late eighteenth century the Anglican clergy of Birmingham found themselves in an increasingly ambiguous position. On the surface they were relatively fortunate. The Church occupied an important position within a burgeoning industrial town and had recently expanded its seating to accommodate an expanding population. Likewise, the clergy occupied positions which were considered prestigious and

⁵⁷ Robert Hole, *Pulpits, Politics and Public Order in England 1760-1832* (Cambridge, 1989), p. 98.

⁵⁸ Philp, 'Introduction' in *French Revolution and British Popular Politics*, p. 3.

⁵⁹ Clark, *English Society 1660-1832*, p. 403.

provided generous benefices. Members of the Church were becoming increasingly alarmed by the growing threat of Dissent within the town. They were most wary of the Unitarians who counted amongst their numbers a number of influential members of the town. The Unitarians vocal support of the French Revolution only served to heighten Anglican suspicion towards them. The clergy's attempts to censure the more vocal elements of Dissent had failed. On the eve of the riots the Church was in an uncomfortable position.

Protestant Dissenters

Historically, Birmingham has frequently been described as a stronghold of Protestant Nonconformity in eighteenth century Britain. The presence of a substantial minority of Dissenters has often been attributed as a significant factor behind Birmingham's industrial growth.⁶⁰ The primary aim of this section will be to consider the relative strength of the Dissenting congregations within Birmingham. In order to do this it will be necessary to identify which Dissenting denominations existed in Birmingham in the late eighteenth century. This section will also discuss the size and social background of the local Dissenting congregations. This will include a discussion of some of the most prominent Dissenters in Birmingham, including William Russell and William Hutton. Finally, this section will consider to what extent Joseph Priestley was responsible for the breakdown in relations between Anglicans and Dissenters in Birmingham.

The presence of Dissent within Birmingham can initially be dated back to the middle of the seventeenth century. While the enforcement of the Act of Uniformity

⁶⁰ Eric Hopkins, *Birmingham The First Manufacturing Town in the World 1760-1840* (London, 1989), p. 5.

in 1662 provides the first factual evidence of the existence of Dissenting congregations within the town, it is known that they already had some presence in Birmingham before this point. The first written record of a congregation, which existed outside the confines of the established Church in Birmingham, refers to a Quaker meeting first established in 1655. The Quaker Meeting house was situated on Newhall Lane and remained in use until 1703 when a new Meeting House on Bull Street replaced it. Bull Street remained the sole Quaker Meeting House in Birmingham until 1873 although it was expanded in 1778 and again in 1792.⁶¹ Dissent was able to gain a more substantial presence within Birmingham towards the end of the seventeenth century through the Act of Toleration for Nonconformists and Dissenters after the Glorious Revolution of 1689. It was shortly after this time that the Presbyterian meeting houses were established and registered. The Old Meeting on Philip Street was constructed in and registered in 1689 while the Lower Meeting on Moor Street dates back to 1690.⁶² Both were to become a mainstay of the Dissenting presence within Birmingham during the eighteenth century.

During the course of the first half of the eighteenth century other denominations began to establish a presence within Birmingham. The Baptists are believed to have had some presence in the town from the beginning of the century. Despite this, it was not until 1737 that they established their first chapel on Cannon Street. Local Baptists who had previously formed part of a church in Bromsgrove built the chapel.⁶³ By the 1780s the Baptist presence had expanded sufficiently to require a

⁶¹ Rose, 'Religious History: Protestant Nonconformity', in W. B. Stephens, *A History of the County of Warwick*, p. 456.

⁶² Ibid., p. 476.

⁶³ Ibid., p. 435.

further chapel which was built in Bond Street in 1785. The existence of Congregationalists can be dated back to 1748 with the construction of a chapel on Carrs Lane in Birmingham that could accommodate up to 450 worshippers. The chapel was located in one of the poorest parts of Birmingham and was apparently surrounded by 'forty families of paupers'.⁶⁴ The fact that Birmingham accommodated, relatively speaking, a sizeable distribution of Nonconformists possibly encouraged the Swedenborgians to open their first ever chapel in Newhall Street on the eve of the Priestley Riots. They had previously met in a room in Great Charles Street from 1789 until 1791.⁶⁵

Methodism was also rapidly expanding in Birmingham in the later part of the eighteenth century. Their first chapel was located on Steelhouse Lane and had been in use from 1751. With only a small congregation, services were conducted in an outhouse behind a private house. The Methodist presence expanded rapidly in the second half of the eighteenth century. To accommodate the increasing numbers the Methodists moved to a chapel on Moor Street, which was a converted theatre. A more permanent home was found in 1782 when a chapel was built on Cherry Street. It cost £1200 and was opened personally by John Wesley.⁶⁶ This marked the beginning of a period of more rapid expansion of the Methodist presence in Birmingham with further chapels being opened in Bradford Street in 1786 and Belmont Row in 1789.⁶⁷

⁶⁴ Ibid., p. 448.

⁶⁵ Ibid., p. 479.

⁶⁶ Hutton, *A History of Birmingham, second edition*, p. 124.

⁶⁷ Rose, 'Religious History: Protestant Nonconformity', p. 461.

By 1790 there were ten Nonconformist or Methodist chapels in Birmingham in contrast to five main Anglican Churches.⁶⁸ The presence of all the major denominations indicates that Birmingham possessed a dynamic religious culture during the eighteenth century. It is important to emphasise that Dissent is an umbrella term applying to all groups and individuals who refused to conform to the doctrines or practices of the Anglican Church. A wide range of theological differences could be found amongst these groups.⁶⁹ Methodists were not technically regarded as Dissenters until the death of their founder John Wesley in 1791. Methodists were not however completely detached from the term 'Dissent'. They increasingly viewed themselves as a category of Dissent and were often treated as such by others.⁷⁰

Illustration 2 Hanson's map of Birmingham (1781) identifying locations of Nonconformist Meeting Houses⁷¹

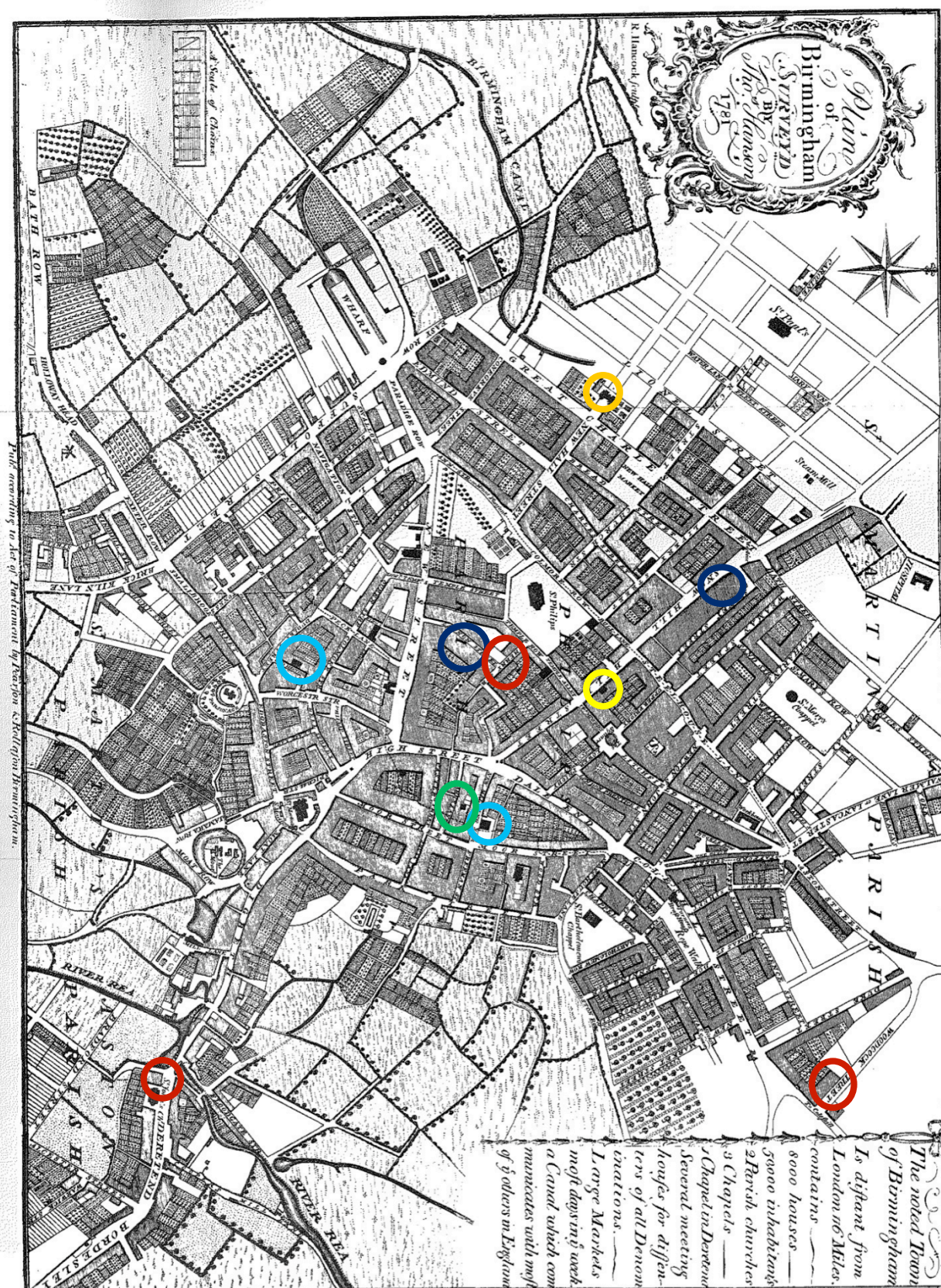
Key: Unitarian: light blue, Independents: green, Quakers: yellow, Methodists: dark red, Baptists: dark blue, Swedenborgians: orange.

⁶⁸ Schofield, *The Enlightened Joseph Priestley*, p. 274.

⁶⁹ David Wykes, 'Introduction', in Isobel Rivers and Wykes (eds.) *Joseph Priestley, Scientific, Philosopher and Theologian* (Oxford, 2007), p. 4.

⁷⁰ Jones, *Industrial Enlightenment*, p. 168.

⁷¹ William Hutton, *An History of Birmingham, The Second Edition* (Birmingham, 1782).



It is not surprising that there was some discord between the different Dissenting denominations, considering the divergent theological beliefs to be found between the groups. According to John Money, the American War of Independence increased tensions between Dissenters in Birmingham. During this period the Dissenters were attempting to recover religious liberties in the form of Sir Henry Houghton's Dissenters' relief bill of 1772 and the Feathers Tavern petition of 1773. These movements were not uniformly popular and were opposed by a number of Dissenting ministers outside of London.⁷² The hostility towards these movements discouraged many Dissenters from opposing the ministry.⁷³ The decision of leaders of the movement to change the justification for the imposition of religious liberties⁷⁴ created a separation between Rational Dissenters (Unitarians) and the 'old' Trinitarian Dissenters. Money argues that as with many towns and cities, this split occurred in Birmingham. Conversely, the attempt to repeal the Test and Corporation Acts served to unite the different denominations behind a single common cause. While Priestley and the Unitarians were often the most vocal denomination in advocating repeal, they were not alone. The Baptist David Bogue's *Reasons for the Repeal of the Test Corporation Acts* (1790) illustrates how the campaign united Dissenters and the movement found strong support from all denominations in Birmingham.

In the eighteenth century, Birmingham developed a reputation for religious disturbances directed against Nonconformists. In 1714, hostility towards Dissenters was attributed by William Hutton to the influence of Dr Sacheverell's preaching at

⁷² Money, *Experience and Identity*, p. 190.

⁷³ Ibid., p. 190.

⁷⁴ Increasingly leaders of the Feathers movement were moving away from the argument concerning historical justification and instead saw the imposition of liberties as the 'claiming of natural rights. See Money, *Experience and Identity*, p190.

Sutton Coldfield.⁷⁵ Sacheverell also provided possible impetus to a Jacobite uprising in 1715. There was an outbreak of popular fury against Presbyterians who were castigated for defending the Hanoverian cause. While the most serious outbreak of rioting in reaction to these events could be found in London,⁷⁶ serious disturbances also took place in Birmingham. These lasted for ten days and during this time, both of the Presbyterian meeting houses were attacked.⁷⁷ The Old Meeting on Philip Street was completely destroyed while the Lower Meeting was ransacked and its contents destroyed. It is believed that the Lower Meeting only avoided sharing the fate of the Old Meeting because the landlord who was not a Presbyterian was able to reach a compromise with the rioters.⁷⁸ Presbyterians were to escape further attention until the riots of 1791. The events of 1715 initiated a pattern that was to continue throughout the eighteenth century in Birmingham with long periods of relative tranquillity being disrupted by intermittent periods of violence directed towards Dissenters. Disturbances were directed against the Methodists in 1751 when their meeting house on Steel House Lane was attacked and the seats and pulpits burned by a hostile crowd. The Quakers meeting was also attacked in 1759.⁷⁹ It was feared that the Gordon Riots in London in 1780 may inspire an outbreak of popular violence against Catholics in Birmingham and although a large crowd gathered, they dispersed peacefully.⁸⁰ Whether these disturbances provide sufficient evidence to claim that an anti-Dissenting tradition existed within Birmingham is open to debate. Dissenters were able to live alongside the rest of the population peaceably for most of the century. It does appear that an undercurrent

⁷⁵ Rose, 'Religious History: Protestant Nonconformity', p. 415.

⁷⁶ For a detailed discussion of the rioting in London see Geoffrey Holmes, 'The Sacheverell Riots: The Crowd and the Church in Early Eighteenth Century London in *Rebellion, Popular Protest and the Social Order in Early Modern England*, edited by Paul Slack (Cambridge, 1984) pp. 232-263.

⁷⁷ Rose, 'Religious History: Protestant Nonconformity', p. 415.

⁷⁸ *Ibid.*, p. 415.

⁷⁹ Jones, *Industrial Enlightenment*, p. 193.

⁸⁰ Rose, *The Priestley Riots of 1791*, p. 71. See also Rose, 'Political History to 1832', pp. 280-1.

of anti-Dissenter feeling could emerge with the stimulus of growing national or local tensions. As relations between the Church and Dissenters fully broke down during the 1780s, a wider anti-Dissenting feeling began to emerge which culminated in the 1791 riots.

Assessing the numerical strength of Protestant Dissenters in Birmingham during this period is fraught with difficulties. Attempting to determine the size of Dissenting congregations before 1720 is almost impossible due to a lack of reliable population figures. Likewise, assessing the size of congregations later in the century is also problematic. This is due to the boundaries for what passed as the Dissenting community changing considerably during the later eighteenth century and the fact that there is no attendance data for many of the meeting houses.⁸¹ As previously noted, Peter Jones estimates that Dissenters accounted for 14.9% of Birmingham's households in the 1750s and around 11.6% of Birmingham's households in the 1770s. These numbers are considerably higher than the estimated 6% of the population for the years after the Priestley Riots. If less than 15% of Birmingham's population were Dissenters, then this would cast doubt on the idea that Birmingham was a stronghold of Dissent in the late eighteenth century. In reality, these numbers do however compare favourably with the percentage of Dissenters nationally which can roughly be estimated at being between 5-10% in the course of the late eighteenth century.⁸² Initially, it is difficult to consider Birmingham a bulwark of Dissenting interest if almost 90% of the population were not actually Dissenters, however the strength of the Nonconformist presence cannot be assessed by examining population figures alone.

⁸¹ Jones, *Industrial Enlightenment*, p. 171.

⁸² *Ibid.*, p. 168.

Contemporaries have frequently asserted that Dissenters were unusually well represented within the town. It is therefore also necessary to examine what kind of people worshipped at these congregations and to consider what influence they had on wider Birmingham society. Michael Watts has argued that in commercial and manufacturing centres where Dissent had a strong presence, those who made up the Dissenting congregations could not be differentiated from the remainder of the town's population in terms of either their wealth and occupation or social status.⁸³ While this may be true of some town's or cities that Watts refers to, such assertions cannot comfortably be applied to Birmingham. Peter Jones has suggested that Dissenters played a role in the Birmingham and West Midlands economy far greater than their relatively small numbers would initially suggest. They enjoyed both wealth and influence disproportionate to their modest numbers and they dominated certain sections of the local economy.⁸⁴ It is important to make some distinctions, as there were marked variations between different congregations. The affluent manufacturers and industrialists who worshipped at Dissenting chapels appear to have primarily done so at either Unitarian or Quaker meetings. In stark contrast, Baptists and Methodists appear to have drawn their worshippers from the lower end of the socio-economic hierarchy. For example, Methodists recruited heavily from the unskilled and semi-skilled labour forces. It is also important to state that large numbers of wealthy individuals were to be found worshipping at Birmingham's Anglican churches.⁸⁵

⁸³ Michael Watts, *The Dissenters: Volume II: The Expansion of Evangelical Nonconformity* (Oxford 1985), p. 354.

⁸⁴ Jones, *Industrial Enlightenment*, p. 174.

⁸⁵ *Ibid.*, pp. 176-77.

Despite Watt's distinctions, an examination of the town's Unitarian congregations at the Old and New Meetings reveals that services were dominated by individuals of considerable wealth and influence. This appears to follow the pattern established at a national level where Unitarian congregations around the country were often dominated by such men.⁸⁶ Theophilus Lindsey's Essex Street chapel in London attracted individuals as notable as Benjamin Franklin, the Dukes of Norfolk and Richmond and a number of barristers.⁸⁷ The New Meeting in particular appears to have been dominated by people of high socio-economic status.⁸⁸

Examples of those individuals who attended Birmingham's Unitarian meeting houses include the metal merchant William Russell who was one of the wealthiest men in Birmingham prior to the riots.⁸⁹ Russell was one of the town's largest employers and also one of its most active citizens. He played an influential role in improving parts of Birmingham's infrastructure including improving roads, streets and lighting and played an equally important role in establishing the town's hospital and public subscription library.⁹⁰ He was also Justice of the Peace for Worcestershire and had served as Low Bailiff in Birmingham.⁹¹ Russell was equally active in national affairs. He was a member of the Society for Constitutional Affairs and played a prominent role in the Dissenters national campaign to repeal the Test

⁸⁶ Gilbert, *Religion and Society in Industrial Britain*, p. 40. See also John Seed, 'Gentleman Dissenters: The Social and Political Meaning of Rational Dissent in the 1770s and 1780s,' *The Historical Journal*, 28, 2 (1985), p. 303.

⁸⁷ Seed, 'Gentleman Dissenters', p. 305.

⁸⁸ Scott, 'The Enquiring Sort', p. 184.

⁸⁹ Gibbs, *Joseph Priestley*, p. 139.

⁹⁰ J. Price, 'Russell, William (1740-1818)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/24349?docPos=17>.

⁹¹ Scott, 'The Enquiring Sort', p. 184.

and Corporation Acts.⁹² It was his involvement in the repeal campaign that earned him notoriety within Birmingham.

Other attendees of the New Meeting include the button manufacturer John Taylor. Taylor was, until the arrival of Mathew Boulton, Birmingham's largest manufacturer and its largest employer. Taylor was also the co-founder of the Taylor and Lloyd banking firm. Taylor had died in 1775 but had handed the reins of the business to his eldest son, John Taylor junior.⁹³ The Ryland family were also regular attendees. John Ryland was a wire-drawer and pin maker⁹⁴ and lived in the substantial Baskerville house in Easy Hill on the outskirts of the town. William Hutton was one of the Old Meeting's noteworthy members. Having arrived in Birmingham in the 1750s, Hutton successfully established a profitable stationary and book-selling business. Hutton was active in local affairs and in 1768 became an overseer of the poor. Hutton later became a commissioner under the Birmingham Improvement Act of 1769 and commissioner of the court of requests, which was responsible for settling small debts within the town. He was also notable for being Birmingham's first historian.⁹⁵ His daughter, Catherine Hutton, was a novelist and letter writer who attended the New Meeting. She had been attracted by Joseph Priestley's reputation as a preacher.⁹⁶

⁹² Money, *Experience and Identity*, p. 220.

⁹³ Gibbs, *Joseph Priestley*, p. 135. See also Jones, *Industrial Enlightenment*, p. 44, pp. 180.

⁹⁴ Gibbs, *Joseph Priestley*, p. 139.

⁹⁵ Elrington, Hutton, William (1723-1815), *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/14317?docPos=2>. See also Money, *Experience and Identity*, p. 8, p. 18.

⁹⁶ Rosemary Mitchell, 'Hutton, Catherine (1756-1846)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/14299>.

Members of Birmingham's most prominent families also regularly attended the Quaker meeting on Bull Street. Among the most well known worshippers was Sampson Lloyd. Lloyd, having arrived in Birmingham from north Wales, was able to establish a prosperous ironmongery business before co-founding the Taylor and Lloyd banking firm with John Taylor.⁹⁷ The Galton family were also notable members of the Quaker Meeting. The Galton's were gun makers, while Samuel Galton Jnr was also a member of the Lunar Society.⁹⁸

Several of Birmingham's wealthiest and most prominent families were Dissenters and this enabled them to wield substantial influence within the town. The ruling elite of Birmingham could be divided into two groups, leading Anglicans and leading Dissenters.⁹⁹ Anglicans were strongly represented amongst the towns governing classes, particularly amongst the magistracy. Despite the limitations imposed by the Test and Corporation Acts, Dissenters were also active in local government. The most important manorial agent was the Low Bailiff who was responsible for summoning the Court Leet, who in turn nominated the town's offices for the following year. Since the beginning of the eighteenth century, this position was traditionally held by a Dissenter.¹⁰⁰ Hutton was chairman of the local small claims court and both Taylor and Russell sat as county justices in Worcestershire. Dissenters also made up a substantial proportion of the local street commissioners.¹⁰¹ This was not unique to Birmingham. John Seed has found that commercial towns where Rational Dissenters had a strong numerical presence

⁹⁷ Jones, *Industrial Enlightenment*, p. 173.

⁹⁸ For more on the Galtons see Barbara Smith, 'The Galtons of Birmingham; Quaker Gun Merchants and Bankers, 1702-1831', *Business History*, IX, 1-2 (1967), pp. 144-6.

⁹⁹ Eric Hopkins, *Birmingham: The First Manufacturing Town in the World 1760-1840* (London, 1989), p. 137.

¹⁰⁰ Jones, *Industrial Enlightenment*, p. 183.

¹⁰¹ *Ibid.*, p. 184.

exhibited a similar profile to Birmingham. Their chapels were dominated by families of substantial merchants and manufacturers with professional men such as physicians also well represented. Some of these individuals sat on the edge of county society and also occasionally served on the magistrate's bench.¹⁰²

That the Methodists, Congregationalists and Baptists tended to attract people lower down the social scale has already been discussed. In the case of the Unitarians and Quakers it would be incorrect to suggest that Taylor and Russell were typical of Unitarian and Quaker laity. Such congregations in other towns typically attracted assorted tradesman, shopkeepers, small-scale manufacturers and other lesser professionals. It was these kinds of people that made up the majority of the congregation while the wealthy merchants and industrialists made up the elite.¹⁰³

Between 1781-5, 42% of attendees at the New Meeting were engaged in either medium scale or small-scale industrial enterprise. In the same period, 56% of the Bull Street Quaker meeting were engaged in such activities. In contrast, only 11% of members of the Cannon Street Baptist Church were involved in industrial activities.¹⁰⁴

Dissenters unquestionably maintained a substantial presence within Birmingham prior to the Priestley Riots. While the number of houses occupied by Dissenters was in slight decline, it would be a mistake to underestimate the power and influence that prominent Dissenters commanded. The Baptist, Congregationalist and newly constructed Methodist chapels provided provision for some of the poorer sections of

¹⁰² Seed, 'A Set of Men Powerful Enough in Many Things': Rational Dissent and Political Opposition in England 1770-1790, in K. Haakonssen (ed.) *Enlightenment and Religion* (Cambridge, 1996), p. 148.

¹⁰³ *Ibid.*, p. 148.

¹⁰⁴ Hopkins, *Birmingham: The First Manufacturing Town*, p. 100.

Birmingham while the town's Unitarians were a prominent force among the town's middle classes.¹⁰⁵ Dissenters were both major employers in Birmingham and wielded substantial influence in local government, sharing power with Anglicans for much of the eighteenth century despite efforts by the latter to wrest away some of that control. Despite the prominent position Dissent occupied in eighteenth century Birmingham, its place in local society is often measured by the presence of one man, Dr Joseph Priestley.

Joseph Priestley

When Joseph Priestley arrived in Birmingham in 1780 there was a cohort of conservative and assertive Anglican clergy who were well placed within the town. There was also a diverse group of Protestant Dissenters who formed a substantial minority. They were prominent among Birmingham's middling sorts and commanded a disproportionate influence in local government. Despite a spirit of cordiality there were growing tensions between the two groups based largely on national issues such as the war in America and the Dissenters' campaign to repeal the Test and Corporation Acts.¹⁰⁶ As will be shown, Priestley's arrival in Birmingham not only served to further exacerbate these tensions but create entirely new ones as well.

Before arriving in Birmingham, Priestley had served as Tutor of Warrington Academy, minister of Mill Hill chapel in Leeds and librarian to the reforming 2nd Earl of Shelburne at Bowood. Priestley was initially brought to Birmingham by the

¹⁰⁵ Scott, *The Enquiring Sort*, p. 186.

¹⁰⁶ See Money, *Experience and Identity*, chapter 8.

advantages the town offered for his scientific pursuits. He also wanted to be nearer to his brother in law, John Wilkinson, who had emerged as a generous benefactor.¹⁰⁷ He did not arrive with the expectation of resuming his ministerial duties. Within a month of Priestley's arrival one of the ministers of the New Meeting resigned and an invitation was made for Priestley to replace him. The position was likely to have been very attractive. Although the New Meeting contained a cross section of theological viewpoints,¹⁰⁸ it was reputed to have been leaning towards Unitarianism since 1746.¹⁰⁹

When Priestley arrived in Birmingham the local clergy would not have greeted him enthusiastically. Priestley had already garnered a reputation as an outspoken opponent of the Church. He had been enthusiastic in his support of the colonists of America, he had also strongly supported the Dissenters' relief Bills in 1772 and 1773 and had promoted the disestablishment of religion.¹¹⁰ Not long after his arrival Priestley was to publish what could perhaps be considered as his most controversial work, his *History of the Corruptions of Christianity* (1782). In this Priestley tried to trace everything that he regarded as a corruption in the Christian faith from its beginnings.¹¹¹ He launched a scathing attack on the primary elements of the Christian doctrine; the concepts of the Trinity and predestination. The doctrine of the Trinity was described by Priestley as 'corrupt'.¹¹²

¹⁰⁷ Wykes, 'Joseph Priestley: Minister and Teacher', in *Joseph Priestley, Scientific, Philosopher and Theologian*, p. 40.

¹⁰⁸ Wykes, 'A finished Monster of the true Birmingham breed', p. 45.

¹⁰⁹ Rose, 'Religious History: Protestant Nonconformity', p. 416.

¹¹⁰ Schofield, *The Enlightened Joseph Priestley*, p. 264.

¹¹¹ Gibbs, *Joseph Priestley*, p. 171.

¹¹² Wykes, 'Joseph Priestley: Minister and Teacher', p. 41.

Priestley's rejection of the Trinity caused particular anger amongst Churchmen across Britain. This resulted in very public disputes with prominent Anglican Bishops including Samuel Horsley and George Horne.¹¹³ In the case of Horsley, the resulting exchanges led to a fierce controversy between the two and lasted for several years.¹¹⁴ In the course of these exchanges Priestley published another controversial publication, *The Importance and Extent of Free Enquiry in Matters of Religion* (1785). This pamphlet reiterated his stance on the Trinity but also contained perhaps Priestley's single most controversial statement. During his time in Birmingham. In discussing the actions of the Unitarians, he said 'We are, as it were, laying gunpowder, grain by grain, under the old building of superstition, which a single spark may hereafter inflame, so as to produce an instantaneous explosion'.¹¹⁵ Some historians have sought to play down this significance of this statement, claiming that Priestley was merely stating that the Anglican clergy were placing themselves in a perilous situation.¹¹⁶ The statement may also be referring to how unsustainable the existing establishment was in light of new scientific discovery. The true meaning of Priestley's writing is largely irrelevant; the way in which it was perceived is of much greater significance. Priestley's controversial choice of prose was used despite the advice of colleagues and friends such as Josiah Wedgwood who regarded it as inflammatory.¹¹⁷ As Boyd Hilton observes, the gunpowder metaphor

¹¹³ For Priestley's dispute with Horne see Nigel Aston, 'Horne and Heterodoxy: The Defence of Anglican Beliefs in the Late Enlightenment', *The English Historical Review*, 108, 429 (1993), pp. 895-919.

¹¹⁴ Hole, 'Horsley, Samuel', (1733-1806), *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/13820?docPos=1>.

¹¹⁵ Joseph Priestley, *The Importance of Free Enquiry in Matters of Religion* (Birmingham, 1785), pp. 40-1.

¹¹⁶ Sheps, 'Public Perceptions of Joseph Priestley', p. 54. Gibbs also claims that in context the statement 'seems harmless enough', p. 173.

¹¹⁷ Gibbs, *Joseph Priestley*, p. 173.

proved to be a prophetic comment considering the fate that would befall his own house in the riots of 1791.¹¹⁸

Some historians have claimed that intellectually Priestley was the victor in his exchanges with Horsley.¹¹⁹ Whether this is true is debatable. What is of greater significance is the effect of the theological dispute upon Priestley's own reputation. Instead of answering Priestley's arguments directly Horsley aimed to destroy the authority of his name.¹²⁰ In this, he had some success and was evidently aided by Priestley's own ill-advised choice of prose. These exchanges began to shape a negative public perception of Priestley, painting him as a dangerous radical who wanted to bring down the Church. This was only reinforced by the infamous gunpowder metaphor, which earned him the nickname of 'Gunpowder Joe'. The obvious connotations associated with gunpowder and revolutionaries only strengthened the conviction that Priestley was the propagator of dangerous ideas.

Priestley earned further notoriety through his involvement in the Dissenters' attempts to repeal the Test and Corporation Acts. Together with Richard Price, Priestley was at the very forefront of the campaign.¹²¹ His close friend William Russell led the local campaign for repeal. As will be discussed later in this chapter, Priestley's *Letter to the Right Honourable William Pitt* (1787) at the outset of the first repeal attempt did much to infuriate the local clergy. He produced one of the first replies to Edmund Burke's *Reflections on the Revolution in France*, which marked the beginning of the conservative reaction to the French Revolution. In his *Letters to the*

¹¹⁸ Boyd Hilton, *A Mad, Bad and Dangerous People? England 1783-1846* (Oxford, 2008), p. 446.

¹¹⁹ Hole 'Horsley, Samuel (1733-1806)'.

¹²⁰ Gibbs, *Joseph Priestley*, p. 172.

¹²¹ Roy Porter, *English Society in the 18th Century* (London, 1991), p. 345.

Right Honourable Edmund Burke (1791) Priestley denounced Burke's fears that the French Revolution would result in anarchy and ultimately dictatorship. The French Revolution was likened to that of America's. Priestley also expressed his desire for a more open, egalitarian, humane and prosperous England based on the American model.¹²² He again called for the disestablishment of the Church. The dangers of an established clergy maintained by public property were also discussed at length.¹²³

Having already engaged in controversy with one member of the local clergy, Spencer Madan, in regards to the Test and Corporation Acts, Priestley proceeded to participate in another bitter exchange. In reply to Burn's *Letters to the Reverend Dr Priestley* (1790), Priestley composed his retort in *Letters to the Rev. Edward Burn* (1790). This was published just before Parliament debated the third repeal motion. The letters were primarily concerned with defending the Unitarian faith¹²⁴ They also discussed the impending repeal vote in some detail. In the preface Priestley warned the clergy of 'the violence and folly of their conduct, and the probable consequences of it.'¹²⁵ Priestley's claim, that it was 'with reluctance',¹²⁶ that he intervened in the debate over the repeal of the Test and Corporation Acts was misleading. Far from being a bystander, Priestley, along with William Russell, was a prime mover in the local repeal campaign and a prominent figure in the national campaign.

By this stage, the local theological-political controversy had developed a pattern.

Priestley's exchanges with Madan focused primarily on politics while his altercations

¹²² Marilyn Butler (ed.), *Burke, Paine, Godwin and Revolution Controversy* (Cambridge, 1984), p. 84.

¹²³ Claeys, 'The Reflections refracted', p. 48.

¹²⁴ See Burn, *Letters to the Reverend Dr Priestley, on the Infallibility of Apostolic Testimony, Concerning the Person of Christ* (Birmingham, 1790).

¹²⁵ See Anon, *The following extracts from a preface to a late publication, entitled, "Letters to the Rev. Edward Burn, of St. Mary's chapel, Birmingham" by Dr Priestley* (Birmingham, 1790), p. 4.

¹²⁶ Priestley, *An Appeal to the Public*, p. 18.

with Burn discussed theology and scripture. Despite the attacks directed against him, Priestley remained unmoved. His *Familiar Letters to the Inhabitants of Birmingham* (1790) provoked further resentment.¹²⁷ Over the course of 270 pages, Priestley returned to the major controversies of the 1780s and renewed his attack upon the local clergy. Priestley ridiculed the intransigence of the Church and dared Madan and Burn to admit that on scriptural and historical grounds they were wrong about the trinity and the divinity of Christ. Their opposition to the repeal of the Test and Corporatio Acts was also described as arising from 'bigotry' and 'prejudice'.¹²⁸

Priestley's vociferous writing was to have consequences beyond Birmingham. By 1790 he was attracting the attention of political satirists. James Sayer's February 1790 print, *The Repeal of the Test Act: A Vision* marked the second time that Priestley appeared in satirical print. Sayers predicted the potential results if the Acts were repealed in a forthcoming parliamentary debate. In the print, Dissent was explicitly associated with French secularism and with republicanism.¹²⁹ Joseph Priestley featured prominently in the print. He was depicted as bellowing hot air onto a congregation, the hot air symbolising Atheism, Deism, Socinianism and Arianism.¹³⁰ The print also depicts an American flag whose revolutionary rejection of the British monarchy Priestley had supported in his writings.¹³¹ Richard Clay has suggested that Sayers is warning that the heated, allegedly godless utterances of Priestley and his allies could lead to a revolution in Britain.¹³²

¹²⁷ See Priestley, *Familiar Letters Addressed to the Inhabitants of Birmingham* (Birmingham, 1790).

¹²⁸ A succinct overview of Priestley's main arguments can be found in Stephen Bygrave, 'I Predict a Riot': Joseph Priestley and the Languages of Enlightenment in Birmingham in 1791, *Romanticism*, 18, 1 (2012), p. 72.

¹²⁹ Sheps, 'Public Perceptions of Joseph Priestley', p. 52.

¹³⁰ *Ibid.*, p. 52.

¹³¹ Clay, 'Riotous images: representations of Joseph Priestley in British prints during the French Revolution', *History of Education*, 35: 4 (2008), p. 590.

¹³² *Ibid.*, p. 590.

Illustration 3 *The repeal of the Test Act a Vision* (1790) by James Sayers¹³³



In the months prior to the riots, Priestley was appearing more and more frequently in satire. In James Sayers *Mr Burke's Pair of Spectacles for Short-sighted Politicians* (1791). Priestley is depicted as single handedly leading an attack on the religious authority of the Anglican Church.¹³⁴ His intervention in the debate on the French Revolution and his public admonishment of Burke's *Reflections* doubtlessly contributed to his

¹³³ Birmingham Central Library, Archives Department (hereafter BCL) IIR10/73449. Timmins Collection.

¹³⁴ Clay, 'Riotous images', p. 592.

prominence in Sayers caricature. Only two weeks before the riots Priestley appeared again in satire in the form of *Doctor Phlogiston: Politician or the Political Priest* (1791). This linked Priestley with atheism and sedition. In the print he wielded firebrands and emerging from his pockets were writings on Dissenters' rights and attacks on orthodoxy.¹³⁵ Such depictions continued to strengthen the negative public perception of Priestley that had been increasing during the 1780s.

There is little disputing the fact that Dissent maintained a significant presence in Birmingham in the late eighteenth century. While, numerically speaking, the number of Dissenters was in slight decline and accounted for only ten percent of the population, their strength should be measured in factors other than numbers. Just as the Anglican clergy maintained a local power base of confident and assertive individuals such as Spencer Madan or Edward Burn, the same could be applied to the local Dissenting congregations, especially the Old and New Meetings.

Prominent Dissenting families could be found working within local government, while the presence of Joseph Priestley ensured that the New Meeting in Birmingham was one of the leading congregations in the country engaged in politics and reform. Priestley's presence in Birmingham helped to portray local Dissenters as outspoken and vociferous opponents of the Church. While the Unitarian and Quaker meetings tended to be occupied by wealthy and influential bourgeoisie, the expanding Methodist congregations were increasingly attracting more of the poorer sections of the town's population. Local Anglicans were highly sensitive to the influence that Dissenters wielded and were concerned by the continued attacks made by Priestley upon their establishment.

¹³⁵ Sheps, 'Public Perceptions of Joseph Priestley', p. 55.

Religious Tensions in 1780s Birmingham

Having considered the relative positions occupied by the Church and Dissenters in late eighteenth century Birmingham, it is now important to further scrutinise the conflicts that broke out between the two groups in advance of the Priestley Riots. Barrie Rose has suggested that it was not until the eve of the riots that any distinction was made between upper class Churchmen and Dissenters in Birmingham.¹³⁶ Such conclusions cannot be supported by either contemporary or secondary evidence. John Money has argued that the American War and the beginnings of Dissenters' attempts to repeal the Test and Corporation Acts had precipitated a cooling of relations even before Priestley's arrival in Birmingham. As will be shown, the period between 1780-1791 witnessed a rapid deterioration in this decline.

The relationship between Anglicans and Dissenters before Priestley's arrival has attracted conflicting interpretations from both contemporaries and historians. Joseph Priestley claimed that, upon arriving in Birmingham, he noticed 'the spirit of party...ran higher than in most other places in the kingdom'.¹³⁷ Priestley claimed that local Anglicans refused to go into the same coach with Dissenting ministers or walk with them in the procession.¹³⁸ The cause of this party spirit, Priestley claimed was because Dissenters were in possession of all the civil power in Birmingham.¹³⁹ It

¹³⁶ Rose, 'The Priestley Riots of 1791', p. 70.

¹³⁷ Priestley, *An Appeal to the Public on the Subject of the Late Riots in Birmingham: To Which are Added Strictures on a Pamphlet Intituled Thoughts on the Late Riot at Birmingham*, (London, 1791), p. 4.

¹³⁸ Priestley, *An Appeal to the Public*, p. 4.

¹³⁹ Priestley, *An Appeal to the Public*, p. 8.

is possible that Priestley exaggerated the animosity that already existed between in an attempt to exculpate himself for responsibility in causing the riots.

The first major point of contention occurred over the Birmingham library's decision to stock controversial theological writings. The library was established in 1779 by a group of men who were primarily Dissenters. John Lee, a Unitarian button maker, had played an influential role in the establishment of the library and it was within his rooms that the library was originally housed.¹⁴⁰ The library was managed by a committee of subscribers. As an organisation it was initially primarily made up of Dissenters but also received support from the local Anglican Church. During the course of the decade, members of the Church were able to exert a much greater influence over the library. By the middle of the decade the committee was dominated by local Anglicans. Prominent local clergy, such as Spencer Madan, became influential members of the committee of subscribers. Joseph Priestley also maintained a strong interest in the public library and had since his arrival in Birmingham provided it with considerable support. Contemporaries were in agreement that Priestley had played a significant role in transforming the library from a small institution which catered for a minority to one that was successfully reaching wider sections of the Birmingham populace.¹⁴¹

Tensions arose in 1786 with the decision to stock Priestley's *History of the Corruptions of Christianity* (1782). The circumstances surrounding the decision to purchase this

¹⁴⁰ Hunt, *A History of the Birmingham Library 1779-1979: A Bicentenary Reappraisal* (Birmingham, 1979), p. 2.

¹⁴¹ See Burn, *A Reply to the Reverend Dr Priestley's Appeal to the Public on the subject of the late Riots at Birmingham in Vindication of the Clergy and other respectable inhabitants of the Town*, (Birmingham, 1792) p. 13; J. Edwards, *Letters to the British Nation and to the Inhabitants of Every Other Country* (Birmingham, 1792), p. 11.

pamphlet remain difficult to ascertain.¹⁴² As previously discussed, the committee of subscribers was, at this point, dominated by members of the Church. Priestley claims to have opposed the inclusion of his work on the basis of a preference that the library did not include any books that could be considered controversial.

Furthermore William Russell was the only Dissenter present at the meeting where the decision was made to purchase the book and he apparently voted against it.¹⁴³ A direct result of this disagreement was that four local clerics including Spencer Madan decided to withdraw their membership from the library although all later reinstated their membership. What is perplexing about this entire affair is that it appears that those committee members who voted for the inclusion of Priestley's *Corruptions of Christianity* were Anglicans.¹⁴⁴ Edward Burn claimed that the decision by Madan and his colleagues to withdraw their membership was because they thought that the introduction of Priestley's writings was inconsistent with the original design of the institution.¹⁴⁵ Their opinion was not incompatible with that of Priestley's. Priestley had argued that theological texts of a controversial nature should not be permitted unless funds were available to purchase books from both sides of the theological dispute. Where the difference appears to have occurred is that Madan and certain other members of the Church seemed determined to prevent any theological works that attacked the Church from being available through the library.¹⁴⁶

¹⁴² There are a number of contemporary accounts relating to this controversy including Anon, *A Fair Statement of Facts, Containing a Short Account of the Institution of the Birmingham Library*, (Birmingham, 1789); Priestley, *An Appeal to the Public*, pp. 78-81; Burn, *A Reply to Dr Priestley's Appeal*, pp. 4-12.

¹⁴³ Priestley, *Appeal to the public*, p. 11.

¹⁴⁴ No contemporary account of this dispute actually states that Anglicans voted for the purchase of Priestley's *History of the Corruptions of Christianity*. If William Russell was the only Dissenter present at the meeting where the decision was actually made, then Anglicans must supported the inclusion of Priestley's pamphlet, although their motives for doing so remain unclear.

¹⁴⁵ Burn, *A Reply to Dr Priestley's Appeal*, p. 12.

¹⁴⁶ Scott, 'The Enquiring Sort', p. 222.

At this point Priestley took the decision to withdraw his assistance from the library. This was only temporary as by 1790 he could again be found on the committee of subscribers. Priestley's decision to withdraw from the committee provoked the condemnation of Edward Burn. Priestley later defended his involvement with the library, suggesting that he hoped it would bring 'reading and thinking to the town'. In describing his own actions with respect to the business of the library, 'it was not possible for any man to act with any more liberality than I did'.¹⁴⁷ Priestley may have overstated his case but it appears that in regards to the dispute over the library he did very little wrong. The decision to stock his *History of the Corruptions* was apparently taken against his wishes. Priestley's decision to withdraw his membership from the committee of subscribers over the dispute was misguided, his actions could not be considered any worse than that of some of the clergy. The result of the fall out was to divide the body of subscribers along party lines.¹⁴⁸ Priestley's own involvement in this dispute may have been minimal but it was to set a precedent of confrontation between Priestley and the local clergy in Birmingham in the second half of the 1780s.

A further area of dispute between Dissenters and Anglicans arose over the initially unassuming subject of Sunday schools. The national Sunday school movement began in the 1780s.¹⁴⁹ In Birmingham, the establishment of Sunday schools can be dated back to 1784. Initially the movement spread across all denominations,

¹⁴⁷ Priestley, *An Appeal to the Public on the Subject of the Late Riots at Birmingham. Part II* (Birmingham, 1792), p. 31.

¹⁴⁸ Jones, *Industrial Enlightenment*, p. 190.

¹⁴⁹ For the most comprehensive discussion of this subject see Malcolm Dick, *English Conservatives and Schools for the Poor c. 1780-1833, School of Industry and the Philanthropic Society's School for Vagrant and Criminal Children*, unpublished PhD thesis, University of Leicester (1979).

marking an example of co-operation between Anglicans and Dissenters. The primary aim of these schools was to provide an education for the children of manufacturers.¹⁵⁰ The responsibility for organising the Sunday schools lay with members of all denominations involved. The process appears to have been dominated by members of the established Church from the beginning. Charles Curtis played a leading role in initiating the scheme and was one of its primary supporters.¹⁵¹ Members of the local clergy could be found organising the schools, which were held at Anglican churches and chapels. The schools were attended by children of all denominations.¹⁵² The Sunday schools were undoubtedly of considerable importance to the local clergy as they provided one way in which to reach sections of the poorer community in Birmingham.

The town's Dissenters had initially agreed to the idea that all the Sunday schools would take place in Anglican churches. It was not long before they began to campaign for the right to run their own schools. These attempts were frustrated by the clergy who were openly hostile to the idea.¹⁵³ Matters came to a head in 1786 when the Unitarians lobbied for their children to be able to attend a Dissenting service after their Sunday school rather than an Anglican one. This was voted on by the committee responsible for the running of the Sunday schools and narrowly rejected. The Unitarians then made a second attempt in 1787 this was also rejected by the committee. In this case, the deciding vote was apparently cast by Charles Curtis, who used his authority as chair of the committee to reject the motion. Curtis was apparently motivated by the desire for Sunday schools to be exclusively

¹⁵⁰ John Alfred Langford, *A Century of Birmingham Life: Or a Chronicle of Local Events: From 1741 to 1841* (Birmingham, 1868), p. 410.

¹⁵¹ Scott, 'The Enquiring Sort', p. 226.

¹⁵² Langford, *A Century of Birmingham Life*, p. 410.

¹⁵³ Money, *Experience and Identity*, p. 220.

Anglican establishments.¹⁵⁴ As a result, the combined organisation broke down and the Unitarians departed to establish their own schools. While Baptists and Independents continued to collaborate with the Church, this fallout marked the beginning of the end of interdenominational Sunday schools in Birmingham.

After the riots, Joseph Priestley portrayed the decision of the local clergy not to allow Dissenters to establish their own Sunday schools as a further example of the ‘absurd’ and ‘long-standing’ bigotry which resided within Birmingham.¹⁵⁵ Edward Burn defended the role of the clergy in the resulting commotion. He suggested that the establishment of Nonconformist Sunday schools could have resulted in children not attending any place of worship at all.¹⁵⁶ Burn also suggested that on this issue there existed disagreement among the ranks of Dissenters. He accused Priestley of ‘deliberately ignoring some Dissenters wishes’.¹⁵⁷ This did not stop Priestley considering the conduct of the clergy in regards to Sunday schools to be the product ‘of the most contemptible bigotry’.¹⁵⁸ The motivation behind the clergy in opposing the establishment of Nonconformist Sunday schools is not difficult to discern. Curtis and his colleagues were motivated by the desire to protect children (and particularly poor children) from potentially being exposed to dangerous ideas, which it was feared would happen if the Dissenters were able to run their own Sunday schools.¹⁵⁹ The coming of the French Revolution in 1789 only served further to strengthen the Birmingham clergy’s resolve on this issue, as there was increasing concern that those children taught to read could be easily influenced if they read publications by the

¹⁵⁴ Scott, ‘The Enquiring Sort’, p. 228.

¹⁵⁵ Priestley, *An Appeal pt II*, p. 23.

¹⁵⁶ Burn, *A Reply to Dr Priestley’s Appeal*, p. 8.

¹⁵⁷ Burn, *A Reply to Dr Priestley’s Appeal*, p. 12.

¹⁵⁸ Priestley, *An Appeal pt II*, p. 26.

¹⁵⁹ Scott, ‘The Enquiring Sort’, p. 228.

likes of Joseph Priestley.¹⁶⁰ This caused further tension between Anglicans and Dissenters as Anglicans witnessed their fear of independent Dissenting Sunday schools with the potential to spread dangerous ideas turn into a reality.

Although the Sunday schools established by the Unitarians were at first relatively small scale, their mere presence was a source of consternation amongst local Anglicans.¹⁶¹ That Joseph Priestley played such a significant role in the establishment of the Unitarian Sunday schools only exacerbated this consternation. He was the first name on the committee that was tasked with establishing the Unitarian Sunday school.¹⁶² It is possible that Priestley's involvement in the campaign for independent Dissenting schools and the potential influence of his radical ideas played its part in the suspicion and distrust within which the Unitarians' attempts to form separate schools was met with by the local clergy.

It was not only in Birmingham that Sunday schools led to a decline in relations between Anglicans and Dissenters. The appendices of Priestley's *Appeal to the Public part II* included *An Account of the High-Church Spirit which has long prevailed at Stourbridge*.¹⁶³ In this account the author accused the clergy of Stourbridge of deliberately preventing children of poor Dissenters from gaining access to Sunday schools.¹⁶⁴ This accusation was strenuously denied by the reverend Robert Foley, who, as minister for Cradley, was one of those accused. Foley claimed to have never witnessed a single instance of partiality or personal bias in relation to the admission

¹⁶⁰ Scott, 'The Enquiring Sort', p. 229.

¹⁶¹ Langford, *A Century of Birmingham Life*, p. 421.

¹⁶² Scott, 'The Enquiring Sort', p. 230.

¹⁶³ Priestley, *An Appeal pt II*, pp. 197-206.

¹⁶⁴ 'An Account of the High-Church Spirit which has long prevailed at Stourbridge', in J. Priestley, *Appeal pt II*, p. 204.

of children into Sunday schools.¹⁶⁵ Regardless of whether this is true, it is apparent that the controversy over Sunday schools was to have far greater significance in Birmingham. John Money argues that ‘in one of their most influential aspects of their relationship with the community, Church and Dissent were now divided against each other.’ Furthermore, ‘much of their pastoral work henceforth assumed the form of a mutual battle for the minds of the younger generation’.¹⁶⁶ Certainly this controversy, however outwardly insignificant, was an important part in the piecemeal decline in relations between Dissenters and Anglicans in Birmingham.

If one issue did more than any other in Birmingham to cause animosity between Anglicans and Dissenters then it was the local Dissenters’ involvement in the campaign to repeal the Test and Corporation Acts. The campaign was conducted on a national level and encompassed Dissenters from all denominations. The Corporation Act was introduced in 1661 and was intended to restrict membership of a municipal or chartered corporation to communicant members of the Church of England. The Test Act dates from 1673 and was intended to exclude Catholics and other non-Anglicans from holding military or civil office.¹⁶⁷

The first attempt to repeal these acts was made in March 1787. Joseph Priestley claimed to have had no involvement in this attempt, suggesting the movement for repeal was entirely organised by Dissenters in London.¹⁶⁸ Such claims are totally inaccurate. Birmingham Unitarians and in particular Priestley and William Russell

¹⁶⁵ Robert Foley, *A letter to Dr Priestley in answer to the appendix (No. 19) of his appeal to the public on the subject of the late riots at Birmingham, part II* (London, 1793), p. 12.

¹⁶⁶ J. Money, *Experience and Identity*, p220.

¹⁶⁷ Robert Cornwall and William Gibson, ‘Introduction’, in Cornwall and Gibson (eds.) *Religion, Politics and Dissent, 1660-1832 Essays in Honour of James E. Bradley* (Farnham, 2010), p. 2; D. Wykes and I. Rivers, ‘Introduction’ in *Joseph Priestley: Scientist, Philosopher and Theologian*, pp. 3-4.

¹⁶⁸ J. Priestley, *Appeal to the public*, p. 15.

were prominent in the move for repeal from the start. Russell, in particular, was a leading player in the national repeal movement.¹⁶⁹ During this first attempt at repeal Priestley wrote and published a letter to Prime Minister William Pitt the Younger. In it he criticised Pitt's opposition to abolishing the Test and Corporation Acts. While Priestley cites his involvement as 'accidental',¹⁷⁰ it directly contradicts his earlier contention that he had no involvement in repeal movement. His letter was to cause great offence to not only Pitt and other members of parliament but also the Anglican clergy in general. Priestley reminded Pitt that his tenure as Prime Minister had been a disappointment to those who had come to expect ecclesiastical and political reform from him.¹⁷¹ Pitt had previously made clear that he was concerned that if the Dissenters were allowed this measure of relief then they would make further demands.¹⁷² In his letter to Pitt, Priestley agreed and proceeded to elaborate on what they would demand, including a repeal of the law which made it blasphemy to impugn the doctrine of the trinity.¹⁷³ This letter not only offended Pitt and many of the clergy but also some Dissenters, who felt that their aspirations were being misrepresented.¹⁷⁴ Even Priestley himself seems conscious that his letter caused 'great offence' but because it was published in London and made no particular reference to Birmingham he claimed to be oblivious to how this could have an effect on relations at Birmingham.¹⁷⁵ At best this can be seen as naïve. The involvement of the Birmingham Dissenters in the attempt to repeal the Test and Corporation Acts further contributed to a further deterioration in their relations with the local clergy. The first motion brought before parliament was defeated

¹⁶⁹ See J. Money, *Experience and Identity*, p. 220; Jones, *Industrial Enlightenment*, p. 191 and Rose, 'The Priestley Riots of 1791', p. 71.

¹⁷⁰ Priestley, *Appeal to the public*, p. 16

¹⁷¹ Cited in A. Sheps, 'Public Perceptions of Joseph Priestley', p. 52.

¹⁷² Gibbs, *Joseph Priestley*, p. 176.

¹⁷³ Priestley, *Appeal to the Public*, p. 15.

¹⁷⁴ Gibbs, *Joseph Priestley*, p. 176.

¹⁷⁵ Priestley, *Appeal to the Public*, p. 17

comfortably by seventy-eight votes. Subsequent attempts by Dissenters to repeal the acts ensured that this remained a contentious issue in Birmingham.

Priestley's involvement in the first attempt to repeal the Test and Corporation Acts made him the target of sustained criticism from members of the Anglican clergy. In 1788 George Croft published his *Cursory Observations in Respect to Dr Priestley* in which he directly attacked Priestley for supporting the attempt to repeal the Test and Corporation Acts. Croft maintained that the acts should not be abolished on account of the fact that Dissenters were republicans and were enemies of Church and state.¹⁷⁶ Croft was to later give sermons defending the Test Acts. At this point Croft had no tangible connection with Birmingham. His defence of the Test and Corporation Acts and his reputation as an established opponent of Joseph Priestley are likely to have aided his appointment to the lectureship of St Martin's in 1791.

It is initially difficult to understand why Birmingham Dissenters were such vociferous supporters of the attempt to repeal the Test and Corporation Acts. James Bradley has noted that despite the restrictions imposed by the acts, Dissenters were relatively free to advance in local and national government and did so in a local setting in surprisingly large numbers.¹⁷⁷ This was certainly the case in Birmingham where Dissenters were active in local government and even from the magistrate's bench. They were also well represented in the ranks of street commission and in the Court of Requests. John Taylor and William Russell both sat as County Justices.¹⁷⁸ Priestley acknowledged that locally, few, if any, Dissenters were excluded from civil

¹⁷⁶ Croft, *Cursory Observations in Respect to Dr Priestley* (Birmingham, 1788), p. 2.

¹⁷⁷ James Bradley, *Religion, Revolution and English Radicalism: Nonconformity in Eighteenth Century Politics and Society* (Cambridge, 1990), p. 37.

¹⁷⁸ Jones, *Industrial Enlightenment*, p. 184.

offices with in which they serve.¹⁷⁹ From this, it is difficult to understand why Birmingham Dissenters were so concerned with the repeal movement. Peter Jones argues that the restraints of the Test and Corporation Acts underlined the shortcomings of the toleration Act. Despite this, Jones suggests it was uncertain whether the bulk of Dissenters considered the issue of repeal really worth fighting for.¹⁸⁰ Priestley and Russell undoubtedly did.

The repeal movement was to cause considerable uneasiness amongst Anglicans nationally. To them the acts represented, in the words of Robert Hole, ‘the sacred alliance of Church and state, the cornerstone of the constitution. To attack the Church establishment on the grounds of religious liberty was to appeal to an abstract right against the very foundation of the British constitution’.¹⁸¹ Disputes over the potential repeal of the Acts raged in the provinces, with those in Birmingham being particularly bitter. It is no coincidence that contemporary accounts of the Priestley Riots frequently suggested that Dissenters’ attempts to repeal the Test and Corporation Acts were one of the principal causes of the riots. In the words of one ‘authentic account’, they ‘excited much alarm and apprehension among many of the established clergy and was most forcibly felt by those residing in Birmingham’.¹⁸²

The national debate sparked a bitter controversy in Birmingham between Spencer Madan and Joseph Priestley. On 14 February 1790 Madan published a sermon, *The*

¹⁷⁹ Priestley, *An Appeal to the Public*, p. 13.

¹⁸⁰ Jones, *Industrial Enlightenment*, p. 190.

¹⁸¹ Hole, *Pulpits, Politics and Public Order*, p. 125.

¹⁸² Anon, *An Authentic Account of the Riots in Birmingham on the 14th, 15th, 16th and 17th days of July; also the judges charge and pleadings of the counsel, and the substance of evidence given on the trials of rioters, and an impartial collection of letters, written by supporters of the establishment and the dissenters in consequence of the tumults* (Birmingham, 1791), p. vi.

Principal Claims of the Dissenters Considered. In it he charged Priestly and his fellow Unitarians as being enemies of church and state because they were attempting to get the Test and Corporation Acts repealed.¹⁸³ Priestley then published his *Familiar Letters Addressed to the Inhabitants of Birmingham* (1790). In these letters Priestley attacked the Test Act's legal requirement of 'occasional conformity as a prostitution of sacred ordinance'. Priestley went further, attacking the established Church and claiming there was no need for its existence.¹⁸⁴ This exchange served only to increase the bitterness felt between Priestley and the Birmingham clergy.

This is certainly reflected in Edward Burn's reply to Priestley's *Appeal*. Despite this, Burn suggested that the issue of repealing the acts was not the primary cause of the clergy's indignation towards Dissenters. Instead he suggested that Priestley's letter to Pitt caused greater offence. Burn argued that until Priestley's letter to Pitt appeared, the issue of repeal had excited little attention within the town. He also claimed that many members of the establishment, including some clergy, up until that point entertained strong doubts on the propriety of continuing these restrictions.¹⁸⁵ It was Priestley's letter to Pitt however that 'gave great, just and general offence'.¹⁸⁶ Priestley denied this, countering that 'it was the extreme of bigotry, the same that had existed long in the place before I went there' that led to the clergy opposing the Dissenters attempts to repeal the Test and Corporation Acts.¹⁸⁷

Subsequent attempts to repeal the Test and Corporation Acts were to excite further controversy. The second motion was brought in May 1789 and narrowly defeated in

¹⁸³ Schofield, *The Enlightened Joseph Priestley*, p. 274.

¹⁸⁴ Ibid.

¹⁸⁵ Burn, *A Reply to Dr Priestley's Appeal*, p20.

¹⁸⁶ Ibid., p22.

¹⁸⁷ Priestley, *An Appeal part II*, p. 36.

the Commons by 122 votes to 102. In Birmingham, Priestley's decision to take a back seat in the 1789 campaign partly explains why the issue attracted relatively little contention in Birmingham when compared to either the 1787 or 1790 repeal attempts.

The third repeal attempt in 1790 proved to be far more controversial. It altered the relationship between Anglicans and Dissenters nationally and marked the final step in the total breakdown in relations between the two groups in Birmingham. The outbreak of the French Revolution may have given renewed impetus to the Dissenters repeal campaign, but it had the same effect on Anglicans opposition to it. The Dissenters decision to link their advocacy of political rights with their enthusiasm for the French Revolution spectacularly backfired. It only rekindled and inflamed old sectarian antagonisms.¹⁸⁸

Before the motion came before parliament Dissenters made very public efforts to mobilise support for the campaign. Meetings in relation to the repeal attempt were called throughout the country in December. The clergy became increasingly alarmed that opposition was being organised against them in towns such as Birmingham.¹⁸⁹ Joseph Priestley returned to the fore of the campaign. In November 1789 Priestley's *Conduct to be Observed by Dissenters* was published. This sermon reiterated the rights that he felt Dissenters were entitled to but emphasised only peaceful tactics should be employed.¹⁹⁰ Priestley claimed that this was one of the calmest and most moderate of all discourses that was ever written on a political

¹⁸⁸ Rogers, *Crowds Culture and Politics*, p. 194.

¹⁸⁹ Gibbs, *Joseph Priestley*, p. 179.

¹⁹⁰ See Priestley, *The Conduct to be Observed by Dissenters in Order to Procure the Repeal of the Test and Corporation Acts* (Birmingham, 1789).

subject'.¹⁹¹ Regardless of Priestley's opinion of his work, his continued intervention led to the atmosphere in Birmingham becoming increasingly strained.

During the third attempt at repeal, Priestley claimed that Dissenters in Birmingham became the objects of 'general odium and resentment'.¹⁹² This resentment may have been provoked by prominent Churchmen publishing sermons attacking Priestley and the Dissenting community in Birmingham. Prior to the debate in Parliament on 2nd March the controversy further intensified. On 3rd January George Croft entered Spencer Madan's pulpit in St Philips church in Birmingham to deliver a sermon entitled *The Test Laws Defended*. The sermon called for the preservation of the Test Acts. Croft declared that Priestley and his fellow dissenters were 'demolishing the whole fabric of Christianity'.¹⁹³ Crofts sermon was described by John Hobson, minister of the Unitarian Kingswood Chapel, as 'viciously prejudiced...scurrilous, morose, persecuting and abusive'.¹⁹⁴ Spencer Madan then delivered his own sermon discussing the impending debate in Parliament on the 14th February. Madan described Dissenters occupation of offices of civil and ecclesiastical power as 'incompatible with the welfare of the Established Church'.¹⁹⁵ He warned of the potential for 'liberty to lead to licentiousness'.¹⁹⁶ Madan also suggested that the repeal of the Test and Corporation Acts would not only weaken the security of the Church but also the state. He asked, 'Can the state receive, then, a security from *them* (Dissenters), equal to the safety it enjoys from the Church of England? The question was undoubtedly rhetorical.

¹⁹¹ Priestley, *An Appeal to the Public*, p. 17.

¹⁹² *Ibid.*, p. 17.

¹⁹³ Cited in Rose, *The Priestley Riots of 1791*, p. 71.

¹⁹⁴ John Hobson, *A series of Remarks upon Sermon preached at St Philips Cathedral in Birmingham on Sunday 3 Jan 1790* (Birmingham, 1790).

¹⁹⁵ Spencer Madan, *The Principal Claims of the Dissenters Considered* (Birmingham, 1790), p. 12.

¹⁹⁶ Madan, *The Principal Claims*, p. 24.

To what extent these publications influenced the final outcome of the third Parliamentary debate is difficult to ascertain. The magnitude of the defeat, 104 votes for and 294 votes against, ensured that the Acts would not be finally repealed until 1828.¹⁹⁷ As the Birmingham Dissenters rued the failure of the national repeal campaign, little did they know they were yet to face the full repercussions of their support for the repeal of the Test and Corporation Acts.

Conclusion

The late eighteenth century marked a transition in the relationships between Anglicans and Dissenters in eighteenth century Birmingham. Anglicans and Dissenters had occupied positions of strength within the town. The years between 1750-1780 witnessed growing tensions within these communities, brought about by the war in America and the beginning of the Dissenters' pursuit of the repeal of the Test and Corporation Acts. This was not sufficient to significantly disrupt the collaboration found amongst members of the town's elite, particularly in the areas of local government and urban improvement.

Following the arrival of Joseph Priestley, the 1780s witnessed growing fractures within Birmingham's religious community. Birmingham's clergy became increasingly concerned by the vocal, confident and aggressive rational Dissent spearheaded by Joseph Priestley. The fear of an escalation of the spread of

¹⁹⁷ Ditchfield, 'Debates on the Test and Corporation Acts, 1787-90: the Evidence of the Division Lists', *Historical Research*, 50, 121 (1977), p. 69. For more about the 1828 repeal see G. I. T. Machin, 'Resistance to the Repeal of the Test and Corporation Acts 1828', *The Historical Journal*, 22, 1 (1979), pp. 115-39.

dangerous ideas resulted in leading Anglicans destabilising collaborative projects such as the public library and Sunday schools. This was motivated by a desire to prevent controversial material being available in the library and preventing children who had attended the Sunday schools from attending Dissenting services. Dissenters responded in kind by abandoning their partnerships with Anglicans. These events set a precedent of conflict, which escalated as the decade drew to a close.

The campaign to repeal the Test and Corporation Acts was a pivotal moment in the increasing animosity, which ultimately resulted in the outbreak of rioting in July 1791. Dissenters' desire for equality proved to be an inflammatory issue, particularly during the third repeal attempt in 1790. The level of opposition can partly be seen as resulting from the outbreak of the French Revolution and the extensive reforms to the Catholic Church in France. This was observed with apprehension by Anglicans in Britain. The stance adopted by leading Dissenters, to use events in France as a stimulus for their own political agitations, changed the parameters of the debate and particularly worried Anglicans. Prominent Churchmen in both Birmingham and Britain as a whole rushed to the pulpit and to print to oppose the third repeal motion and predict dire consequences should Parliament have voted for the acts to be repealed. During the course of these attacks Dissenters were frequently likened to the revolutionaries in France, an association that became increasingly harmful as British attitudes towards the French Revolution cooled.

The analysis presented in this chapter has placed a considerable burden on the role played by Joseph Priestley. It is no coincidence that his arrival in Birmingham in 1780 preceded the piecemeal falling out between Anglicans and Dissenters in

Birmingham. Upon his arrival he was regarded with suspicion by local Anglicans and this attitude only worsened throughout the 1780s. That he was involved, advertently or inadvertently, in most of the local disputes reflects his own centrality in the affair. His energetic pen and contentious subjects of discussion made him a source of vexation and ultimately acrimony amongst Birmingham's Anglican community.

It is thus difficult to support John Money's contention that Birmingham had already entered a crucial stage of its religious development before 1780. Underlying tensions undoubtedly existed between the Church and Dissent, however during the 1760s and 1770s there remained a spirit of relative cordiality between the two groups. This was not the case after 1780 when relations were tarnished by a theological dispute, quarrels over local intuitions and the Test Act repeal campaign. Taken as a whole this series of disputes firmly propelled the town towards one of the longest and most violent riots of the eighteenth century.

Chapter 3: The Priestley Riots of 1791

Introduction

As discussed in the historiographical review, the question of what caused the outbreak of rioting in Birmingham has both interested and confounded historians. The resulting body of literature has offered a number of potential explanations, if not a definitive answer. By examining the state of the Church and Dissent in eighteenth century Birmingham and tracing the decline in relations between the two groups, the previous chapter has attempted to outline the context in which the outbreak of rioting was possible. The purpose of this chapter will be to discuss the immediate causes of the riots, such as the Bastille dinner and the infamous handbill. A brief narrative of events between 14th and the 18th of July will then be offered.¹ Finally, a detailed analysis of the origins of the riots will be attempted. This will encompass a consideration of both short-term and long-term causes and the relative importance played by both local and national contexts. The relative merits of the social and religious interpretations previously advanced by historians will then be balanced alongside a consideration of the importance of the political context and the outbreak of the French Revolution.

It will be suggested that far from being a spontaneous eruption of violence, the causes of the Priestley Riots were complex and multi-layered. They had their foundation in the breakdown in relations between Anglicans and Dissenters in Birmingham during the 1780s. Dissenters' support for the French Revolution and

¹ For the purposes of this chapter only a brief narrative is necessary, for the most comprehensive account of the riots see Vivian Bird, *The Priestley Riots of 1791 and the Lunar Society* (Birmingham, 1991).

their final attempt to repeal the Test and Corporation Acts in 1790 provided a crucial pre-requisite for the violence directed against them in July 1791. These events were crucial in transforming contemporary perceptions of Dissenters and portraying them as a threat to not only the Church but also the monarch and the existing social order. The Bastille dinner and the inflammatory handbill then provided the immediate provocation.

The Bastille Dinner and the Riot of 1791

The immediate precedent for four nights of rioting was a dinner celebrating the second anniversary of the fall of the Bastille. Organised by local reformers and supporters of the French Revolution, this gathering would ultimately attract some ninety diners. The dinner was publically advertised in *Aris Birmingham Gazette* on 11th July. It invited ‘any friend of freedom’ to ‘commemorate the auspicious day which witnessed the emancipation of twenty-six millions of people from the yoke of despotism’.² Included was a notice that a list of diners would be published in the subsequent edition of the newspaper. This has been interpreted as an attempt to deter potential attendees³ and provided an ominous warning of the commotion that was to follow.

The initial advertisement of the dinner coincided with the publication and circulation of an inflammatory handbill around Birmingham. The handbill was published as an ‘advertisement’ for the Bastille dinner. It lauded ‘Gallic liberty’ before stating ‘is it possible to forget your own parliament is venal? Your Minister

² Anon, *An Authentic Account of the Riots*, p. 1.

³ Rose, *The Priestley Riots of 1791*, p. 72.

hypocritical? Your clergy legal oppressors? The reigning family extravagant? The crown of a certain great personage every day becoming too weighty for the head that wears it?'⁴ In any context the complaints about taxes, civil and ecclesiastical impositions and coarse expressions of disloyalty against King George III would have caused dismay. As an advertisement for the Bastille dinner they caused a furore.⁵ Although the author of the handbill was unknown it was widely believed at the time to have originated from within the Dissenters ranks.⁶ The magistrates offered a one hundred guinea reward to anyone who could identify the author or publisher. The organisers of the dinner moved swiftly to distance themselves from any knowledge of the handbill, publically declaring their disapprobation of it and denying any knowledge of its author.⁷ This was not sufficient to discourage the perception that the contents of the handbill were representative of the political opinions of the organisers of the dinner. Contemporaries were unanimous in contending that the handbill inflamed an already tense situation.⁸

The emergence of the handbill and the appearance of inscriptions on Birmingham's walls declaring 'Church and King forever' and 'destruction to the Presbyterians' gave Priestley sufficient cause to reconsider his decision to attend the Bastille celebrations. Despite the growing hostility, the organisers of the dinner including

⁴ J. Creasey, 'The Birmingham Riots of 1791: A contemporary Account', *Transactions of the Unitarian Historical Society*, XIII (1963-66) p. 114. For the handbill in full see Appendix 2.

⁵ Graham, *The Nation, the Law and the King*, p. 235.

⁶ John Brooke later claimed the author was John Hobson, minister of the Unitarian Kingswood Chapel although this was never substantiated. See The National Archives (hereafter TNA) HO 42/19 folio 522, Brooke to Dundas 15th August 1791

⁷ Rose, 'The Priestley Riots of 1791', p. 73.

⁸ See Priestley, *An Appeal to the Public part I*, p. 26; Hutton, *The Life of William Hutton*, p. 83; Anon, *An Authentic Account of the Riots*, p. 4; Burn, *A Reply to Dr Priestley's Appeal*, p. 42.

William Russell, James Keir and the hotel owner Thomas Dadley decided to proceed but moved the time forward to 3pm in the afternoon.⁹

At around 3pm on 14th July 1791 around ninety diners assembled at Dadley's Hotel in Birmingham. Although the ranks of the crowd attacked Dissenters it is frequently forgotten that attendees of the Bastille celebrations was made up of both Anglicans and Dissenters, although the latter were very much in the majority.¹⁰ As the diners arrived, they were greeted by a crowd of around sixty or seventy protestors who shouted abuse at them before dispersing. The meeting was chaired by James Keir the chemist, industrialist, Anglican and prominent member of the Lunar Society. A total of nineteen toasts were drunk, none of which could in any way be described as revolutionary.¹¹ Upon leaving, diners were greeted by a larger assemblage of people who threw dirt and stones. The massed crowd maintained its presence for some time, breaking the windows of the hotel and looting it. Two of the local magistrates arrived, allegedly intoxicated, and made only half-hearted attempts to disperse the rioters. According to some depositions collected by William Russell after the riots, they may have directed the crowd towards the New Meeting.¹² Having momentarily threatened the Quaker meeting house on Bull Street opposite the hotel, the crowd then proceeded on to the Unitarian New Meeting, which was set on fire.

This marked the beginning of the riots. Having destroyed the New Meeting the rioters preceded to the Old Meeting. The building was ransacked and pulled down

⁹ Edward Burn and the Treasury Solicitor described Russell as instrumental in ensuring that the dinner went ahead. Russell claims that it was Dadley who dissuading the organisers from cancelling, instead suggesting the dinner be held earlier. See Burn, *A Reply to Dr Priestley's Appeal*, p. 55-6, TNA HO 42/19 folios 391-2; J. Priestley, *An Appeal to the Public*, p. 136.

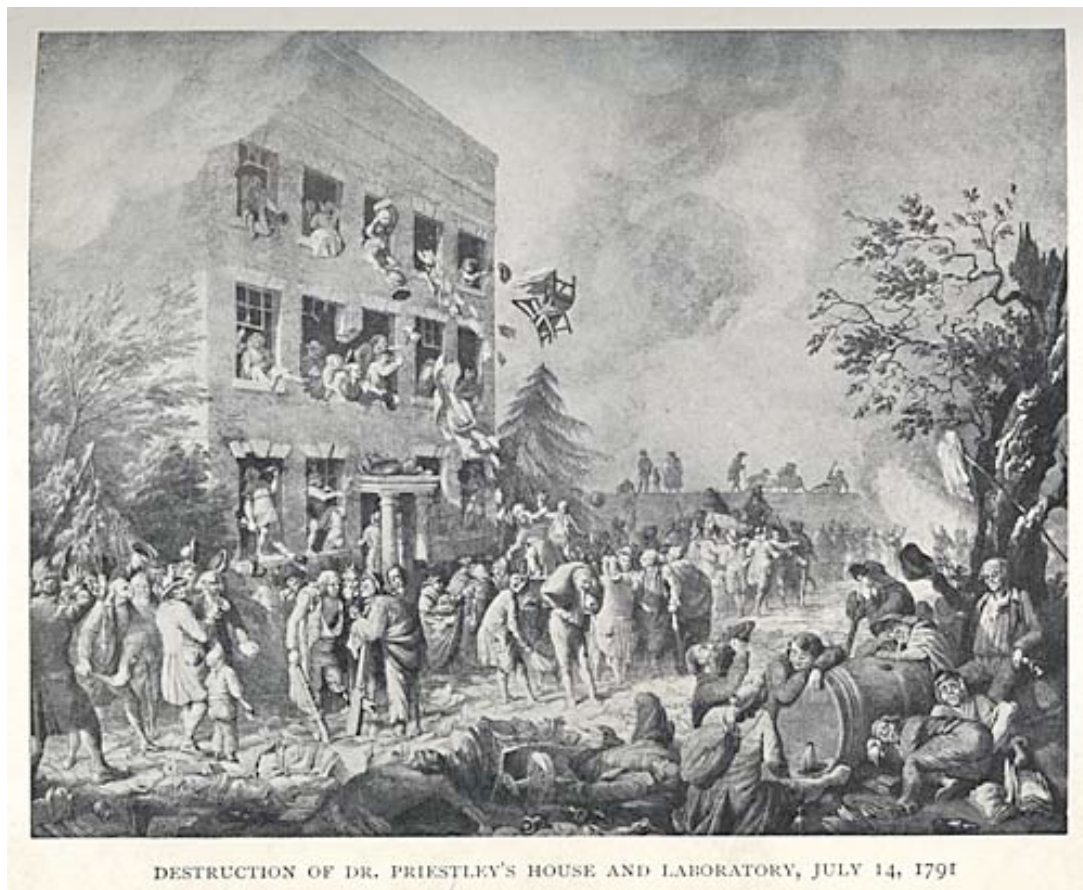
¹⁰ Jones, *Industrial Enlightenment*, p193.

¹¹ Martineau. 'Playing Detective: The Priestley Riots of 1791', p. 16; for a list of the toasts see Appendix 2.

¹² TNA HO 42/19 Folio 403. Affidavit of Ann Hanwall, Birmingham 2nd August 1791.

but not set on fire due to its proximity to other buildings.¹³ The next target was Joseph Priestley's house at Fairhill, Sparkbrook a mile and a half out of the town. Priestley had been warned about the approaching rioters and was able to escape with just minutes to spare. Upon arrival, the crowd plundered Priestley's house before burning it to the ground, in the process destroying his library and scientific laboratory.

Illustration 4 *Destruction of Dr Priestley's House and Laboratory, July 14th 1791 (1791)*¹⁴



¹³ Rudé, *The Crowd in History*, p. 143.

¹⁴ For more on visual representations of rioting in this period see Herbert Atherton, 'The "Mob" in Eighteenth Century Caricature', *Eighteenth Century Studies*, 12, 1 (1978), pp. 47-58.

On the 15th July, Lord Aylesford, the Lord Lieutenant of Warwickshire, arrived on horseback at Fairhill and attempted to persuade the rioters to desist. Although successfully diverting them the smouldering ruins of Priestley's house, he only succeeded in leading them back to Birmingham. With no coercive force to disperse the now expanding crowd, Aylesford and the magistrates were powerless to prevent the renewal of attacks upon Birmingham property. The rioters broke open the town prison, releasing all the prisoners. During the course of the 15th July, attacks were made on the properties of several prominent Unitarians, including the wealthy industrialists John Ryland and John Taylor.¹⁵ A stationers' shop belonging to William Hutton was also attacked. Although a Unitarian, Hutton's role as a local debt collector may have also motivated the rioters. Upon arriving at Hutton's home, members of the crowd declared 'this is the conscience house' (referring to Hutton's role as the chairman of the Court of Requests), 'By God, it must come down'.¹⁶

The magistrates, concerned by the unremitting violence on the 15th made their most serious attempt to disperse the riots. They swore in a number of special constables at the Swann Inn on Bull Street and armed them with half mop sticks. The Constables intercepted the main band of rioters at Baskerville House, the home of John Ryland. After a struggle, the constables were beaten back with one dead and several injured. According to Rose, a number of the rioters were sworn in as constables and turned on their allies upon arriving at Ryland's house.¹⁷

¹⁵ Rose, 'The Priestley Riots of 1791', p. 74.

¹⁶ BCL IIR1 331068, Compensation claims made by William Hutton for losses incurred in the Birmingham Riots 1791, p. 13.

¹⁷ Rose, 'The Priestley Riots of 1791', p. 74.

The defeat of the constables allowed the rioters to continue their campaign of destruction until the arrival of a detachment of dragoons on the evening of the 17th July. During this time other property belonging to prominent Unitarians was attacked. This including the house of William Russell and Hutton's Washward Heath home, around 3 miles outside of Birmingham. The Unitarian Kingswood chapel and the house of its pastor also fell victim to the rioters. Attacks were also made on non-Unitarian Dissenters property including a Baptist Chapel at Kings Heath and the house of the Baptist preacher John Harwood. The rioters also attacked Mosely Hall, owned by John Taylor but occupied by Lady Carhampton, a staunch Anglican and distant relative of George III.¹⁸ The rioters carefully loaded her furniture unharmed onto wagons and escorted her to Castle Bromwich before returning to burn down the hall.¹⁹ By the 17th the riots were subsiding. The final act of the remnants of the crowd was to attack the property of William Withering. Withering was an Anglican and prominent member of the Lunar Society. He had taken the liberty of procuring 'some famous fighters from Birmingham' to defend his property and was able to repel the attack with ease.²⁰ The arrival of the first detachment of dragoons at around 8pm on the 17th brought four days of rioting to a close. In total, some twenty seven buildings were attacked with around twenty of those being destroyed or severely damaged. The riots had caused a number of fatalities, most of whom were rioters themselves, and caused in contemporary estimated tens of thousands of pounds worth of damage.²¹

¹⁸ Ibid.

¹⁹ Ibid., p. 75.

²⁰ Jenny Uglow, *The Lunar Men The Friends Who Made the Future 1730-1810* (London, 2002), p. 444. For biographical details on Withering see J. K. Aronson 'Withering, William (1741-99)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/29805>

²¹ Wykes, 'The Spirit of Persecutors Exemplified', p. 17.

The immediate aftermath of the riots was dominated by initially inaccurate newspaper reporting of proceedings at the Bastille dinner and the subsequent riots in both the local and London press. The worst offender was *The Times*. The 19th July edition of the paper carried a largely erroneous account of events in Birmingham. The paper blamed the riots on the Dissenters of Birmingham and the decision to hold the Bastille dinner. It suggested that it was ‘natural for sensible Englishman to revolt at the idea of poisoning the minds of the lower class of the people with those wild and frantic notions of the demolition of crowns and the establishment of the rights of man which have destroyed the real liberty of France’.²² It claimed that the ‘treasonable handbill’ had been circulated by the ‘Presbyterian party’. It described the rioters as ‘to a man respectable house keepers and manufacturers’ and suggested the crowd only attacked the hotel when they heard the ‘treasonable toasts’ being made during the dinner. William Withering was also described as a ‘violent Dissenter’ when he was in fact an Anglican.²³ Some of these accusations were also reprinted in the local press.

Although other elements of the London Press managed to report the riots with a good deal more accuracy, the inaccuracies of *The Times* account endured. The organisers of the Bastille dinner felt that its purpose has been sufficiently misrepresented to justify a public rebuke of *The Times* report. Russell wrote a letter to the *Morning Chronicle* describing the report in *The Times* as ‘the most atrocious calumny that was laid before the public’ and vigorously defended the Bastille dinner. He denied that the toasts were treasonable and gave a complete list of the toasts that

²² *The Times*, July 19th 1791. See Appendix 3.

²³ *Ibid.*

had been drunk, the first of which was to King and Constitution.²⁴ James Keir, in a letter to the *Birmingham and Stafford Chronicle*, likewise refuted some of the accusations that had made in the local press, including a denial that Joseph Priestley's behaviour at the dinner had caused offence since Priestley 'was not present'.²⁵ Keir also reminded readers that the dinner was attended by both Dissenters and Anglicans and that it was not just Dissenters who celebrated the fall of the Bastille. Both letters also reiterated that the meeting was attended by friends of liberty rather than by revolutionaries.

Despite Russell and Keir's best efforts, they were unable to overturn the lingering suspicions that some of the diners were planning their own revolution in Britain. This was only strengthened by the satirist James Gillray's print, *A Birmingham Toast*, which was circulated only a week after the riots (figure 3.1). It depicted a meeting of leading Dissenters and prominent opposition members assembled at the dinner including Charles James Fox, Priestley, Horne Tooke and Theophilus Lindsay, none of whom were actually present on the 14th July. Priestley featured prominently in the print and is depicted as holding a platter and saying 'The...head here' referring to the King's head. By not referring to the king explicitly by name, Gillray implied the toast was too shocking to transcribe. Furthermore by occupying such a prominent position in the print Priestley was depicted as being the ring-leader of the revolutionaries.²⁶ An image can also be seen in the background depicting a church from which pigs heads feed from a trough, suggesting attendees of the dinner wanted to profane the church as well as the king.²⁷ The inaccurate newspaper

²⁴ Priestley, *An Appeal to the Public*, p. 136.

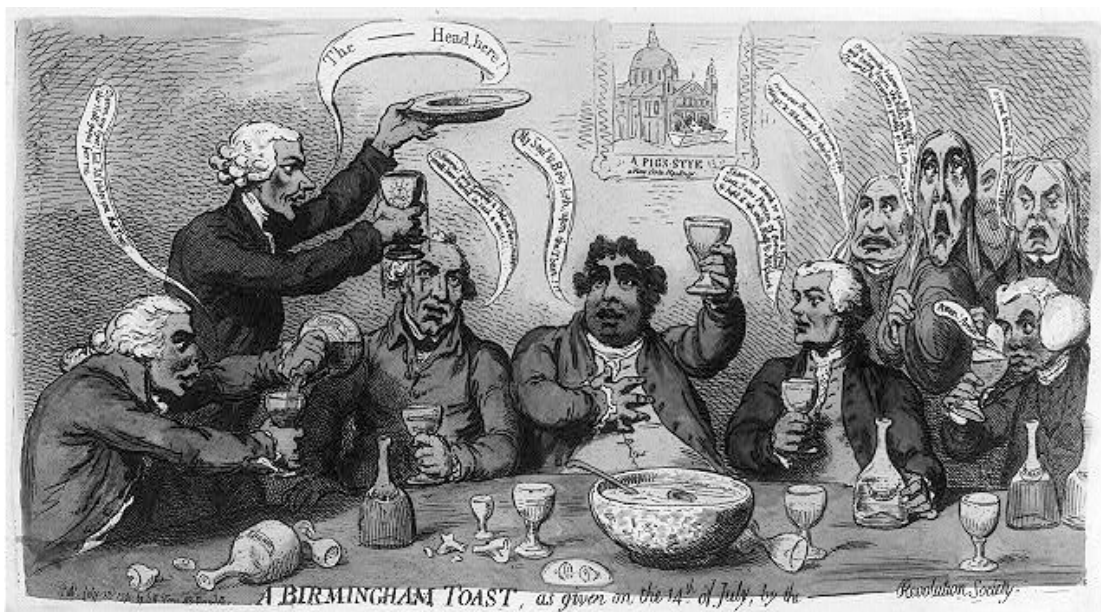
²⁵ Anon, *An Authentic Account of the Riots in Birmingham*, p. 30.

²⁶ Clay, 'Riotous images', p. 596.

²⁷ Clay, 'Riotous images', p. 596.

reporting and satirical prints strengthened the conviction that Birmingham's Dissenters were culpable for causing the riots in the first place. As will be shown, this was to have a profound impact upon the criminal proceedings brought against the rioters and the victims efforts to claim compensation.

Illustration 5 'A Birmingham Toast, 14 July 1791' (1791) by James Gillray²⁸



Analysis

In his influential study of the riots, Barrie Rose suggested that it was not until the eve of the riot that any distinction was made between prominent Anglicans and Dissenters in Birmingham. This contention was made on the basis that Dissenters and Anglicans served alongside each other as magistrates, in local government and

²⁸ Reproduced in R. K. Dent, *Old and New Birmingham, A History of the Town and its People*, (Birmingham, 1880), p. 215.

worked together in philanthropic activities. According to Rose, this was only ended by Dissenters' attempts to repeal of the Test and Corporation Acts.²⁹ While repeal agitations were decisive, Rose's analysis ignores the deterioration in relations during the 1780s caused by the theological dispute and friction surrounding the library and Sunday schools. The role of the religious and political grievances was not completely disregarded but these were merely seen as secondary triggers to an 'outbreak of latent class hatred'.³⁰

From a similar ideological perspective, E. P. Thompson argued that the riots were a 'discriminatory outburst' instigated by the magistrates and clergy who directed the urban working class against the 'aggressive and successful Birmingham bourgeoisie'.³¹ Fundamentally Thompson saw resentment of the wealth of the prominent Birmingham Dissenters as the primary motivation of the rioters. There is no denying that the majority of the victims were drawn from the wealthy middle-class Dissenting bourgeoisie. The wealth of the victims, together with the attack on the town's prison, would initially point to social grievances being an important contributing factor to the outbreak of violence. There is little evidence to support this argument. In the swathe of contemporary pamphlets related to the riots, hardly any reference is made to the wealth of Dissenters. As will be shown, it was their religious and political beliefs that dominated the controversies of the 1780s and early 1790s. Furthermore, both Rose and Thompson describe the crowd as merely acting upon the orders of those higher up the social scale. In the words of Rose, the riots were an 'episode in which the country gentleman called out the urban mob'.³² It is

²⁹ Rose, 'The Priestley Riots of 1791', p. 70.

³⁰ Rose, 'The Priestley Riots of 1791', p. 84.

³¹ Thompson, *The Making of the English Working Class*, p. 80.

³² Rose, 'The Priestley Riots of 1791', p. 84.

ironic that although Marxist historians of the 1960s aimed to understand the crowd from within,³³ in the context of Priestley Riots the role of the individual rioter was lost, their motivations reduced to simply acting at the behest of the magistrates or clergy.

To place the motivation of the crowd into purely economic or class terms is to seriously misrepresent the reality of what took place. To reduce the motivations of the rioters to being manipulated by individuals higher up the social scale both denies the rioters a voice and underestimates the diverse and complicated range of grievances that existed in 1791. This is the view taken by most subsequent studies of the riots which have largely dismissed distanced themselves from the ‘social’ interpretation. The one exception is John Money who found that the decline of the local button and buckle trades could have provided a social stimulus to the outbreak of violence. In Money’s wider analysis the significance of the decline of local trades is given only a supporting role. Religious hostility arising from the Test Act repeal agitations is seen as the primary cause of the riots.³⁴ These convictions have found favour with other historians who have advanced variations of Money’s analysis.³⁵

There is a much greater body of evidence to support this argument. If the identity of the victims is examined then an obvious pattern emerges. As Peter Jones has noted, the rioters showed a ‘curious discipline’ with whose property they attacked. The violence was not directed towards Dissenters as a homogenous group but primarily

³³ Frederick Krantz, ‘Introduction’, in Krantz (ed.) *History from Below: Studies in Popular Protest and Popular Ideology*, Oxford, Blackwell, 1985, pp. 5-8.

³⁴ Money, *Experience and Identity*, p. 222.

³⁵ Ditchfield, ‘The Priestley Riots in Historical perspective’, p5. Jones, *Industrial Enlightenment*, p. 192.

towards members of Birmingham's Unitarian congregations.³⁶ The objectivity shown towards other Dissenters is highly significant. A large crowd momentarily surrounded the Quaker chapel on Bull Street but were dissuaded from attacking it by some individuals within the crowd.³⁷ The Independent chapel in Carrs Lane was ignored, as were the two Baptist chapels in Cannon Street and Bond Street. A Baptist chapel in the village of King Heath was assaulted but this occurred much later on in the riots. There were murmurings within the crowd that the Methodist chapels would be targeted but they avoided the rioters attention.

It is necessary to consider why Birmingham's Unitarians were the objects of such particular animosity. Two possible explanations present themselves. From a theological standpoint the Unitarians' anti-Trinitarianism set them apart from the orthodox Dissenters, such as the majority of Baptists and Independents. Unitarian theology had been at the heart of disputes between Priestley and prominent Anglicans in the decade before the riots and also featured in the outpouring of post-riot literature.³⁸ This encouraged Grayson Ditchfield to prioritise the theological dispute as the primary cause of the riots. In his words, 'theological tenets espoused by Unitarians crossed class divisions, cut them off from many who may have shared economic and social interests and made them targets of xenophobic prejudice of the mob'.³⁹ Ditchfield placed the Priestley Riots in the same category as the Gordon Riots, as the product of sectarian bigotry.

³⁶ Jones, *Industrial Enlightenment*, p. 194.

³⁷ Rose, 'The Priestley Riots of 1791', p. 73.

³⁸ Scott, 'The Enquiring Sort', p. 208.

³⁹ Ditchfield, 'The Priestley Riots in Historical Perspective', p. 8.

There is no disputing that anti-Trinitarian theology expounded from Priestley's pulpit greatly alarmed Birmingham's clergy. It is difficult to discern to what extent this alarm was transferred to the laity and in turn the ranks of the crowd. Madan, Curtis and Burn were known to have preached on the dangers of anti-Trinitarian theology in advance of the riots.⁴⁰ As Robert Hole noted, the theological controversies of the 1780s took an increasingly subsidiary role after the outbreak of the French Revolution and Dissenters advocacy of religious rights.⁴¹ James Bradley has previously suggested that English Dissenters between 1754-84 represented a religion of resistance rather than revolution. He also acknowledged that during this period the Dissenting pulpit publically advanced views that were considered politically disruptive.⁴² Between 1789 and 1791 the relationship between Anglicans and Dissenters was altered. Through their campaign to repeal the Test and Corporation acts and their support of the French Revolution, the threat they posed to the established Church dramatically increased. These developing fault lines were apparent nationally but were most profoundly felt in Birmingham where Priestley, arguably the most outspoken Dissenter of his time was located.

The local breakdown in relations between Anglicans and Dissenters recorded in the previous chapter did not occur simply on the basis of the theological dispute alone, although they certainly played some part. As discussed in the previous chapter Birmingham Dissenters were at the forefront of Dissenting protest during this period. They featured prominently in the campaign for Dissenting liberties in the 1770s and the campaign to repeal the Test and Corporation acts. They challenged the Anglican establishment before events in France provided a continental cue for

⁴⁰ See for example Burn, *Letters to the Reverend Dr Priestley*.

⁴¹ Hole, *Pulpits, Politics and Public Order*, p. 98.

⁴² Bradley, *Religion, Revolution and English Radicalism*, p. 35.

reform.⁴³ To suggest that the theological dispute alone provoked the outbreak of rioting again misrepresents the diverse range of grievances that existed both nationally and locally in 1791.

It is frequently forgotten that the Bastille dinner in July 1791 took place in an atmosphere of increasing doubt about the French Revolution. French affairs were given renewed prominence through the attempted flight of Louis to Varennes. His capture and subsequent treatment was a source of increasing alarm in Britain.⁴⁴ Edmund Burke's fears of the Revolution, laid out in his *Reflections*, were initially dismissed as fantasy.⁴⁵ By the middle of 1791 his ideas were gaining support and were increasingly circulated through Burke's popularisers in the press.⁴⁶ Dissenters and in particular Unitarians suffered through their association with the Revolution and became one of the focal points of Burke's attacks. Dissenters were characterised by Burke as dissimulating, intemperate zealots and associated with Jacobinism.⁴⁷ While the ferocity of Burke's attacks drew much criticism, they helped to shape conservative fears of the Revolution and to fuel hostility at home to pro-French sentiment.⁴⁸ The warm reception given to events in France by prominent Dissenters such as Joseph Priestley and Theophilus Lindsay ensured that Dissenters became indissolubly associated with support for the French Revolution.

While Barrie Rose oriented towards an interpretation of the riots which characterised them as an outbreak of class violence, to his credit he argued that 'we

⁴³ Andrews, *Unitarian Radicalism: Political Rhetoric 1770-1814* (London, 2002), p. 3.

⁴⁴ Graham, *The Nation the Law and the King*, p. 227.

⁴⁵ Whale, 'Introduction', p. 3.

⁴⁶ Rogers, *Crowds Culture and Politics*, p. 191.

⁴⁷ Claeys, *The French Revolution Debate*, p. 30.

⁴⁸ Rogers, *Crowds Culture and Politics*, p. 192.

can hardly disregard the charged atmosphere and disruptive claims injected into English politics by the French Revolution.⁴⁹ This is precisely what subsequent historians of the riots have done. E. P. Thompson cautioned against attributing animosity towards events in France as contributing to the outbreak of violence. Thompson argued that it would be ‘a serious error to generalise from the Birmingham riots as to the general hostility of the urban poor to French Revolutionary ideas’.⁵⁰ Thompson underestimated the importance of the handbill disseminated in advance of the riots, which contemporary observers agree dramatically increased tension within the town.⁵¹ As an invite to the Bastille dinner, the handbill which eulogised the French Revolution and denigrated the British constitution was greeted with dismay and indignation.⁵² Thus, it was the political opinions of the diners rather than their religious beliefs which dominated the immediate controversy.

The role of Dr Joseph Priestley has already been discussed in the previous chapter but further remarks need to be made. Priestley’s presence magnified the threat posed by Dissenters to the establishment in Birmingham. His theological writings in the mid-1780s caused consternation amongst local clergy. His political writings resulted in even more widespread alarm. Priestley’s biographers may have sought to portray him as the innocent victim,⁵³ but he both reacted to and at times sought controversy. His contentious choice of prose, the intended meaning of which was frequently misinterpreted, exacerbated the threat he posed to the Church. By

⁴⁹ Rose, ‘The Priestley Riots of 1791’, p. 84.

⁵⁰ Thompson, *The Making of the English Working Class*, p. 80.

⁵¹ Anon, *An Authentic Account of the Riots in Birmingham* p. 3; See also Hutton, *The Life of William Hutton*, p. 108.

⁵² Graham, *The Nation, the Law and the King*, p. 235.

⁵³ Schofield, *The Enlightened Joseph Priestley*, p. 275.

engaging local Anglicans in both theological and political disputes, Priestley provided a natural focal point for attacks on Birmingham's Dissenters.

The diverse range of instigating factors discussed above is also evident what the ranks of the crowd are alleged to have shouted during the course of the riots. An account that appeared in *The Times* claimed that slogans included 'God save the King', 'long live the King and the constitution in church and state', 'down with the Dissenters, down with the abettors of French rebellion', 'Church and King', 'down with the rumps', 'no Oliver's', 'no false rights of man'.⁵⁴ As Adrian Randall has pointed out, these slogans suggest the attitudes of the crowd were informed by a 'curious dualism of old and new'.⁵⁵ They provide further evidence that the crowd was motivated by both old religious and new political grievances. This includes hostility to Dissenters, to the French Revolution and a desire to maintain the status quo. Hutton claimed that the shouts of 'no popery' during the riots reveal that some of the crowd did not know what they were rioting against. While this may be true in regards to some individuals, the shouts of no popery were very much an anomaly. The other slogans indicate that the crowd was clearly informed by a diverse range of religious and political motivations.

It is important to determine how negative views of Dissenters, of the French Revolution and of Joseph Priestley were communicated to the ranks of the crowd. It is not satisfactory to conclude that the rioters were merely acting at the instruction of the magistrates and the clergy. Although members of the local Anglican elite may

⁵⁴ *The Times*, 18th July 1791.

⁵⁵ Randall, *Riotous Assemblies*, p. 316.

have been prominent in attempting to lead the rioters, the ranks of the crowd were not unknowing participants and clearly informed by their own beliefs and values.⁵⁶

The pulpits of Birmingham provided one potential way in which hostility to Dissenters and to Joseph Priestley was circulated. The clergy's opposition to Unitarian theology and Dissenters' attempts to repeal the Test and Corporation Acts were articulated in the pulpit before being published in print. Madan's *Principal Claims of the Dissenters Considered* was initially given as a sermon at St Philip's on 14 February 1790. Aside from predicting disastrous consequences for the Church should the Test Acts be removed from the statute book, Madan also warned of the threat posed by the Socinian doctrine 'gaining ground among the Presbyterians'.⁵⁷ George Croft covered similar ground in his sermon opposing the repeal of the Test Acts, as did John Clutton during his farewell sermon delivered from the pulpit of St Martin's.⁵⁸ It is difficult to believe that parishioners were not influenced by the extent and ferocity of these attacks.

At the same time, it would be incorrect to suggest that many of the individual rioters' hostility towards Dissenters was founded upon an understanding of the intricacies of the theological and political debate. It is possible to speculate, as William Hutton did, that many of the rioters were not regular attendees at St Martins or St Philips. In the wider dissemination of anti-Dissenting ideas, Martin Smith has suggested that the local working class pamphlet press assumed particular

⁵⁶ Randall, *Riotous Assemblies*, p. 316.

⁵⁷ Madan, *The Principal Claims of the Dissenters*, p. 9.

⁵⁸ See George Croft, *The Test laws Defended. A Sermon preached at St Philips Church in Birmingham on Sunday January 3rd 1790* (Birmingham, 1790); John Clutton, *A Farewell Sermon, Preached in the Parish Church of St Martin, Birmingham on Sunday December 13th 1789* (Birmingham, 1790); Gibbs, *Joseph Priestley*, p. 179.

importance. Smith in particular cites the Nott pamphlets, written under pseudonyms such as John Nott, button burnisher or Job Nott, buckle maker as crucial in implanting suspicion of Dissenters into the minds of the public.⁵⁹

The pamphlets were written in local vernacular and designed to appeal to the labouring and manufacturing classes of Birmingham. Their origins and authorship remains unknown, although they are thought to have originated from members of Birmingham's establishment.⁶⁰ They were intended to function as a local instrument for mobilising public opinion against reformers and Dissenters. Broadly speaking, they were hostile to Dissenters, to the French Revolution and were anti-intellectual.⁶¹ They were equally hostile to anyone in Britain sympathetic to the French cause. The Nott pamphlets also had more specific targets. John Nott's first three pamphlets were all critical of the campaign to repeal the Test and Corporation Acts.⁶² Joseph Priestley was a popular and prominent target. His scientific achievements were belittled, his political writings were branded as dangerous while his integrity was questioned.⁶³ In John Nott's *Very Familiar Letters*, Priestley's infamous 'gunpowder' sermon was condemned. Addressing Priestley, Nott stated 'you never write but to tell us church people that you're laying it grain by grain under the churches and mean to blow 'em up very soon'.⁶⁴ Although a startling misrepresentation of what Priestley was attempting to say, it was this kind of language that the Nott pamphlets used to portray Priestley and the Dissenters as a threat to society.

⁵⁹ Smith, 'Conflict and Society', p. 17.

⁶⁰ See Scott, 'The Enquiring Sort', p. 171-190.

⁶¹ Smith, 'Conflict and Society', p. 113-114.

⁶² Ibid., p. 113.

⁶³ Scott, 'The Enquiring Sort', p. 198.

⁶⁴ John Nott, *Very Familiar Letters, addressed to Joseph Priestley in Answer to his Familiar Letters to the Inhabitants of Birmingham* (Birmingham, 1790), p. 128.

Smith also infers that popular taverns provided another way in which antipathy towards Dissenters was disseminated. Contemporary writers testify to the fact that the toast ‘damnation to dissenters’ and ‘damnation to Priestley’ became part of a standard public house routine, a routine that was often participated in by the magistrates.⁶⁵ Allied to this, negative inscriptions were made on the walls of Birmingham such as ‘damn the Presbyterians’, ‘damn Priestley’ and ‘Church and King forever’.⁶⁶ All of this contributed to the growing hostility towards Dissenters in Birmingham.

Conclusion

This chapter has argued that the riots did not originate from a single cause but a complex milieu of connected motives. While the theory that the riots had their foundation in the theological disputes of the 1780s has proved popular and has some substance, the importance of the political context has been lost. The total breakdown of relations between Anglicans and Dissenters did not transpire purely on the basis of the theological dispute alone. It was the particular conjunction of religion and politics in the period between 1789 and 1791 which propelled Birmingham towards the outbreak of rioting.

The controversies fought out between Priestley on one side and Horsley and the Birmingham Anglicans on the other set an important pretext for the outbreak of

⁶⁵ Smith, ‘Conflict and Society’, p. 19.

⁶⁶ BCL MS 184534, James Bisset, ‘Original MSS Songs, Written on seeing the various inscriptions on the walls of Birmingham, from the year 1791-1800, faithfully given as they appeared in different periods 1800.

violence. The warm reception given to the French Revolution by prominent Dissenters and the decision to link French affairs with their own campaign to repeal the Test and Corporation Acts transformed perceptions of Dissent and in particular Unitarianism in the period between 1789 and 1791. The visible advocacy of political rights and public enthusiasm for the French Revolution were pivotal in portraying Dissenters and particularly the increasingly militant branch of Unitarianism as not merely a threat to the Church, but to the monarch and British society.

On 14th July 1791 Bastille dinners were taking across Britain yet Birmingham was the only town that witnessed an actual outbreak of violence.⁶⁷ The local context thus assumed particular importance. The quarrels over the library and Sunday schools set a precedent of open conflict between Anglicans and Dissenters while the national campaign for repeal of the Test and Corporation Acts was given particular poignancy at a local level by the presence of one of its most vocal advocates, Joseph Priestley. Priestley's personal role was significant. At the very forefront of Dissenting protest he found himself as the focal point, both locally and nationally of Anglican responses. In Birmingham his name had become associated with republicanism.

⁶⁷ Edward Royle has incorrectly suggested that rioting broke out in Manchester on 14 July 1791. See Royle, *Revolutionary Britain? Reflections on the Threat of Revolution in Britain* (Manchester, 2000), p. 14. Other secondary sources suggest that aside from the circulation of a handbill, there was no further violence in Manchester on this day; See Booth, 'Popular Loyalism and Public Violence', p. 300.

Chapter 4: ‘Nothing but a Birmingham Jury Can Save Them’: The Trials of the Priestley Rioters of 1791¹

Introduction

For Joseph Priestley and the other victims of the 1791 riots, the attempts to convict the rioters were as deplorable as the riots themselves. In the words of Priestley, ‘every possible difficulty was thrown in the way of procuring evidence against the rioters, and everything was done to screen them from punishment’.² Historians have broadly agreed with this portrayal of events, describing attempts to bring the rioters to justice as abject and having totally failed to convict the perpetrators.³ While most histories of the riots make some reference to the criminal trials, relatively little research has been conducted into the nature of the proceedings at the Worcestershire and Warwickshire Assizes in the autumn of 1791. Barrie Rose briefly discussed the trials in his seminal article on the Priestley Riots. Rose was primarily concerned with the occupation of those brought to trial rather than the details of the trials themselves. Thus, while a broad outline of proceedings is readily available, an explanation as to why only five people were convicted for a riot involving several hundred is not. The purpose of this chapter is to provide such an explanation.

¹ Hutton in his typically hyberbolic style claimed that the trials became so notorious in the local area that hunters confident of catching their prey would exclaim ‘nothing but a Birmingham jury can save them!’ See Hutton, *The Life of William Hutton*, p. 104.

² Priestley, *An Appeal to the Public part II*, p. 83.

³ Ian Gilmour, *Riots, Risings and Revolutions* (London, 1992) p. 103; See also Maddison and Maddison, ‘Joseph Priestley and the Birmingham Riots’, p. 103; Rose, ‘The Priestley Riots of 1791’, p. 82; Wykes, ‘A Finished Monster of the True Birmingham Breed’, pp. 52-3.

To achieve this objective it will be necessary to provide an analysis of events leading up to, during and after the trials at the Worcestershire and Warwickshire Assizes. The actions of both the local authorities and the government and their attempts to bring the rioters to account will be examined in detail. Particular attention will be given to the role of the local Justices of the Peace, who in the view of some contemporary observers played a critical role in the failed prosecutions.⁴ Similar scrutiny will be applied to the role of the Treasury Solicitor, William Chamberlayne. Martin Smith has previously argued that Chamberlayne was responsible for failing to take action against the Birmingham magistrates and for preventing an inquiry into the riots from taking place.⁵ More needs to be said about the Treasury Solicitor's involvement in overseeing the arrest of the rioters and directing the preparations for the assizes. The role played by Henry Dundas will also be analysed. As Home Secretary, it was Dundas who was responsible for ensuring the rioters and their abettors were prosecuted. Finally, the prosecution of the Birmingham rioters will be compared to other criminal proceedings brought against suspected rioters in the late eighteenth century. These comparisons will help to establish whether the Birmingham trials were an anomaly in the context of eighteenth century law, or whether they reflect a wider pattern of inadequate proceedings against suspected rioters during this period.

Pre-Trials

The task of apprehending suspected rioters, bringing them to trial and taking depositions from witnesses fell upon two local Justices of the Peace, Joseph Carles

⁴ Priestley, *An Appeal to the Public Part II*, p. 84.

⁵ Smith, 'Conflict and Society', pp. 32-39.

and Dr Benjamin Spencer. Carles and Spencer were not unbiased observers, they were present as the rioters assembled outside Dadley's hotel in Birmingham on the evening of the 14th July and had made little effort to disperse the crowd. According to some contemporary accounts they actively encouraged the rioters.⁶ The task of assembling the jury to serve at the Warwick Assizes fell to John Brooke, the under-sheriff of Warwickshire. Similar to Carles and Spencer, Brooke was allegedly present at the riots and involved in encouraging the rioters and guaranteeing judicial protection to those responsible.⁷

Joseph Carles of Handsworth had, by all accounts, done much for the town of Birmingham before July 1791. He had an enviable reputation as one of the most energetic magistrates in the county.⁸ His activities had earned almost universal acclaim. In March 1791, a testimonial was sent on his behalf to William Pitt signed by the most notable inhabitants of Birmingham. The list of signatories included Joseph Priestley and William Russell as well as other leading Dissenters.⁹ Carles was no ordinary magistrate. He had risked financial ruin as well as a debtors' prison in his efforts to tackle Birmingham's problems. Even after the riots, Carles was considered so important to the preservation of law and order in Birmingham that a number of local men of property, including Mathew Boulton and the banker John Collins, raised a subscription to pay his debts.¹⁰

⁶ TNA HO 42/19 402-50. Affidavits of witnesses collected by William Russell in relation to the riots in Birmingham.

⁷ TNA HO 42/19 402-50.

⁸ Douglas Hay, 'Patronage, Paternalism and Welfare: Masters, Workers and Magistrates in Eighteenth Century England', *International Labor and Working Class History*, 53 (1998), p. 32.

⁹ Money, *Experience and Identity*, p. 12.

¹⁰ *Ibid.*, p. 14.

Dr Benjamin Spencer was the Vicar of Aston. As a Justice he was responsible for maintaining law and order in central Birmingham and Aston. He appears to have carried out his duties as a magistrate with efficiency, often working alongside Joseph Carles. Spencer had previously served alongside Dissenters on the committee of subscribers responsible for managing the General Hospital.¹¹ Despite this, he was a staunch loyalist and like Carles was a prominent member of the Bean Club, a local loyalist dining society.¹² Spencer had not been personally involved in the theological or political disputes of the 1780s. As one of the local clergy, he was likely close to those who had.

There is much evidence to suggest that the investigation carried out by the Birmingham magistrates to apprehend the rioters was far from satisfactory. A climate of fear existed in Birmingham in the aftermath of the riots and Carles and Spencer failed to prevent intimidation of prosecution witnesses who were understandably reluctant to come forward.¹³ In Warwick, there were warrants to apprehend over one hundred rioters.¹⁴ Less than half of these were taken into custody and only twelve were actually brought to trial. Notwithstanding the difficulties associated with identifying individuals involved in a large rioting crowd,¹⁵ this represented only a very tiny minority of the hundreds that were involved in the disturbances.

¹¹ Ibid., p. 10.

¹² Ibid., p. 100.

¹³ Gilmour, *Riots, Risings and Revolutions*, p. 395; See also Rose, 'The Priestley Riots of 1791', p. 82.

¹⁴ *Morning Post and Daily Advertiser*, August 23rd 1791.

¹⁵ See W. Nippel, 'Reading the Riot Act, *History and Anthropology*, 1, 2 (1985), pp. 399-426.

Records from the Treasury Solicitor's papers reveal that detailed evidence was collected against thirty-five suspects.¹⁶ Only twelve of those were actually indicted. Many suspects were discharged despite strong evidence of their guilt. Three of the accused were discharged despite each having a total of three witnesses able to testify against them. A further seven were discharged despite having two separate witnesses able to give evidence against them.¹⁷ In the cases where only one witness was able to testify it was agreed between William Chamberlayne and lawyers Joseph White and Joseph Scott that it would be necessary to enquire into the character of the witness before the accused could be sent to trial.¹⁸ In the twelve cases where there was only one witness able to provide evidence, none were tried.

The magistrates made every effort to be seen to be carrying out a thorough search for the rioters. For example, they wrote to Chamberlayne requesting his personal assistance in collecting evidence against the suspects.¹⁹ They also made efforts to divert attention away from their investigation. While Dundas was writing to the magistrates to encourage a more rigorous pursuit of the rioters, they were writing to Chamberlayne to report that inflammatory material had been found at the houses of Russell and Priestley. The material was printed by James Belcher, a local Unitarian bookseller. Carles described Belcher as being 'one of the most violent' of the Dissenters and accused him of printing the handbill disseminated in Birmingham on the eve of the riots.²⁰ Even after the trials, the magistrates continued to blame the Dissenters for provoking the riots. John Brooke wrote a letter to

¹⁶ TNA TS 11/932/3304. List of individuals apprehended for rioting in Birmingham, July 14-18 1791.

¹⁷ TNA TS 11/932/3304

¹⁸ TNA HO 42/19 folio 450. Scott to Chamberlayne, 3rd August 1791.

¹⁹ TNA HO 42/19 folio 497. Carles to Chamberlayne, 9th August 1791.

²⁰ TNA HO 42/19 folio 514. Carles to Chamberlayne, 14th August 1791.

Dundas stating that two of the rioters found guilty claimed ‘the dinner at the hotel on the 14th July and the threats against the Church’ were the reasons they had been involved in the riots.²¹ These were obvious attempts by the magistrates to deflect attention away from their own failings.

Henry Dundas had publicly praised both Carles and Spencer shortly after the riots had ended. Despite this, there is evidence to suggest that he had misgivings about their ability to apprehend the rioters. During the riots, the Home Secretary reminded the magistrates that the ‘restoration of tranquillity ought to supersede all other considerations’.²² On 21 July 1791, Dundas dispatched the Treasury Solicitor William Chamberlayne to Birmingham with instructions to assist the magistrates in taking depositions. He also requested that Chamberlayne report back on the magistrates’ progress in apprehending the rioters and enquire as to the causes of the riots. Finally, Chamberlayne was instructed to establish whether a special commission was needed for the trials of the rioters.²³ The Treasury Solicitor took a pivotal role in proceedings against the rioters and was clearly sent to ensure that magistrates made rigorous attempts to bring those responsible to trial.

For their part, both Henry Dundas and Prime Minister William Pitt were greatly alarmed by the riots in Birmingham and were keen to see the rioters apprehended. Some preparations had been made for potential violence in London in reaction to the Bastille dinners but these passed off peacefully. The seriousness of the Birmingham disturbances had caused great concern. Pitt was deeply suspicious of popular protests. During the Gordon Riots of 1780 he joined the Lincoln’s Inn

²¹ TNA HO 47/13/89 folio 256. Brooke to Dundas 12th September 1791.

²² TNA HO 43/3 Dundas to Carles and Spencer, 18th July 1791.

²³ TNA HO 43/3 Dundas to Chamberlayne, 21st July 1791.

volunteer corps to help repel the crowd. The government's attitude towards the outbreak of rioting in Birmingham was best summarised by the new foreign secretary William Grenville. Grenville commented, 'I do not admire riots in favour of the government much more than riots against it'.²⁴ Henry Dundas had only recently been elevated to Home Secretary and his tenure was intended to be temporary. Pitt had already earmarked Lord Cornwallis for the position, but Cornwallis needed to be recalled from India.²⁵ Dundas nevertheless pursued his duties with vigour and it was due to his energies that he was able to cement his position in the government. He commanded a close relationship with Pitt, which most of his colleagues did not possess. In 1793 one government insider claimed the efficient ministry consisted of 'Pitt, Dundas and Grenville'.²⁶ Dundas was concerned that economic problems lay at the root of the disturbances and in addition to pursuing the rioters, he urged the magistrates to formulate a plan, by subscriptions or otherwise, to provide for the unemployed.²⁷ The decision to send the Treasury Solicitor to Birmingham to oversee the prosecutions indicates the seriousness with which Dundas and the British Government took the riots.

William Chamberlayne played a central role in the trials. As Treasury Solicitor he was responsible for directing public prosecutions.²⁸ It was in this capacity that he was dispatched by Dundas to Birmingham to oversee the prosecution of the rioters. Chamberlayne originally hailed from Hampshire and had previously served as solicitor to the Mint before taking up the position of Solicitor to the Treasury in

²⁴ Cited in Mori, *William Pitt and the French Revolution*, p. 94.

²⁵ Michael Fry, 'Dundas, Henry, first Viscount Melville (1742–1811)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/8250>.

²⁶ Michael Fry, *The Dundas Despotism* (Edinburgh, 2004), p. 158.

²⁷ *Ibid.*, p. 159.

²⁸ For more on the role of the Treasury Solicitor, see J. R. Torrance, 'Sir George Harrison and the Growth of Bureaucracy in the Early Nineteenth Century', *The English Historical Review*, 83, 326 (1968), p. 72.

March 1775.²⁹ Moreover, Chamberlayne had also played a crucial role in the judicial proceedings against the Gordon Rioters of 1780 and was therefore experienced in dealing with prosecutions of this type.

Despite Chamberlayne's presence in Birmingham, Dundas became frustrated at the lethargy of the magistrates in apprehending suspects. On 2nd August he sent them a terse letter to encourage a more effective pursuit of the rioters.³⁰ Another letter followed on 20th August. In it Dundas expressed his regret that many responsible for the late depredations were still at large despite the fact that detailed evidence had been collected against them. He went on to state 'I trust that if any of them should be apprehended and brought before you, every proper step consistent with your duty as magistrates will be taken for bringing them to justice'.³¹ Dundas was to be disappointed, as only sixteen accused rioters were brought to trial at the Assizes in late August 1791.³² The fact that so few rioters were put on trial did not escape the attention or criticism of the press. On the eve of the Warwickshire trials the *Morning Post and Daily Advertiser* claimed 'There is much mystery about this subject. Those are in custody make up but a small part of the number charged with having been active in this disgraceful meeting. There are warrants to apprehend more than 100 people but only 16 held'.³³ In explaining why so few alleged rioters were actually brought to trial in Warwick, the culpability must be shared between Carles, Spencer and William Chamberlayne.

²⁹ R. G. Thorne, *The History of Parliament, The House of Commons 1790-1820: 1, A Survey* (London, 1986), p. 432.

³⁰ TNA HO 43/3 Dundas to Carles and Spencer, August 2nd 1791.

³¹ TNA HO 43/3 Dundas to Carles and Spencer, August 20th 1791.

³² Rose, 'The Priestley Riots of 1791', p. 82.

³³ *Morning Post and Daily Advertiser*, August 23rd 1791.

As previously noted, Martin Smith has identified Chamberlayne as playing a decisive role in ensuring that no action was taken against the magistrates. Smith's conclusions on Chamberlayne's personal role are damning. He described the Treasury Solicitor as guilty of a 'quite extraordinary interposition of his own prejudices between the merits of the evidence'.³⁴ This is a profound statement and it is necessary to consider whether such accusation is justified based on the evidence available.

Upon arriving in Birmingham, Chamberlayne met with Carles, Spencer and William Russell. From these initial meetings, Chamberlayne instantly sided with the magistrates. In a letter to the Lincoln's Inn lawyer Joseph White, Chamberlayne described the Birmingham magistrates as 'good subjects' who were 'generally esteemed within the town'. Russell meanwhile was condemned as 'a rigid dissenter and one of the most violent of that sect'. He was also denounced for supporting the repeal of the Test Act and organising the Bastille dinner.³⁵

Further meetings between Chamberlayne and Russell did not lead to the Treasury Solicitor changing his opinion of the Dissenters. William Russell later provided Chamberlayne with an extensive series of affidavits that provided damning evidence against Carles, Spencer and the county under-sheriff John Brooke. A number of these testimonies claimed that not only were the magistrates present at the hotel at the beginning of the riots, but also that they were intoxicated and actively encouraged the gathered rioters towards the Unitarian meeting houses.³⁶ The

³⁴ See Smith, 'Conflict and Society', pp. 32-39.

³⁵ TNA HO 42/19 folio 391-2. Chamberlayne to White, August 3rd 1791.

³⁶ TNA HO 42/19 folio's 402, 403, 676, 690. (Affidavits of James Phillips, Ann Hanwall, George Davies, John Lowe, James Bradley).

affidavits also testify, as the disturbances grew out of control, Carles, Spencer and Brooke were guilty of provided guarantees to the rioters that they would not be prosecuted if they desisted.³⁷ One of the victims, George Humphreys, approached Spencer during the riots and asked for the army to be called in but his request was refused.³⁸ In total Russell had managed to collect testimonies from thirty-six individuals with a remarkable consistency in their accounts of what had taken place. A personality clash between Russell and Chamberlayne may explain why the Treasury Solicitor chose to ignore such strong evidence against the magistrates, although wider comments about Dissenters reveal that he was hardly sympathetic to their plight. The tone of Russell's letters could at times be overbearing as he took it upon himself to take personal control of the investigation. Chamberlayne described with thinly veiled frustration how 'Mr Russell was in constant attendance, furnishing me with the name of witnesses'.³⁹ Chamberlayne, during his correspondence with Joseph White, could not conceal his contempt for Russell. When the organisers of the Dinner contemplated cancelling it, Chamberlayne described how Russell 'went to the man of the hotel where the dinner was and told him the dinner must go on, that he would dine there if no one else did, so much for the man'.⁴⁰

The evidence presented above suggests that Martin Smith's admonishment of Chamberlayne's personal role is not entirely unjustified. Smith however underestimated the pragmatic reasons for the government not taking action against the magistrates. Douglas Hay has noted that it was actually very rare for magistrates to be prosecuted for malpractice in eighteenth century Britain. This was, he argues,

³⁷ TNA HO 42/19 folio 403 (Affidavit of Lydia Leavon)

³⁸ TNA HO 42/19 folio 348 (Affidavit of George Humphreys)

³⁹ TNA HO 42/19 folio 391-2.

⁴⁰ TNA HO 42/19 folio 391-2.

due to the enormous importance placed upon unpaid magistrates in the administration of English criminal law.⁴¹ As noted above, Benjamin Spencer and Joseph Carles were held in high esteem by many influential people in Birmingham and had built a deserved reputation for efficiency and diligence. In view of the difficulties associated with finding competent replacements, it could be argued such action was always unlikely. Chamberlayne's role in the lack of government action should not be completely discarded. Dundas was clearly not satisfied with the activities of the Birmingham magistrates during the riots or in their aftermath. Faced with the Treasury Solicitor's unwavering support of Carles and Spencer who both had exemplary records, in addition to the risk of undermining local authority, Dundas had no reason to take action against the magistrates. This enabled Carles, Spencer and Brooke, all three ardent opponents of Dissenters, to oversee the process of bringing the rioters to trial.

The Dissenters could have persisted with a private action in the court of King's Bench against the magistrates. Hay has noted that only the wealthiest victims of wrongdoing could afford to prosecute the magistrates responsible.⁴² Russell and the Birmingham Dissenters certainly fell into this bracket but were dissuaded from doing so by the government's own unwillingness to take action and the counsel of William Hutton, who advised that such an action may excite further hostility against the Dissenters and impact upon their own efforts to claim compensation for their losses.⁴³

⁴¹ Douglas Hay, 'Dread of the Crown Office: The English Magistracy and Kings Bench 1740-1800' in Norma Landau (ed.) *Crime and English Society 1660-1830* (Cambridge, 2002) p. 43.

⁴² Hay, 'Dread of the Crown Office', p. 42.

⁴³ Maddison and Maddison, 'Joseph Priestley and the Birmingham Riots', p. 103.

Worcestershire Assizes

The authorities in Worcestershire had been no more efficient in apprehending the rioters than their counterparts in Warwickshire. Although the majority of the disturbances had occurred in Warwickshire, some violence, including the destruction of William Russell's house, as well as attacks on property belonging to John Talyor, had taken place in Worcestershire. Although the attack on Russell's house was said to have involved dozens of people, only nineteen had been apprehended for rioting, four of whom were actually brought to trial.⁴⁴ The purpose of these sections is not to provide a comprehensive account of the trials at the Worcestershire and Warwickshire Assizes. Instead an overview of proceedings will be provided. This will be followed by an analysis of why so few rioters were successfully prosecuted.

The first trials of the Birmingham rioters were held at the Worcester Assizes beginning on 10th August 1791 in front of the Lord Chief Baron Eyre. Sir James Eyre had had a long and illustrious career and was considered a sound judge who was learned in the law. While he had something of a reputation for administering capital punishment with greater frequency than most of his contemporaries, he was also renowned for being exceptionally astute when instructing juries.⁴⁵ He was later famous for sitting on the trials of the members of the London Corresponding Society in 1794 and consequently attempting to expand the law of treason towards the end of the decade.⁴⁶

⁴⁴ TNA HO 42/19 folio 463. List of persons committed at Worcester.

⁴⁵ Douglas Hay, 'Sir James Eyre (bap1734-1799)' *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/9032?docPos=1>.

⁴⁶ Hay, 'Sir James Eyre (bap1734-1799)'.

Baron Eyre opened proceedings by reprobating the scandalous and treasonable handbill that had done much to cause the riots. He also observed that some of the mischief was owing to those who had assembled to celebrate the anniversary of the French Revolution, an action that he described as ‘indiscreet’.⁴⁷ Although Eyre was to offer the caveat that no action ‘justified the burning of houses’, this opening speech was unlikely to have engendered much sympathy for the victims and they found in the course of the trials that such sympathy was in short supply.

The four persons put on trial were Robert Cook, Mary Cox and Thomas Coley for attacking William Russell’s house and William Rice for robbery on the highway of Kings Norton during the riots.⁴⁸ Writing to Joseph White in advance of the trials, William Chamberlayne had suggested that the case against Coley was the strongest because of the reputation of the three witnesses prepared to testify against him.⁴⁹ Coley, Cox and Rice however were acquitted of the charges brought against them, although on the instruction of Chamberlayne, Rice was to be tried again at the Warwickshire Assizes for beginning to pull down the Kingswood Meeting House. Robert Cook was the only person convicted for the rioting in Worcestershire. The trial was completed within the day, although this was unsurprising since eighteenth century trials were rarely longer than an hour.⁵⁰

William Chamberlayne accurately predicted the course of these events in his correspondence with Joseph White. In Worcestershire he had observed that ‘prejudices are strong against the Dissenters and in favour of the rioters’. He also

⁴⁷ *Evening Mail*, August 10-12 1791.

⁴⁸ *Evening Mail*, August 10-12 1791.

⁴⁹ TNA HO 42/19 folio 487. Chamberlayne to White 10th August 1791.

⁵⁰ Clive Emsley, *Crime and Society in England 1750-1900*, (Harlow, 1996), p. 196.

envisaged that ‘the composition of the jury commissioned will lead to nothing but acquittals’.⁵¹ In a letter to Dundas just after the trials concluded, Chamberlayne lamented the fact that Coley, Rice and Cox had been acquitted ‘much to the surprise of everyone’, although clearly not to his own surprise. He also predicted that these events would be repeated at the forthcoming Warwickshire assizes. ‘What we shall do in the county of Warwick after what I have seen here I am at a loss to grasp, notwithstanding there are strong cases against those to be tried for party is so high, the prejudices are so strong in favour of the rioters that if it be possible I am most certain they will be acquitted’.⁵²

Contemporary evidence suggests that the judge, Baron Eyre, was also dissatisfied with the outcome of his trial, although his opening speech was unlikely to have fomented a great deal of sympathy for the victims of the riots. Chamberlayne alluded to the judge’s displeasure in his letter to Dundas in the aftermath of the trials. He claimed that Baron Eyre was ‘surprised’ at the acquittals in spite of the nature of evidence presented against them.⁵³ Theophilus Lindsay in a letter to Samuel Shore claimed that the ‘most notorious’ rioters had been acquitted ‘contrary to the opinion of the judge and all the council that attended’.⁵⁴ Regardless of Baron Eyre’s opinions of whether the accused were guilty or not, the solitary successful conviction at Worcester offered little chance of successful convictions at the Warwickshire Assizes.

⁵¹ TNA HO 42/19 folio 487.

⁵² TNA HO 42/19 folio 491. Chamberlayne to Dundas August 10th 1791.

⁵³ TNA HO 42/19 folio 491.

⁵⁴ DWL. MS 12.57 folio 5, Lindsay to Shore, August 16th 1791.

Warwickshire Assizes

The trials of the remaining twelve individuals accused of involvement in the Birmingham riots began on the morning of Tuesday 23rd August 1791. The presiding judge was Baron Perryn. Sir Richard Perryn was one of seventeen judges operating in late eighteenth century Britain.⁵⁵ He had served as a judge since 1776 having been elevated as a result of being ‘one of the ablest draftsman’ in the country.⁵⁶ He was considered to be one of the more lenient judges operating on the bench in this period and was critical of the number of capital offenses in the statute book. Equally he could be severe if he felt proper procedure had been avoided.⁵⁷

⁵⁵ Daniel Duman, *The Judicial Bench in England 1727-1875: The Reshaping of a Professional Elite*, (London, 1982), p. 17.

⁵⁶ Daniel Lemmings, *Professors of the Law, Barristers and English Legal Culture in the Eighteenth Century* (Oxford, 2000), p. 183.

⁵⁷ David Lemmings, ‘Perryn, Sir Richard (bap. 1723, d. 1803)’, *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/22001>.

Table 1 List of accused rioters tried at Warwickshire Assizes, August 23-24th 1791⁵⁸

Name	Alleged Crime Committed	No. of Witnesses Against	Jury's Verdict
Francis Field (alias Rodney)	Attacking John Taylor's house	4	Guilty (executed)
William Rice	Beginning to pull down Hutton's house	2	Not Guilty
Robert Whitehead	Assisting in demolishing Hutton's house	4	Not Guilty
John Green	Assisting in destruction of Priestley's house	4	Guilty (executed)
Bartholomew Fisher	Assisting in destruction of Priestley's house	3	Guilty (pardoned)
John Clifton	Assisting in destruction of Priestley's house	3	Not Guilty
John Stokes	Pulling down Old Meeting	2	Acquitted
William Shuker	Beginning to pull down house of John Ryland	4	Not Guilty
Joseph Carless	Beginning to pull down house of John Ryland	2	Not Guilty
William Hammonds	Beginning to pull down house of John Ryland	2	Guilty (pardoned)
James Watkins	Beginning to pull down house of John Ryland	3	Not Guilty
Daniel Rose	Attacking John Taylor's house	2	Not Guilty

The trials lasted for two days. In total, of the twelve persons brought to trial, four were found guilty and convicted. As previously noted, historians are united in condemning proceedings at the Warwickshire Assizes. For example, R.B Rose has described the trials as ineffectual.⁵⁹ Martin Smith has gone even further, suggesting that the trials were 'farcical' and that the 'majority of the rioters were acquitted,

⁵⁸ TNA TS 11/932/3304. List of individuals apprehended for rioting in Birmingham, July 14-18 1791; Anon, *The Trials of the Birmingham Rioters at the Court-House Warwick Before the Hon Sir Richard Perryn* (London, 1791); *Aris Birmingham Gazette*, August 29th 1791; *Morning Post and Daily Advertiser* August 23rd and August 25th 1791.

⁵⁹ Rose, 'The Priestley Riots of 1791', p. 82.

some under remarkable circumstances'.⁶⁰ It is now necessary to consider whether the substance of the evidence supports these claims.

The first of the accused to be tried was Francis Field. Although being tried for the attack upon John Taylor's Bordesley Hall, Field had allegedly been present at numerous points during the riots and four witnesses were able to testify to his guilt. Although one member of the jury had questioned the integrity of one the witnesses, the evidence against Field was overwhelming and he was found guilty.⁶¹

William Rice and Robert Whitehead were the next to be tried and both were found not guilty. Two witnesses stated they had seen Rice participating in the destruction of William Hutton's House. Rice however produced an alibi, George Rowell, who claimed that both Rice and himself had visited a prostitute and had been occupied all evening.⁶² In the case of Robert Whitehead, four witnesses confirmed that they had observed Whitehead play a leading role in the destruction of Hutton's house in Saltley. A single witness for the defence had claimed that Whitehead had been attempting to quell the riots and defend Mr Hutton's property.⁶³ The judge had commented that if Rice was not guilty then the four witnesses produced by the crown who were all of respectable character were guilty of the most foul and indignant perjury.⁶⁴ Despite the judge's attempt to direct the jury they found the prisoner not guilty.

⁶⁰ Smith, 'Conflict and Society', p. 34.

⁶¹ *Aris Birmingham Gazette*, August 29th 1791.

⁶² Anon, *An Authentic Account of the Riots at Birmingham*, p. 16.

⁶³ *Morning Post and Daily Advertiser*, August 25th 1791.

⁶⁴ Anon, *An Authentic Account of the Riots at Birmingham*, p. 16

On the morning of the second day of the trials Daniel Parker Coke, the lead counsel for the prosecution, was so incensed at the acquittals of Rice and Whitehead on the previous day despite strong evidence pointing to their guilt, that he saw fit to remind the jury 'that the eyes of the entire country were upon them' and of their responsibility to convict the rioters. Coke also claimed that there had been reports on the streets of Warwick that alleged that the jury were determined to acquit all of the rioters.⁶⁵ The foreman of the Jury refuted Coke's speech as 'improper and indecent' and claimed that the jury were as 'impartial as any men in court'.⁶⁶ Despite Coke's intervention the rest of the trials broadly followed the pattern established on the first day with the majority of the rioters acquitted. Some observations need to be made regarding the circumstances of specific cases, as some acquittals were made with good reason.

The victims were particularly incensed at the acquittal of John Stokes due to a technicality. Stokes had been accused of being involved in the destruction of the Old Meeting. The county register recorded that the Old Meeting house was situated on Philip Street, while the indictment stated that it was on Old Meeting House Lane. This inconsistency in the indictments led to the case being thrown out. Although Russell and the other victims were furious with this turn of events,⁶⁷ acquittals based on such errors were not uncommon in eighteenth century trials. Due to strict procedural rules, even prosecutions founded on strong evidence could fail on the

⁶⁵ See *Whitehall Evening Post* Aug 25th 1791, *Morning Post and Daily Advertiser* Aug 26th 1791, *Aris' Birmingham Gazette* Aug 29th 1791.

⁶⁶ *Aris' Birmingham Gazette* Aug 29th 1791.

⁶⁷ Wykes, 'A Finished Monster of the True Birmingham Breed', p. 53.

basis of minor errors in the indictment such as the misspelling of names or incorrect descriptions of the accused's occupation.⁶⁸

Daniel Rose was also acquitted on account of the fact that he was only sixteen years old and the prosecution declined to call any witnesses against him on the basis that he may yet prove useful to society.⁶⁹ Acquittals based on the youth of the accused were not uncommon in eighteenth century criminal trials. Even those convicted were often able to obtain pardons on account of their youth.⁷⁰ In the case of William Shuker there were inconsistencies in the testimonies of the prosecution witnesses. One witness claimed that Shuker, the town crier, was active in the destruction of John Ryland's house and could be heard ringing his bell. Others claimed that he was merely present, had only assisted in the removal of furniture and was not in possession of his bell. The judge stated that no credit should be given to the evidence given by the principal witness and on this basis Shuker was found not guilty.⁷¹

For every potentially justified acquittal, there was an equally dubious one. Joseph Carless was found not guilty of beginning to destroy John Ryland's house despite the fact that two witnesses had seen him active in its destruction. The defence produced one witness, the accused's sister in law, who claimed that she saw Carless attempting to rescue pigs from the sty next to Ryland's house. Perryn remarked to the jury that the two witnesses gave strong concurring evidence and that even if Carless was attempting to save the pigs, there was no evidence to suggest he was trying to save

⁶⁸ Douglas Hay, 'Property, Authority and the Criminal Law' in Hay (ed.) *Albions Fatal Tree: Crime and Society in Eighteenth Century England* (London, 1975), p. 32.

⁶⁹ Anon, *An Authentic Account of the Riots at Birmingham*, p. 24.

⁷⁰ King, *Crime, Justice and Discretion in England 1740-1820*, p. 301.

⁷¹ Anon, *An Authentic Account of the Riots at Birmingham*, pp. 20-21.

Ryland's house when he attacked the brick work of the house.⁷² Despite the judge's clear direction the jury found Carless not guilty. John Clifton and James Watkins were also acquitted despite strong evidence being presented against them.⁷³

In total, of the twelve individuals brought to trial, four were found guilty and sentenced to death and the remaining eight were acquitted. After the trials concluded Chamberlayne informed Dundas that 'four rioters were capitally convicted, a larger number than I expected for so great were the prejudices of the jury in favour of the prisoners...they united together to acquit and indeed the same spirit ran throughout the town'.⁷⁴

A recurring problem in the Warwickshire trials was the intimidation of witnesses. During the trial of Francis Field, John Edwards and Walter Underwood were committed by Sir Richard Perryn to the gaol for attempting to intimidate Joseph Elwell, a witness who was to give evidence in the trial of William Shuker. Elwell was threatened with a 'damned good licking' should he testify against Shuker.⁷⁵ This merely followed a pattern of intimidation that had been condoned and encouraged by the magistrates in advance of the trials.

The issue of why the majority of the accused rioters were acquitted at Warwick needs to be addressed. The Dissenters suggested that the composition of the juries undoubtedly played a significant role in the series of acquittals. William Russell had written to Chamberlayne in advance of the Warwickshire trials to warn him that

⁷² Anon, *An Authentic Account of the Riots at Birmingham*, p. 22.

⁷³ *Morning Post and Daily Advertiser*, Aug 26th 1791.

⁷⁴ TNA HO 42/19 folio 539. Chamberlayne to Dundas August 26th 1791.

⁷⁵ Anon, *An Authentic Account of the Riots at Birmingham*, p. 16.

careful consideration should be given to the nomination of the jury. Of particular concern to Russell was that responsibility for assembling the names of potential jurors rested with John Brooke, the under-sheriff of the county of Warwickshire. As noted, Brooke was no friend of the Dissenters and during the riots, allegedly directed the crowd towards the Dissenters' places of worship.⁷⁶ William Hutton claimed that he and John Ryland were invited by the Treasury Solicitor to inspect the list of jurors and strike off any names they disapproved of. Having seen the list Hutton concluded they were 'all of one sentiment', a loyalty to Church and King.⁷⁷ Despite these accusations, there is not sufficient evidence to conclude that Brooke deliberately manipulated the list of jurors to ensure the rioters were acquitted. Such an argument overlooks the difficulties in finding willing participants to serve on juries who also met the required property qualifications.

A further source of discontent was that the members of the jury were almost entirely drawn from the local area.⁷⁸ During the trial of William Rice at Warwick, the Judge lamented the fact that so many of the jurors were from Birmingham.⁷⁹ Despite the judge's complaints, John Beattie has suggested that during the eighteenth century it was common practice for sheriffs to call jurors from the local area. In Beattie's words, 'jurors were summoned in disproportionate numbers from the towns and hundreds in which the court was sitting, presumably to ensure a good attendance.'⁸⁰ As the largest urban area in the Hundred of Hemlingford, it is perhaps unsurprising that a number of the jurors were drawn from Birmingham.

⁷⁶ TNA HO 42/19 folio 352. Russell to Chamberlayne, July 31st 1791.

⁷⁷ Hutton, *The Life of William Hutton*, p. 103.

⁷⁸ *Morning Post and Daily Advertiser* Aug 25th 1791.

⁷⁹ *Morning Post and Daily Advertiser* Aug 25th 1791.

⁸⁰ John Beattie, *Crime and Courts in England 1660-1800* (Oxford, 1986), p. 382.

The judge, Sir Richard Perryn, can largely be absolved of responsibility. There is every indication that Eyre and Perryn both did their utmost to ensure a fair trial in incredibly difficult circumstances. Contemporary newspapers complimented the way in which Perryn managed the trial, although this in part reflected the tendency of newspaper reporters to be positive about judges in this period.⁸¹ When the lead prosecutor D. P. Coke reminded the jury of their responsibility to convict the rioters, the foreman of the jury accused Coke of acting ‘improperly’. Perryn rejected this stating that Coke had acted ‘very properly’ and told the jury ‘you will do well to attend to him’.⁸² In the cases of Robert Whitehead, Joseph Carless, John Clifton and James Watkins, where the presented evidence overwhelmingly disposed a guilty verdict, Perryn in summing up clearly emphasised the strength of the evidence against the accused. This was to no avail, as all of those individuals were found not guilty.

The relationship between judges and juries in the late eighteenth century merits further attention. Ian Gilmour has summarised that although the judge ‘no longer bullied the jury, he usually got his way’.⁸³ Peter King has taken a contrary view. King observes that although practices varied, judges often distanced themselves from verdicts, leaving juries to evaluate the credit of the evidence. Furthermore, jurors tended to exercise their very own independent judgement in particularly emotive criminal trials.⁸⁴ Proceedings against rioters were one example where the opinions of the judge and jury could diverge considerably.

⁸¹ Peter King, ‘Newspaper Reporting and Attitudes to Crime and Justice in Late Eighteenth and early Nineteenth Century London, *Continuity and Change*, 22, 1 (2007), p. 98.

⁸² Anon, *The Trials of the Birmingham Rioters*, p. 45.

⁸³ Gilmour, *Riots, Risings and Revolutions*, p. 150.

⁸⁴ Peter King, *Crime, Justice and Discretion in England 1740-1820* (Oxford, 2000), p. 248. See also King ‘Illiterate Plebians, Easily Misled. Jury Composition, Experience and Behavior in Essex 1715-

The Birmingham magistrates, Joseph Carles and Benjamin Spencer, were culpable. It is true that these magistrates faced the same difficulties as any eighteenth century Justice when faced with the task of apprehending rioters. They lacked a coercive force to help round up suspects and faced difficulties in finding witnesses who were willing to testify against the rioters. Yet it is debatable whether the outcome would have been different had such assistance been available, such was the magistrates' prejudices against the Dissenters. Their investigation was marred by a failure to apprehend a large number of the suspects they had identified. In some cases they were also guilty of ignoring the evidence they had collected. They also failed to protect witnesses who were willing to testify against suspected rioters in court.

Historians are divided on the culpability of Henry Dundas and the British Government. Jennifer Mori claimed that 'the Home Office is not to blame for the failure of Birmingham magistrates to act against the rioters...riot control was a local responsibility and the ministry could do little but respond to regional demands for central assistance'.⁸⁵ Eugene Charlton Black would disagree. Black previously claimed that the Home Office and Treasury Solicitor's papers held at the National Archives reveal that 'the government was unwilling to bring a good case against the Birmingham rioters... for fear of implicating its own parson magistrates'.⁸⁶ In reality these sources provide no such evidence. The documented evidence reveals that Dundas did all within his power and pursued the magistrates with vigor to encourage them to apprehend as many of the rioters as possible. He also dispatched

1835' in J. S. Cockburn and Thomas Green (eds.) *Twelve Good Men and True. The Criminal Trial Jury 1216-1800* (Princeton, 1998), pp. 254-304.

⁸⁵ Mori, *William Pitt and the French Revolution*, p. 93.

⁸⁶ Eugene Charlton Black, *The association: British extra parliamentary political organisation, 1769-93* (Oxford, 1963), p. 295.

the Treasury Solicitor to Birmingham to oversee the actions of the magistrates and to direct the prosecutions.

The culpability of the Treasury Solicitor is more complex. Historians' assessment of his role has at times been damning. Martin Smith accused Chamberlayne of sacrificing 'principals of public order out of a preference for the indulgence of largely private grievances'.⁸⁷ Chamberlayne's private correspondence does not reveal a personal aversion to Dissenters although it does, at times, imply one. After the Warwickshire trials concluded, Chamberlayne wrote to Dundas that 'it afforded satisfaction that their zeal however mistaken bore from loyalty and for the rioters there stems a persuasion that they had done government good service'.⁸⁸

Chamberlayne's open satisfaction that the juries acquitted the majority of the rioters on account of their loyalty is his most damning statement on this subject. There is not sufficient evidence to suggest, as Smith does, that Chamberlayne deliberately derailed the investigation due to a bias against the Dissenters. It is clear that the Treasury Solicitor was active with Lord Aylesford, in overseeing the magistrates as they interviewed witnesses and collected evidence against the rioters. Where Chamberlayne was culpable was in failing to exert sufficient pressure upon the magistrates. His decision to side with them at the outset of his arrival undermined Dundas own attempts to coerce the Birmingham magistrates into a rigorous investigation. Most damningly, in choosing to ignore the substantial evidence collected by William Russell, Chamberlayne allowed the magistrates to conduct a deficient investigation, which ultimately allowed most of the suspects to walk free.

⁸⁷ Smith, 'Conflict and Society', p. 39.

⁸⁸ TNA HO 42/19 folio 539

The Royal Pardons

A further source of dismay for the Dissenters was that pardons were issued to two of the four rioters who had been convicted at the Warwickshire Assizes. Francis Field and John Green were swiftly executed in Warwick on 8th September 1791.⁸⁹

William Hammonds and Bartholomew Fisher applied for, and were granted, pardons. This allowed them to escape punishment altogether. Priestley bemoaned that ‘such were not the proceedings with respect to the riot in London’ (referring to the Gordon Riots).⁹⁰ This section will determine the reasons behind these pardons being granted and consider whether the Dissenters’ complaints were justified.

In the eighteenth century the granting of pardons was very common. Historians speculate that as many as fifty percent of condemned criminals received a pardon during this period.⁹¹ In many cases, the trial judge on assize duty would retract the death penalty before leaving the town if they felt the accused had been wrongfully convicted.⁹² Even those who had not received an immediate reprieve were able to petition the king for a royal pardon. Vic Gatrell has found that the pardoning system worked though a well-oiled administration. In London and Middlesex (the Old Bailey’s jurisdiction), cases were put before the King and the Privy Council. In the provinces responsibility was delegated to the Home Secretary.⁹³ In each case the decision maker would request a report from the trial judge assessing the merits of

⁸⁹ *Public Advertiser*, Sept 12 1791.

⁹⁰ Priestley, *An Appeal to the Public Part II*, p. 83.

⁹¹ Hay, ‘Property, Authority and the Criminal Law’, p. 43.

⁹² Beattie. *Crime and Courts in England*, p. 431.

⁹³ Victor Gatrell, *The Hanging Tree: Execution and the English People 1770-1868* (Oxford, 1994), p. 201.

the appeal.⁹⁴ The success or failure of the appeal largely depended on what was written in the judge's report. It was rare for the king or Home Secretary to directly contradict the judge's opinion.⁹⁵

In the case of Hammonds, the appeal was made because one of the principal witnesses at trial, Job Harvey, had altered his testimony. During the trial Harvey had alleged that he had witnessed Hammonds pulling up the floorboards of John Ryland's house at Easy Hill and using them to make a fire.⁹⁶ Harvey later changed his testimony to indicate that the floorboards were pulled up in order to release a group of people who were trapped in the cellar and in danger of suffocating. Although Harvey had not himself seen anyone in the cellar he claimed to have heard that people were trapped underneath.⁹⁷ Two further individuals also came forward after the trial had concluded to provide Hammonds with positive character references.⁹⁸ In the case of Bartholomew Fisher the petition was made by his father, Philip Fisher, who claimed that his son was only twenty years old, 'much overcome with liquor' and emphasised his son's previous good character.⁹⁹ Despite Dundas warning that 'the nature of the offence' made the success of such an appeal unlikely,¹⁰⁰ the appeals made on behalf of Hammonds and Fisher were both successful.

⁹⁴ King, *Crime, Justice and Discretion in England 1740-1820*, p. 297

⁹⁵ Gilmour, *Riots, Risings and Revolution's*, p. 152.

⁹⁶ See TNA TS 11/932/3304 folio 135.

⁹⁷ HO 47/13/89 folio 254. The humble petition of Sir Robert Lawley to Henry Dundas. A summary of Harvey's new testimony can be found in HO 42/19 folio 603 Carles to Dundas 18th September 1791.

⁹⁸ See TNA HO 47/13/89 folio 258 Deposition of Thomas Eagles and folio 260 Deposition of Edward Whitfield.

⁹⁹ TNA HO 47/13/128 folio 429. The humble petition of Philip Fisher to Henry Dundas.

¹⁰⁰ TNA HO 13/8. Dundas to Lawley, 6th September 1791.

On the surface there was a great deal more to recommend Hammonds's petition than Fisher's. The change in testimony of one of the two principal witnesses would appear to have cast doubt on the original verdict at trial. Judge's reports were most favourable when the evidence given at trial was thought to be inadequate or doubtful.¹⁰¹ This was the view taken by Sir Richard Perryn in his report on Hammonds's appeal. The judge stated that in the original trial there had been no mention that Hammonds or any others assembled in Rylands house had pulled up the floorboards with the intention of preventing persons in the cellar from being suffocated. Perryn remarked that 'if any such evidence had been given the case would have worn a very different complexion' and recommended Hammonds for pardon.¹⁰²

Despite the judge's favorable report, the pardoning of Hammonds was, in the view of the Dissenters, highly contentious. They were particularly concerned about the circumstances surrounding Job Harvey's decision to alter his testimony. Harvey claimed he had not discussed the people trapped in the cellar because he had not been asked about it.¹⁰³ Joseph Priestley suggested that 'much pains were made to make Mr Job Harvey say something favourable concerning Hammonds.'¹⁰⁴ Dundas was sufficiently suspicious to dispatch a lawyer, Mr Bond, to Birmingham to investigate the new evidence presented.¹⁰⁵ There remains no direct evidence to support Priestley's claim, that Job Harvey was coerced into changing his testimony.

¹⁰¹ King, 'Decision Makers and Decision Making in the English Criminal Law, 1750-1800', *The Historical Journal*, Vol. 27, No. 1 (1984), p. 46

¹⁰² TNA HO 47/13/89 folio 252. Report of Richard Perryn on collective petition on behalf of William Hands.

¹⁰³ HO 42/19 folio 603.

¹⁰⁴ Priestley, *An Appeal to the Public part II*, p. 83.

¹⁰⁵ TNA HO 13/8 Dundas to Lawley 15th September 1791.

Despite this, there must have been serious doubts regarding the reliability of Job Harvey's testimony, yet it was upon this testimony that Hammonds was pardoned.

The decision to reprieve Fisher was even more questionable. The basis for the appeal was restricted to the fact that Fisher was drunk and of previous good character. Unlike Hammonds's petition, no new evidence was put forward that could call into question the original guilty verdict. Richard Perryn, in reviewing the appeal put forward by Fisher's father, stated 'I cannot presume to offer an opinion how far the convict may be a proper object of his majesty's mercy'.¹⁰⁶ Perryn's decision to adopt neutrality to the appeal was hardly a ringing endorsement that it should be accepted.

The question remains in the case of both Hammonds and Fisher why the pardon was granted so readily when so few of the alleged rioters had been found guilty in the first place. Douglas Hay has argued that wholly extra-judicial considerations had great influence on whether an appeal for pardon was successful or not.¹⁰⁷ Hay suggested that the role of the respectability could play a decisive role in whether the appeal was accepted or not and that the excuse of respectability was pleaded extensively.¹⁰⁸ Peter King, in a detailed qualitative analysis of pardon appeals between 1787-1790, has cautioned against such generalisations. In this period he found that the excuse of respectability was pleaded in only a tenth of cases in his sample. King also notes that since most appeals did not rest upon a single factor but

¹⁰⁶ TNA HO 47/13/128. Report of Richard Perryn on one individual petition (Philip Fisher, aged 62, the prisoners father).

¹⁰⁷ Hay, 'Property, Authority and the Criminal Law', p. 44.

¹⁰⁸ *Ibid.*, p. 45.

often a number of interrelated factors, it is very difficult to establish the importance of any single factor.¹⁰⁹

It is possible that respectability may have played a role in the success of Hammonds's appeal. Although William Hammonds may not himself be described as 'respectable' it is notable that his petition did have some powerful and notable backers. The petition was made in the name of Sir Robert Lawley, Baronet, MP for Warwickshire and a wealthy landowner. Amongst the eighty signatories were John Brooke and Rev Charles Curtis, rector of St Martin's in Birmingham. Lawley in his petition to Dundas described the signatories as 'some of the most respectable names within the town'.¹¹⁰ John Brooke, as well as signing the petition, also wrote separately to Dundas in favour of Hammonds's petition.¹¹¹ Given the nature of the appeal it would be incorrect to surmise that the pardon was granted purely on the basis of the identity of the petitioners. Peter King has argued that the support of 'gentlemen' and magistrates certainly did not necessarily guarantee the granting of a successful pardon any more than the backing of middling men.¹¹² If this is the case, then the change in testimony of Job Harvey was probably most crucial to the success of the appeal. It is also possible to speculate that the backing of a number of the local 'respectable' inhabitants of Birmingham cannot have harmed the credibility of the appeal.

Fisher did not possess 'respectable' backing. Given that his appeal was primarily based on previous good character, his youth and future ability to reform his ways, it

¹⁰⁹ King, *Crime, Justice and Discretion in England 1740-1820*, p. 300.

¹¹⁰ TNA HO 47/13/89, folio 254. Lawley to Dundas 4th September 1791.

¹¹¹ TNA HO 47/13/89 folio 256. Brooke to Dundas

¹¹² King, *Crime, Justice and Discretion in England 1740-1820*, pp. 318-21.

is somewhat surprising the appeal was granted given that the judge was neutral.

Both youth and good character were very important subgroups in pardoning cases such as these.¹¹³ Fisher however, was technically an adult at twenty years of age, his offence was of the most serious nature for which a relative few had been punished and his fundamental guilt had not been challenged in his father's petition.

There is little doubt that the pardoning system itself was fundamentally flawed. The absence of proper machinery to consider cases led to the decision usually resting solely upon the trial judge who often did not have all the facts at hand.¹¹⁴ Hay has argued that pardons could save a good many people who were guilty.¹¹⁵ Indeed, they were designed to do so. They offered the opportunity of a reprieve to those who were unquestionably guilty but had extenuating circumstances.

It is also necessary to consider the role of Henry Dundas and the British Government in the pardoning process. Whatever doubts the Home Secretary may have entertained about the reliability of Job Harvey as a witness, in accepting the judge's recommendation and pardoning William Hammonds, he was merely following standard procedure. In the more fallible case of Fisher, Dundas was left to make up his own mind. The decision to pardon Fisher perhaps reflects a general ambivalence on the part of the Home Secretary towards the Birmingham riots after the prosecutions had concluded. Although there is every indication from Dundas's correspondence that he did his utmost to encourage an effective pursuit of the rioters, these attempts undoubtedly failed. The willingness to pardon half of those found guilty reflected an abrupt change in governmental policy, a determination to

¹¹³ Ibid., pp. 301-2.

¹¹⁴ Gilmour, *Riots, Risings and Revolutions*, p. 152.

¹¹⁵ Hay, 'Property, Authority and the Criminal Law' p. 45.

quickly move on from events in Birmingham. This can be further witnessed, as will be shown, in the British Governments refusal to grant an inquiry into the riots.

The Absent Enquiry

The Dissenters and victims of the riots were understandably exasperated at what had transpired at the Worcestershire and Warwickshire Assizes in the summer of 1791. They continued to press for a government enquiry into events leading up to and during the riots and in particular the conduct of the magistrates during the riots. Some sections of the press also supported this appeal. The November 3rd edition of the *Morning Post and Daily Advertiser* claimed that ‘A parliamentary enquiry into the causes and circumstances of the late Birmingham riots is desirable on many accounts...amongst the first is that the impulse will probably be traced to a few...we would not have thought it possible that an extended association could be formed in this enlightened country to impel a savage mob to burn their neighbours houses’.¹¹⁶ It looked as if the Dissenters may have gotten their wish when a motion was brought to the House of Commons by Samuel Whitbread MP and debated on 21st May 1792. Any hopes for an enquiry were to be quickly dashed. This section will be to briefly analyse the main points of the debate and to consider why Parliament so heavily rejected the appeal for an enquiry.

Samuel Whitbread had already established himself as one of the leading figures of the Foxite Whig opposition in the Commons, despite only having been in parliament since 1790.¹¹⁷ He supported the abolition of the slave trade and religious

¹¹⁶ *Morning Post and Daily Advertiser*, Nov 3rd 1791.

¹¹⁷ Geoffrey Treasure, *Who's Who in Late Hanoverian Britain 1789-1837* (London, 1997), p. 42.

toleration, the latter of which may have persuaded him to take up the plight of the Dissenters.¹¹⁸ Whitbread was in fact a known sympathiser of Dissenters.¹¹⁹

Whitbread was a close ally of Fox the leader of the Whig opposition who himself had been an ardent proponent of religious liberty in the 1780s and early 1790s. He spoke out in parliament in favour of the Test and Corporation Act repeal motions of 1787 and 1789 and sponsored the 1790 motion. Fox also personally donated £100 to the Essex Street chapel upon its foundation.¹²⁰ Fox's sympathy for Dissenters led to him attending Dissenting meetings, both political and social.¹²¹ Fox continued to advocate the repeal of the Test Acts and broader measures for religious freedom.¹²² For example, in 1792 he sponsored the Unitarian petition of 1792, which aimed to repeal certain statutes particularly affecting Unitarians.¹²³

Whitbread's call for an inquiry was made primarily on the basis of the evidence collected by William Russell in the aftermath of the riots. He argued that the thirty-six affidavits contained damning evidence against the magistrates, which suggested not only a gross neglect of duty but actual complicity with the rioters. He cited a number of precedents where magistrates had been prosecuted and punished for a neglect of duty in failing to prevent riots.¹²⁴ Whitbread was also critical of the British

¹¹⁸ D. R. Fisher, 'Whitbread, Samuel (1764–1815)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/29231>.

¹¹⁹ Roger Fulford, *Samuel Whitbread 1764-1815: A Study in Opposition* (London, 1967), p. 47.

¹²⁰ John Seed, 'Rational Dissent and Political Opposition 1770-90' in Knud Haakonssen (ed.), *Enlightenment and Religion Rational Dissent in Eighteenth Century Britain* (Cambridge, 2006) p. 145.

¹²¹ Grayson Ditchfield, 'The Parliamentary Struggle over the Repeal of the Test and Corporation Acts, 1787-90', *English Historical Review*, 89, 352, (1974), p561.

¹²² *Ibid.*, p. 563, p. 572.

¹²³ See Ditchfield, 'Anti-Trinitarianism and Toleration in Late Eighteenth Century British Politics: the Unitarian Petition of 1792', *Journal of Ecclesiastical History*, 42, 1 (1991), pp. 39-67.

¹²⁴ Anon, *Debate on enquiry into the Birmingham Riots of 1791, The Parliamentary Register; or history of the proceedings and debates of the House of Commons, 1780-96*, Vol 33 (London, 1792), pp. 56-72.

Government for issuing pardons to two of the rioters who had been convicted at trial.¹²⁵

In response Henry Dundas claimed that although he was not opposed to an inquiry, the government had not proceeded against the magistrates based upon the advice of the Attorney General who believed that any prosecutions would be unsuccessful.¹²⁶ He also resolutely defended the role of government in both the riots and their aftermath. In particular, Dundas claimed that the acquittals at the Warwickshire and Worcestershire Assizes were not the fault of the British Government.

Some members of Parliament questioned both the substance and the value of the affidavits. Sir Robert Lawley claimed that a number of the ‘respectable’ inhabitants of Birmingham had signed a paper testifying their approbation of the actions of the magistrates in the riots.¹²⁷ The Attorney General claimed that the affidavits were not taken in a proper format. He also argued that because they were taken *ex parte* and not in the presence of the accused and without any cross-examination of the witnesses then their reliability was impeached.¹²⁸ Henry Dundas went so far as to state that Russell had been advised by the Treasury Solicitor to take the testimony in the form of information rather than affidavits but had chosen ignore this advice.¹²⁹ This was simply not true. Chamberlayne’s own correspondence reveals that the affidavits were taken in a form exactly as advised by the Treasury Solicitor to William Russell.¹³⁰ Another Whig MP, Charles Grey, who was a leading advocate

¹²⁵ Ibid., p73.

¹²⁶ Ibid., p. 80.

¹²⁷ Ibid., p. 76.

¹²⁸ Ibid., p. 84.

¹²⁹ Ibid., p. 78.

¹³⁰ TNA HO 42/19, folios 391-2. Chamberlayne to Joseph White, August 3rd 1791.

of reform and close ally of Fox,¹³¹ claimed that regardless of how the testimonies had been taken, the evidence was so strong that they should not have been easily dismissed.¹³²

Henry Dundas also defended the decision to issue pardons to two of the rioters. He claimed that one was acquitted on the basis of a favourable report from the presiding judge while the other was acquitted in light of new evidence that came to light after the trial. The Home Secretary stated that the judge had believed this evidence was plausible and had it been given at trial then this would have provided a sound basis for an acquittal.¹³³ Dundas was evidently referring to William Hammonds in the second case. Hammonds was acquitted when one of the witnesses had changed his testimony. His account of a favourable judge's report in the case of Bartholomew Fisher was actually incorrect. As noted in this chapter, Sir Richard Perryn had adopted a neutral stance with respect to Fisher's father's appeal for a pardon.

Throughout the debate different MP's attempted to apportion blame on the different religious groups in Birmingham for helping to precipitate the riots. In his opening speech, Whitbread criticised the Birmingham clergy for bringing 'unwarrantable charges' against the Dissenters and for inflaming the minds of the town's inhabitants against them. Extracts from sermons read by Spencer Madan and George Croft were read to the House. Charles Grey also claimed that a letter had been sent in the name of the Birmingham clergy to the assize judges urging

¹³¹ E. A. Smith, 'Grey, Charles, second Earl Grey (1764–1845)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/11526>.

¹³² Anon, *Debate on enquiry into the Birmingham Riots of 1791*, p. 96.

¹³³ *Ibid.*, p. 78.

restraint against rioters who were shown to be attempting to defend Church and King at trial.¹³⁴ Both Sir Robert Lawley and Henry Dundas were highly critical of the Bastille dinner. Dundas attempted to place blame on the Dissenters for the inflammatory handbill circulated around Birmingham in advance of the riots. His claim that the author of the handbill was John Hobson, a local Dissenting minister, was presumably based on evidence given to him by John Brooke.¹³⁵ This claim was never substantiated and considering Brooke's own prejudice the accuracy of the statement must be questioned.

It is notable that of the MPs who spoke during the debate there was roughly an even split between those who supported an inquiry and those who opposed it. The motion itself was heavily defeated with only 46 in favour and 189 opposed. Although the Attorney General argued the affidavits did not provide sufficient evidence to proceed with an inquiry his opinion was not universally accepted. At least one MP claimed that he had come to the debate with the intention of opposing the motion, but having heard the strength of the evidence and having read some of the affidavits he had been disposed to change his mind.¹³⁶ Other MPs had expressed surprise at the consistency of the testimonies. It is likely that doubts over the merits of the evidence collected were not the only explanation for the overwhelming defeat of the motion.

An explanation for Parliament's rejection of an inquiry may be found in the context within which the debate was held. Whitebread's motion coincided with two significant events. Firstly, the motion was brought on the same day as the Royal

¹³⁴ *Ibid.*, p. 96.

¹³⁵ TNA HO 42/19 folio 522, Brooke to Dundas 15th August 1791.

¹³⁶ Anon, *Debate on enquiry into the Birmingham Riots of 1791*, p. 86.

Proclamation against Seditious Meetings and Writings. Secondly, the planning of the proclamation led to negotiations between Prime Minister William Pitt the Younger and the Duke of Portland. These negotiations threatened the unity of the Whig Party.

In 1792 a more widespread fear of the possibility of a revolution in Britain spread amongst the British Government and the propertied classes. This was initiated not only by abhorrence of the violent course taken by the Revolution in France but also the revival of the parliamentary reform movement at home.¹³⁷ The Revolution Society and the Society for Constitutional Information had been in decline in the 1780s but were revived by the French Revolution. The beginning of 1792 had seen the situation become even more precarious for the government. A number of new societies were founded which advocated political reform and aimed to disseminate the virtues of reform to the lower orders.¹³⁸ The most significant of these was the London Corresponding Society, established by a small group of artisans led by Thomas Hardy. Similar societies were established across Britain in places such as Manchester, Norwich, Leeds, Newcastle and Sheffield. The Sheffield Society for Constitutional Information was especially successful, attracting as many as 2,500 members by the middle of 1792.¹³⁹ While some of these societies were dominated by middle class reformers, in London, Sheffield and Norwich, they were artisan based.¹⁴⁰

¹³⁷ Austin Mitchell, 'The Association Movement of 1792-3', *The Historical Journal*, IV, 1 (1961), p. 56; See appendix 4 for a chronology of these events.

¹³⁸ Philp, 'Vulgar Conservatism, 1792-3', p. 46.

¹³⁹ Dickinson, 'The Political Context', pp. 5-7.

¹⁴⁰ Stevenson, 'Popular Radicalism and Popular Protest 1789-1815', p. 70.

The ideology of these societies was in part fuelled by a diet of radical publications, of which Tom Paine's *Rights of Man* was the most well known. John Stevenson has argued that Paine's writing was critical in disseminating a radical ideology of natural rights into Britain while his writings caused genuine alarm among the propertied classes.¹⁴¹ Although both Stevenson and Mark Philp have rightly questioned how far Paine's message was accepted into the programme and tactics of reformers in the 1790s,¹⁴² there is little doubting Paine's centrality in 1792. Indeed the publication of part II of the *Rights of Man* prompted the government to issue a proclamation against seditious writings, although Frank O'Gorman has suggested that this was carried out as much for rallying public opinion as uncovering authors and publishers of seditious literature.¹⁴³ The proclamation was issued in the same month as the parliamentary debate on the riots and provided the first indication of a government lurching into action as a result of increasing concern at the growth of the reform movement.¹⁴⁴

Pitt skillfully used the threat of domestic radicalism in order to attempt to foster a closer relationship with the conservative Whigs and to widen the divisions within the Whig party. By 9 May, ministers had drawn up a proclamation designed to check the growth of domestic radicalism. Pitt invited Portland to meet and discuss the measure. A meeting between the two occurred on the following day. Portland asked for the measure to be presented to Parliament while Pitt suggested that Portland and his followers attend a meeting of the Privy Council, when the proclamation was to

¹⁴¹ Ibid., p. 70.

¹⁴² Philp, 'The fragmented ideology of reform', p. 61.

¹⁴³ Frank O'Gorman, 'Pitt and the Tory Reaction to the French Revolution 1789-1815, in Dickinson (ed.) *Britain and the French Revolution 1789-1815*, p. 30.

¹⁴⁴ J. Mori, *William Pitt and the French Revolution*, pp. 112-16.

be discussed.¹⁴⁵ Although the Privy Council invitation was rejected by Portland, the debate on the Royal Proclamation on 25 May threatened a direct collision between the two wings of the Whig party. It was only the conciliatory actions of Charles James Fox, on the eve of the debate, which prevented this.¹⁴⁶ While members of the party aired their different views regarding the proclamation in the commons, the impression of party unity was preserved, at least for the time being.

These events were to have profound consequences for the parliamentary debate on the riots as even liberal minded politicians turned to the defence of the established order. Once again the Dissenters' connections to the French Revolution and their advocacy of parliamentary reform was to have profound repercussions on their attempts to seek justice. As the domestic reform movement gathered strength, it was met with increasing uneasiness in the corridors of power and amongst conservative elements of the Whig party. In this climate, enquiring into the conduct of the Birmingham magistrates was no longer a priority.

Reflections: Prosecuting Rioters in late Eighteenth Century Britain

It is necessary to compare the trials of the Birmingham rioters with criminal proceedings brought against participants in other late eighteenth century popular disturbances. This will establish whether events at the Warwick and Worcester Assizes in the autumn of 1791 were indicative of a wider failure to convict rioters or whether they were an anomaly in the late eighteenth century justice system.

¹⁴⁵ Frank O’Gorman, *The Whig Party and the French Revolution* (London, 1967), p. 88.

¹⁴⁶ *Ibid.*, p. 89.

Historians' work on other outbreaks of popular violence in this period allows some important remarks to be made.

The prosecution of only a small minority of the Birmingham rioters was consistent with other Church and King riots in the 1790s. In such cases the victims were often treated as the instigators in such outbreaks of violence.¹⁴⁷ Alan Booth has found that in popular disturbances in the north of Britain during the 1790s, very few members of loyalist crowds were ever brought to account.¹⁴⁸ In 1794 when a crowd of some three to four thousand attacked a meeting of reformers in Thorpe near Royton, only four rioters were convicted. They received custodial sentences of between two months and two years. A further six reformers were put on trial and charged with riotous assembly and assault with one being convicted.¹⁴⁹ The Manchester Riots of December 1792 were another case in point. Over the course of three nights, crowds of several hundred laid siege to the houses of four of the leading reformers within the town as well as the offices of the radical newspaper, the *Manchester Herald*.¹⁵⁰ Despite the numbers involved there was a distinct lack of prosecutions against members of the loyalist crowd responsible for the riots.¹⁵¹

If the area of scrutiny is widened to other eighteenth century disturbances then a similar pattern emerges. The Leicester Riots of 1787 provides a typical example. The riots had been initiated by attempts to introduce a new spinning machine, which had the potential to put a number of hand spinners out of their jobs. During

¹⁴⁷ Marilyn Morris, *The British Monarchy and the French Revolution* (Yale, 1998), p. 154.

¹⁴⁸ Booth, 'Popular loyalism and public violence', p. 301.

¹⁴⁹ *Ibid.*, p. 301.

¹⁵⁰ Michael Davies, 'Walker Thomas (1749-1817)', *Oxford Dictionary of National Biography* <http://www.oxforddnb.com/view/article/63603>.

¹⁵¹ Booth, 'Popular loyalism and public violence', p. 299.

the riots the properties of a number of Nonconformist industrialists (perceived as responsible) were attacked.¹⁵² The disturbances lasted for ten days and involved one hundred and fifty rioters. Only two people were brought to trial at the Borough Sessions at the beginning of 1778. Both were acquitted. The jury, drawn from the inhabitants of the Borough, were sympathetic towards the rioters and hostile to the Nonconformist manufacturers.¹⁵³

Sympathy of juries can also be witnessed in the trial of rioters accused of attacking a Methodist Chapel in northern Essex in 1794. Of the eighteen brought to trial only three were found guilty. The mass of acquittals led to the *Chelmsford Chronicle* to conclude that such was the strength of the evidence 'if the jury had followed the opinion and directions of the learned judge' the number found guilty could have been multiplied by four.¹⁵⁴

Roger Wells has found that in the most common form of eighteenth century disturbance, the food riot, only a small number of those involved were ever prosecuted. The majority of suspected rioters were then acquitted at trial.¹⁵⁵ For example, during fierce rioting in Nottingham in September 1800, some sixty rioters were seized by magistrates working in cooperation with the military. Specific charges were laid against twenty-five individuals, thirteen were found guilty at the Staffordshire Midsummer Assize of 1800. One of the suspects was sentenced to death, although she was later pardoned. The remaining convicted rioters were each

¹⁵² David Wykes, 'The Leicester Riots of 1773 and 1787: a study of the victims of popular protest', *Transactions of the Leicestershire Archaeological and Historical Society*, 54, (1978-9), pp. 41-44.

¹⁵³ *Ibid.*, p. 45.

¹⁵⁴ Cited in King, *Crime, Justice and Discretion in England 1740-1820*, p. 248.

¹⁵⁵ See Roger Wells, *Wretched Faces: Famine in Wartime England 1793-1801* (Gloucester, 1988), chapter 16.

sentenced to three months in prison.¹⁵⁶ Wells notes that the indictment of so many individuals after a single incident was uncharacteristic, with prosecution usually reserved ‘for a selected prisoner or two’.¹⁵⁷

This was certainly the case after rioting in Birmingham in 1795. After a poor harvest in 1794, food prices rose sharply in the pre-harvest months of 1795 and led to a series of disturbances across the country.¹⁵⁸ In June 1795 a crowd of around 1,000 people broke into James Pickard’s mill in Snow Hill. They were protesting against a smaller loaf which Pickard had introduced, claiming they were being ‘starved to death’.¹⁵⁹ The military swiftly intervened to quell the disturbances and two rioters were shot dead while a further five were arrested. Despite the scale of the disturbances and the threat they presented to local law and order, only three suspected rioters were tried at the Warwick assizes.¹⁶⁰

In the aftermath of the Gordon Riots there was a much more purposeful and resolute effort to apprehend the rioters. Despite this, only a small minority of suspects brought to trial were found guilty and punished. More than four hundred and fifty were arrested during the disturbances, or in their immediate aftermath. One hundred and sixty were tried, with seventy-five being found guilty. Sixty-two of these were sentenced to death, a further twelve were sent to prison for periods between one month and five years and one was sentenced to be ‘privately

¹⁵⁶ Ibid., pp. 278-9.

¹⁵⁷ Ibid., p. 275.

¹⁵⁸ John Stevenson, ‘Food Riots in England 1792-1818’, in Stevenson and R. Quinault (eds.), *Popular Protest and Public Order, Six Studies in British History, 1790-1920*, (London, 1974), p. 35.

¹⁵⁹ Rose, ‘Political and Administrative History: Political History to 1832’, p. 285.

¹⁶⁰ John Alfred Langford, *A Century of Birmingham Life or a Chronicle of Local Events from 1741 to 1841 Volume II* (Birmingham, 1868), p. 53.

whipped'.¹⁶¹ Despite the fact that sixty-two were sentenced to death only twenty-five actually went to the gallows. These statistics reveal that even in a case where there was a determined effort to apprehend the rioters and bring them to justice, over half of the accused were acquitted and over half of those found guilty were pardoned. Tim Hitchcock has attributed the number of acquittals as being due to the number of defence counsel employed by the defendants, the use of which expanded dramatically after 1780.¹⁶² The fundamental difference between the Gordon Riots and those in Birmingham eleven years later was that action was taken against members of the authorities for negligence during the riots. Most notably, the Mayor of London, Brackley Kennett was charged with a criminal neglect of duty. He had failed to read the Riot Act or offer any protection to communities besieged by the rioters. It was also alleged that he was broadly sympathetic to the rioters. Kennett was found guilty and fined £1,000.¹⁶³

These comparisons reveal that far from being an anomaly, the prosecution of the Birmingham rioters could be said to be merely conforming to a broadly established pattern in the eighteenth century judicial system. Only a very small minority of suspected rioters were ever charged and brought to trial and the majority of those were acquitted. David Lemmings has noted that indictments for riot in this period were likely to be undertaken for compensation rather than punishment and were

¹⁶¹ Rudé, 'The Gordon Riots', p99. See also Jean Paul de Castro, *The Gordon Riots* (Oxford, 1926), chapter VI.

¹⁶² Tim Hitchcock, 'Re-negotiating the bloody code: the Gordon Riots and the transformation of popular attitudes to the criminal justice system' in John Seed and Ian Heywood (eds.) *The Gordon Riots Politics, Culture and Insurrection in Late Eighteenth Century Britain* (Oxford, 2012), p. 194.

¹⁶³ Ian Doolittle, 'Kennett, Brackley (c.1713–1782)', *Oxford Dictionary of National Biography* <http://www.oxforddnb.com/view/article/37631>.

frequently dropped on the parties settlement.¹⁶⁴ As a result, only the most serious disturbances were likely to see criminal proceedings initiated.

In many ways this was systematic of the deficiencies of eighteenth century law. The idiosyncrasies of the Riot Act made arresting rioters, let alone prosecuting them an unpredictable exercise. By the terms of the Act, if twelve or more people assembled ‘unlawfully, riotously and tumultuously’ then the magistrates had the means to make a proclamation ordering the dispersal of the crowd. If the group failed to disperse within one hour then they were guilty of a ‘felony without benefit of clergy...and the adjudged felons...shall suffer death’.¹⁶⁵ After the hour had passed, law enforcement officers were granted the power to ‘disperse, seize or apprehend’ the rioters and were ‘free, discharged and indemnified’ from any resultant action for ‘killing, maiming or hurting of any such person or persons’.¹⁶⁶

The Riot Act had obvious drawbacks. It was not always possible for those in the crowd to hear the reading of the Proclamation. There were difficulties in establishing the legal status of those who were not present at the reading of the original Proclamation but arrived at a later point.¹⁶⁷ The Act sanctioned summary judicial slaughter, granting immunity to any law enforcement officer who injured or even killed offenders. Private citizens were also exempt from prosecution if they assisted in the dispersion of rioters. Any rioter found guilty in court faced the possibility of the death penalty. The harshness of the Act meant that Justices of the Peace were often faced with a difficult decision, to invoke the act and risk a

¹⁶⁴ David Lemmings, ‘Introduction’ in Lemmings (ed.) *The British and their Laws in the Eighteenth Century* (Woodbridge, 2005), p. 5.

¹⁶⁵ The Riot Act. I. Geo. I Stat. 2, Cap. 5. (1715)

¹⁶⁶ Ibid.

¹⁶⁷ Randall, *Riotous Assemblies*, p.26.

bloodbath or to attempt to negotiate with the rioters and risk the accusation of incompetence or complicity.¹⁶⁸ The provisions of the statute were most appropriate for smaller communities, where the appearance of a magistrate was usually sufficient to disperse the rioters. It was less effective in urban areas where the scale of disturbances tended to be much greater.¹⁶⁹ When dealing with larger crowds, magistrates acting without the support of soldiers or a large body of special constables were frequently ignored. The way the act was construed in court could also be inconsistent. If the Riot Act was read several times and in different places (which was common practice for magistrates looking to avoid the use of force) then this often created confusion. By the same token, if the Riot Act had not been read then suspected rioters could escape justice altogether.¹⁷⁰ There were examples of people being put on trial and even executed for merely spectating and vocally supporting the rioters. Others could escape justice if the judge ruled the clause 'beginning to demolish' could only apply if it was the perceptible and ultimate object of the rioters to demolish the house.¹⁷¹ As we have seen juries could also be very inconsistent, if members of the jury had a predisposition in favour of the rioters, then this could lead to acquittals despite very strong evidence against the accused.

That responsibility for apprehending the rioters in the eighteenth century lay solely with the unpaid magistrates also created difficulties. The majority of contemporary magistrates were no longer directly involved with the detection of offenders but were more concerned with responding to the cases brought before them.¹⁷² Magistrates were not always impartial observers. If they were sympathetic to the rioters then this

¹⁶⁸ Ibid., p. 42.

¹⁶⁹ Nippel, 'Reading the Riot Act', p. 404.

¹⁷⁰ Ibid., p. 415.

¹⁷¹ Ibid.

¹⁷² King, *Crime, Justice and Discretion in England*, p. 82.

could lead to a less rigorous investigation. Adrian Randall has also noted that local magistrates had little in the way of coercive forces to tackle popular disorder.¹⁷³ By the same token, they had little assistance available to them to either investigate or to apprehend rioters. They were often faced with difficulties in finding witnesses, as some were unwilling to come forward as they were sympathetic to the rioters and unwilling to risk implicating themselves in the riots.

It appears that the government itself had no desire to see public executions of rioters become an everyday occurrence. Aside from the fact that hangings would be devalued if they became too common, there were many practical problems associated with public executions. They attracted many spectators and often became public holidays. If public hangings became too common, they would have had severely detrimental effects on the local economies where the executions took place.¹⁷⁴ There was also the fear that too many executions would only enhance sympathy for the rioters. After the Gordon Riots, Edmund Burke cautioned against executing the rioters *en masse*. Burke suggested only twelve rioters should be hung, any more he argued would only generate sympathy for their plight.¹⁷⁵

Conclusion

The previous section has shown that failures to convict suspected rioters were commonplace in eighteenth century law. This in part reflects the difficulties associated with such prosecutions. The ambiguities of the Riot Act made bringing rioters to account difficult and often led to indiscriminate outcomes. Meanwhile, the

¹⁷³ Randall, *Riotous Assemblies*, p. 35.

¹⁷⁴ Randall, *Riotous Assemblies*, p. 27.

¹⁷⁵ Nippel, 'Reading the Riot Act', p. 416.

detection and apprehension of the rioters was left to the unpaid magistrates, who were often ill equipped for the task in hand. The failure to prosecute the majority of the Birmingham rioters therefore may be seen as conforming to a wider pattern of ineffectual proceedings due to the vagaries of eighteenth century law. Despite this, the Priestley Riots provide the most notorious example of a failure to bring rioters to account.

Whatever the limitations of eighteenth century law, the individual's tasked with apprehending the rioters and bringing them to trial were far from blameless. The Birmingham magistrates were constrained by the limitations of the Riot Act and as ill equipped to deal with cases of this type as any of their eighteenth century counterparts. Whether the outcome would have been any different had improved legal provision been in place is highly debatable, given the magistrates obvious sympathy with the rioters. That only a small number of suspected rioters were apprehended and a minority of them tried, resulted in part from the deficient investigation conducted by the magistrates, who in some cases chose to ignore the evidence they themselves had collected.

That the magistrates were able to proceed in this manner was partly due to the actions of the Treasury Solicitor. Martin Smith's assertion, that William Chamberlayne deliberately thwarted the prosecution of the rioters on account of a personal aversion to Dissenters, was not founded on a sound evidential basis. Despite this, Chamberlayne's actions did contribute in part to the failed prosecutions. His unconditional endorsement of the magistrates, despite strong

evidence of their potential complicity, enabled them to proceed with a deficient investigation that ultimately allowed most of the rioters to escape punishment.

This chapter has largely absolved the Home Office for the failure to convict the rioters. There is every indication that the Home Secretary, Henry Dundas, did all within his power to assist the prosecutions, dispatching the Treasury Solicitor to Birmingham to oversee the investigation and regularly writing to the magistrates to demand updates on their efforts to apprehend suspects. After the trials concluded it is clear that Dundas' convictions faltered. He supported the pardoning of Bartholomew Fisher contrary to the opinion of the Judge, Sir Richard Perryn. It is also clear from his statements in Parliament that despite his protestations to the contrary, he was clearly not indifferent to an inquiry into the conduct of the magistrates. This opposition compelled him to make false statements, whether knowingly or unwittingly to the House of Commons, regarding Bartholomew Fisher's petition for pardon. It is evident that by this point in time events both domestically and abroad had softened Dundas' desire to bring the rioters to account. He was now eager to see the events of July 1791 brought to a swift conclusion.

Chapter 5: ‘Rancour and ill blood’?¹ Compensating the Victims of the Priestley Riots of 1791

After the failed criminal prosecutions, the possibility of claiming financial compensation offered one last hope of justice for the victims. The process of using the courts to seek compensation was not merely in the interests of reclaiming losses. It afforded a public opportunity for Priestley, Russell and the other Dissenters to state that in seeking financial redress they were dissatisfied with the criminal proceedings and the failure of government to take any action against the magistrates. In the words of their attorney, Thomas Lee, with the government and the courts having failed to deliver justice, ‘it fell upon the sufferers to do it’.² Yet the Dissenters were again left frustrated. Most of the claims were substantially reduced, causing William Hutton to lament that ‘every obstacle of human intervention was thrown in our way. I was induced to wish I had given up my claim’.³ Historians have not shared Hutton’s level of indignation although they have broadly shared the view that the juries failed to provide adequate recompense for the damage caused.⁴

As with the criminal prosecutions, very little research has been conducted into the claims brought against the hundreds of Hemlingford and Halfshire.⁵ In order to assess whether the Dissenters’ criticism of inadequate redress was justified, this chapter considers how the claims were brought, analyses the processings where the

¹ At the Warwick Assizes, Lord Chief Baron Eyre, one of the presiding judges is said to have remarked that he had ‘never in his life seen so much rancor and ill-blood’. See Hutton, *The Life of William Hutton*, p. 111.

² BCL. MS238 9.4, Thomas Lee to Henry Bell 23rd September 1791.

³ Hutton, *The Life of William Hutton*, p. 111.

⁴ Jones, *Industrial Enlightenment*, p. 196.

⁵ Maxine Berg briefly discusses the compensation claim made by Joseph Priestley but is primarily interested in the ‘material culture of an established middle class intellectual’. See Maxine Berg, *Luxury and Pleasure in Eighteenth Century Britain* (Oxford, 2007), pp. 1-4.

cases were heard and enquires into how the money was raised. The local and national context within which the cases were tried will also be examined in order to determine to what extent, if any, external factors influenced the outcome of the trials.

A comparison will also be made with the suits brought against the city of London in the aftermath of the Gordon Riots. The Gordon Riots provide an ideal point of comparison. They were the only disturbances in eighteenth century Britain that were comparable to the 1791 riots; they took place only eleven years earlier and were similarly directed against a religious minority. A substantial body of primary evidence also remains relating to the compensation actions. Finally, both Priestley and Hutton alleged that their experience contrasted sharply with that of the victims of the Gordon Riots where the claimants received, it was claimed, ‘ample redress’.⁶

Preparing the Claims

The Riot Act of 1715 proved provision for anyone who suffered material losses in the course of a violent disturbance to claim compensation from the inhabitants of the hundred where the tumult occurred by means of a civil action.⁷ The victims of the Gordon Riots had previously brought successful actions against both the city of London and the Hundred of Ossulston and eighty-one individuals received financial compensation of varying amounts.⁸ The committee of Dissenters chaired by Russell sought to bring the case against the Hundred of Hemlingford immediately after the

⁶ Priestley, *An Appeal to the Public* part II, p. 85.

⁷ The Riot Act. I. Geo. I Stat. 2, Cap. 5. (1715), paragraph VI. For a detailed analysis of the provisions of the Riot Act and its effectiveness see Randall, *Riotous Assemblies*, Chapter 2.

⁸ Colin Haydon, *Anti Catholicism in Eighteenth-Century England*, p. 242.

criminal prosecutions had drawn to a close. Thomas Lee, a local attorney with strong Dissenting family connections, was appointed to service the claims. He was assisted by Henry Bell of Grey's Inn. Bell had valuable experience of dealing with cases of this type having previously acted on behalf of the Catholic distiller Thomas Langdale, who had successfully sought damages after the 1780 riots.

If Dissenters were to adopt a very public approach in pursuing the payment of damages, the inhabitants of the Hundred of Hemlingford took equally conspicuous steps in order to contest the claims. An advertisement was posted in *Aris Birmingham Gazette* on 13 September 1791. It invited inhabitants of the hundred to meet to consider proper measures to be taken in case actions were brought for damages sustained in the riots.⁹ Although the advertisement was without signature, it sent an early warning to the Dissenters that their efforts to claim compensation would not be unchallenged.¹⁰

A further warning of the problems to be faced, was provided by the difficulty in claiming compensation for the two Unitarian meeting houses which had been destroyed in the riots. In regards to the Old Meeting, difficulties arose due to a discrepancy on the original registration certificate. While the certificate listed the meeting as being situated on Philip Street in Birmingham, by the time of the riots the street name had changed to Old Meeting House Street. There was also another Philip Street elsewhere in the town.¹¹ It was feared that due to this inconsistency, the trustees of the Old Meeting would not be liable to receive compensation within the

⁹ *Aris' Birmingham Gazette* 13th September 1791.

¹⁰ BCL MS281 9.8. Lee to Bell, 18th October 1791.

¹¹ Rose, 'Religious History: Protestant Nonconformity', p. 476.

terms of the Riot Act.¹² This fear was compounded by the fact that John Stokes who had been tried for aiding in the destruction of the Old Meeting was acquitted during the criminal trials due to the confusion over street names.¹³ The trustees were able to bypass this problem by submitting 'old deeds' of other buildings situated on the road as evidence during the trial. These successfully established that the street name had changed.¹⁴ The trustees were able to successfully sue for compensation although the verdict was substantially reduced at trial.

The difficulty with the Old Meeting was thus solved with relative simplicity. The same however cannot be said in regards to the New Meeting. The obstruction again lay with the original certificate of registration. The trustees of the New Meeting would only be able to claim compensation if the meeting house was properly registered in accordance with the terms of the toleration act of 1689, which required all places of worship belonging to Nonconformists to be registered.¹⁵ The New Meeting had originally been constructed in 1730,¹⁶ but with the trustees unable to recover the original certificate there was no evidence to substantiate this.

The trustees attempted to circumvent the problem by claiming that the New Meeting was also a dwelling house. There was a precedent for this, the owners of a Catholic chapel destroyed in the 1780 riots had been awarded damages on account that the chapel also formed part of a dwelling house.¹⁷ This was despite the fact that the building was used for no other purpose apart from religious worship. It also had

¹² BCL MS281 9.4. Lee to Bell. 23 September 1791.

¹³ See chapter 4 of this thesis.

¹⁴ BCL MS281 9.12. Lee to Bell. 8 November 1791.

¹⁵ BCL MS281. 9.23. Lee to Bell. 27 Jan 1792.

¹⁶ BCL MS281 7.13. Extracts from the session's records at Warwick for trinity sessions 28 May I William and Mary 1689 recording the certification of a new meeting place in Phillip street Birmingham. 1791.

¹⁷ BCL MS281 9.12.

no room or apartment that could be considered as a habitation or lodging room'.¹⁸ On this basis the trustees of the New Meeting agreed to proceed with the suit.¹⁹ A schedule and inventory was composed with a total of £1894 being claimed for its destruction.²⁰

The suit never went to trial. Without the original certificate of registration the trustees had no documentary proof that the New Meeting was registered in accordance with the Toleration Act. Neither was there any evidence to suggest that the building was used for anything other than religious worship, therefore they could not claim compensation under the terms of the Riot Act. At this point there seemed little hope of recovering damages for the destruction of the New Meeting. The trustees were so incensed that after the claims went to trial they decided to petition the House of Commons for reimbursement. They asserted that the New Meeting was 'duly registered when the building was first erected' and that its absence was due to 'some error or omission' that 'it had neglected to be entered upon the records of the Clerk of the Peace'.²¹ Earlier drafts of the petition also criticised the Riot Act itself, describing it as being 'very inadequate' for the purpose with which it was intended, although these complaints were removed from the final petition.²²

¹⁸ BCL MS281 9.23. Lee to Bell. 27 January 1792.

¹⁹ BCL MS281 9. 26. Lee to Bell. 1 February 1792. See also BCL MS281 7.24. Warrant from the trustees of the New Meeting house to T. Lee, authorising for him to sue any inhabitants of the Hundred of Hemlingford for damages resulting from the destruction of the meeting house by the rioters on the 17th July 1791. 18 Jan 1792.

²⁰ BCL MS281 7.7. See also 7.22. Estimate by Thomas Elvins of repairing the New Meeting house in New Meeting street, Birmingham 28th September 1791.

²¹ BCL MS281 7.29. Petition 'to the honourable the commons of Great Britain in parliament assembled, 11th May 1792.

²² BCL MS281 7.28. Draft petition 'to the honourable the commons of Great Britain in parliament assembled.

Through a combination of the petition and lobbying of Prime Minister Pitt by William Russell the trustees were successful. The Chancellor of the Exchequer authorised the treasury to pay a grant of £2,000 to the trustees of the New Meeting. The money was received by 13th June 1792.²³ William Russell played a pivotal role in the compensation being paid, he wrote to Pitt to plead the Dissenters case.²⁴ Pitt in turn used his own financial contacts in London to facilitate the release of compensation from the treasury.²⁵ This was a move unprecedented in English legal history as the money was paid outside the terms of the Riot Act. The claim was not assessed at trial and compensation was paid despite the absence of an appropriate registration certificate. William Russell's aggressive lobbying and contacts in government appear to have helped secure the award of £2,000.²⁶ In this case the trustees of the New Meeting had little cause for complaint.

Growing Tensions

At the beginning of 1792 Birmingham was in a period of relative tranquility, at least in comparison to the summer and closing months of 1791. As the trials to settle the claims drew closer, the battle for the popular mind reignited. It became apparent that the prospect of paying compensation to the victims was going to result in considerable resentment. During the riots themselves, the magistrates in a bid to deter the violence, posted an advertisement on broadsides around the town warning that the cost of the destruction would fall upon the inhabitants of Birmingham. The advertisement, reprinted in local newspapers, also claimed that the damage already

²³ BCL UC 2/3/3/1/2. Church of the Messiah vestry meeting minutes 1792-1804, 13th June 1792.

²⁴ Mori, *William Pitt and the French Revolution 1785-1795*, p94.

²⁵ TNA PRO 30/8/174, W. Russell to Pitt, 24 August 1792, folios 183-4.

²⁶ Jones, *Industrial Enlightenment*, p. 191.

done amounted to £100,000 pounds, ‘the whole of which enormous sum will be charged upon the respective parishes and paid out by the rates’.²⁷ Although this failed to end the violence it did not prevent popular outrage towards the notion of compensating the victims. According to briefs used by the counsel for the prosecution in William Hutton’s case at Warwick, the victims were attacked in the press, in public prints and from the Anglican pulpits prior to the trials.²⁸ In his biography of Priestley, F. W. Gibbs also argued that prior to the Worcester and Warwick assizes attempts were being made to destroy any popular sympathy for the claimants.²⁹

There is considerable contemporary evidence to support these claims. Parts of the surveyors’ estimates were published in Birmingham newspapers prior to the Warwickshire trials, with the apparent intention of prejudicing the public mind. According to Hutton’s counsel many parts of these schedules were extracted and disseminated around Birmingham and reprinted in handbills and caricature prints of a highly scandalous nature.³⁰ Writing during the trials in March and April of 1792, Thomas Richards, a Unitarian, described the attacks made upon the victims. He claimed they had been ‘insulted in the streets’ and ‘ludicrous and scandalous prints have been sold in the most public manner’.³¹ Schedules and inventories were also published in *Aris’ Birmingham Gazette* before the Warwickshire trials. The February 27th 1792 edition of the paper published an advertisement which included the total amount that each individual was claiming. It also listed parts of the

²⁷ Reprinted in Appendix 8 of Priestley, *An Appeal to the Public*, pp. 144-5.

²⁸ BCL 331068 IIR 1. Compensation claims made by William Hutton for losses in the Birmingham riots. Three briefs used by counsel, plaintiffs declaration and miscellaneous papers relating to the case of William Hutton’s claim for compensation sustained in the riot of 1791.

²⁹ Gibbs, *Joseph Priestley*, p. 212.

³⁰ BCL 331068 IIR 1.

³¹ The full account is reprinted in Dent, *The Making of Birmingham*, pp. 223-4

inventories of individual items. In the case of William Hutton it listed amounts claimed for the stock in the stationary shop, loss of trade, household furniture, wearing apparel, books and even trees, shrubs and plants that had been destroyed in the riots. For Joseph Priestley, the paper listed a breakdown of the value of the house, furniture, clothing, books and scientific equipment, which had been lost.³² This is a clear divergence from the way in which the paper reported the forthcoming actions heard at the Worcester Assizes, where only the names of the claimants and the amount they were claiming for was printed.³³

The significance of these publications lay in their timing. They coincided with increasing tensions in the Birmingham buckle trade concerning the price of metals. While some London newspapers had reported that this had resulted in rioting in Birmingham. The *Birmingham Gazette* denied this, although it did acknowledge that ‘numbers of button makers had assembled in consequence of a difference about price’.³⁴ The button and buckle trades occupied a key position in Birmingham manufacturing during the late eighteenth century and were responsible for the employment of several thousand people in the town.³⁵ The early 1790s was a turbulent era for the button and buckle manufacturers in Birmingham. Prior to the 1791 riots a downturn in sales caused by the threat of cheaper foreign (including French) imports caused many workers in Birmingham factories to be laid off. John Money has suggested that this may have contributed to ill-feeling towards the intellectual class of Birmingham who by praising the French, positioned themselves

³² *Aris’ Birmingham Gazette* February 27th 1792

³³ *Ibid.*

³⁴ *Aris’ Birmingham Gazette* February 20th 1792

³⁵ Money, *Experience and Identity*, p262.

as the imagined authors of button and buckle makers plight.³⁶ While Money prioritises religious tensions as the primary cause of the 1791 riot, he identifies the serious unemployment brought about by the decline of the buckle and button trades as a possible secondary trigger. The renewal of difficulties in these trades made for an uncomfortable coincidence for the claimants. They witnessed details of their claims for expensive luxury items juxtaposed with reports that an important section of Birmingham's labour market was struggling. This cannot have aided the state of the popular mind in Birmingham in relation to the forthcoming compensation trials.

As the trials drew closer there was an escalation of the pamphlet exchange which had temporarily subsided during the closing months of 1791. Edward Burn's *Reply to Dr Priestley's Appeal* was originally scheduled to be published on 26th March 1792, three days before the trials at Warwick were due to be held. Burn's reply was to launch a robust defence of the Birmingham clergy in the lead up to the riots. It also made a scathing attack on Priestley, who was accused of inciting the riots in the first place. The timing of this publication does not appear to have been accidental. The plaintiffs appear not to have thought so either and it appears that considerable lobbying of Burn and his publisher took place to delay the publication. In a letter to the *Birmingham Gazette*, Burn explained that he had been persuaded to delay the publication of his reply until the following week so as 'not to create a prejudice on the public mind to his (Priestley's) disadvantage' and so as not to 'influence any judicial procedure'.³⁷

³⁶ Money, *Experience and Identity*, p. 263.

³⁷ *Aris' Birmingham Gazette*, Monday March 26th 1792.

The very fact that Burn was lobbied so extensively to delay the publication of an inevitably controversial pamphlet reveals the state of tension that existed in Birmingham in advance of the claims going to trial. The plaintiffs were concerned about the potential ramifications of a publication renewing the attack upon Priestley. While Burn was to show restraint others were not. Priestley bore the brunt of these attacks, although this was unsurprising given his personal role in the fallout between Anglicans and Dissenters before the riots and the unrepentant tone in his writing afterwards. Burn's *Reply* was not the only pamphlet to concern the Dissenters. On the 5th March 1792 a pamphlet was published which returned to the issue of Priestley's theology, a highly contentious issue since his arrival in Birmingham.³⁸ Again the timing of this publication does not appear to have been coincidental and can only have provided a further reminder as to why Priestley was the object of such odium before the riots.

Pamphlets sympathetic to the victims of the riots may have also contributed to the increasing tensions. A second edition of Priestley's *Appeal to the Public on the Subject of the Late Riots in Birmingham* was published on March 5th 1792.³⁹ The timing of this publication, less than a month before the assizes was spectacularly ill-considered given the controversial nature of the pamphlet. March 5th also witnessed the publication of another pamphlet sympathetic to the victims. It was entitled *Views of the Principal Houses Destroyed During the Late Riots at Birmingham*. This pamphlet provided detailed sketches of the properties destroyed during the riots as well as

³⁸ See Anon, *Jesus Christ, the only God being a fundamental doctrine of the Christian Religion against Arianism and Socinianism addressed to the Reverend Dr Priestley, T. Pearson and Wood* (Birmingham, 1792)

³⁹ *Aris' Birmingham Gazette*, Monday March 5th 1792

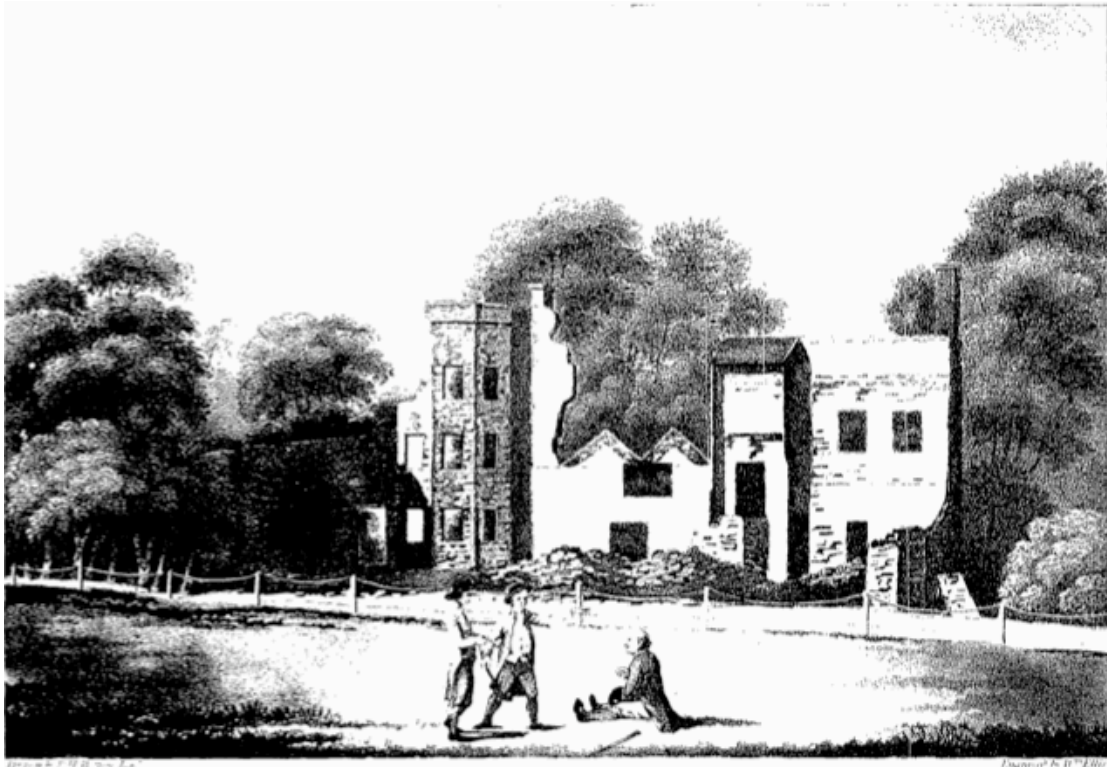
account of their destruction.⁴⁰ It described the attack on Priestley's house as being in the spirit of 'Goths and Vandals'.⁴¹ The rioters were described as an 'intoxicated and deluded populace'.⁴² The decision to publish English and French accounts side by side in the pamphlet not only drew attention to the political sympathies of some of the prominent victims, but also provided a timely reminder that a dinner celebrating the fall of the Bastille had precipitated the riots in the first place. With increasing uneasiness in Britain in the early months of 1792 towards the course the French Revolution was taking, as well as renewed difficulties in the button and buckle trades, the inclusion of French accounts in the pamphlet was unfortunate.

⁴⁰ Anon, *Views of the Ruins of the Principal Houses Destroyed During the Riots at Birmingham 1791* (Birmingham, 1792) An advertisement promising the impartial account was placed in *Aris'* *Birmingham Gazette*, Monday March 5th 1792.

⁴¹ Anon, *Views of the Principal Houses*, p. 5.

⁴² Anon, *Views of the Principal Houses*, p. 13.

Illustration 6 Extract from *Views of the Principal Houses* depicting the remains of William Russell's house after the 1791 riots.⁴³



This evidence provides an indication that before the trials concerted attempts were made to undermine the claimants cases. The publication of specific details of the plaintiffs' claims by *Aris' Birmingham Gazette* was at the very least mischievous. The timing of the publication of pamphlet literature attacking Priestley and the other victims does not appear to have been a coincidence. The escalation of the pamphlet exchange concerning the riots partly arose due to the publication of a second edition of Priestley's *Appeal* and the *Views of the Principal Houses*, two pamphlets which although designed to defend the role of the victims in the riots, were both highly controversial and further stoked the embers of discord.

⁴³ Depicted in Anon, *Views of the Ruins of the Principal Houses*, p. 14.

Worcestershire Trials

The first trial was held at Worcestershire Assizes on March 13th 1792. No official account or detailed narrative of proceedings remains. This, in part, reflects the severe evidential problems that historians encounter when studying eighteenth century trials. While historians studying trials held in London have the benefit of detailed reports of the Old Bailey sessions, provincial trials are problematic due to the often fragmentary evidence that remains.⁴⁴ The trials of the accused rioters at the Warwick Assizes were deemed significant enough for a detailed account to be made. This was not the case for either of the compensation trials. Sufficient primary information relating to proceedings exists in newspapers and contemporary letters to compile an account of what took place.

The cases were tried before Mr Justice Grose, while a jury determined the level of compensation that was awarded. Sir Nash Grose had been operating as a judge on the King's Bench since 1787. He was well regarded by his contemporaries and was considered a capable lawyer who could communicate his opinions succinctly.⁴⁵ He was however described by Sir William Holdsworth as the 'least remarkable' of the judges on the Kings bench in the late eighteenth century.⁴⁶ The trial began at 8 o'clock in the morning and lasted all day.⁴⁷ *Aris' Birmingham Gazette* provided no details regarding proceedings of the trial. The only surviving contemporary account was written by Samuel Kenrick, a Dissenter.⁴⁸ According to Kenrick the judge,

⁴⁴ King, *Crime, Justice, and Discretion in England 1740-1820*, p. 221.

⁴⁵ J. Oldham, 'Grose, Sir Nash (1740-1814)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/11663?docPos=5>

⁴⁶ Ibid.

⁴⁷ *Aris' Birmingham Gazette* March 19th 1792.

⁴⁸ DWL, 24.157 (171), Kenrick to Wodrow, 21 March 1792.

Nash Grose, attempted to ensure a fair trial. The plaintiffs were incensed by the way in which the counsel for the defendants treated them. The lead counsel, Thomas Plumer, was accused of taking every opportunity to ‘flatter and humour the hostile spirit’. He allegedly charged John Taylor with causing the riot despite being in Cheltenham at the time.⁴⁹ Some of Taylor’s claims were also ridiculed. Taylor had supplied a detailed inventory of every item destroyed in the riots including bird-cages and pig-troughs which was met with amusement by sections of the court.⁵⁰ The accuracy of this account is difficult to verify given its origins and the fact that no other account is available to corroborate these details. What cannot be disputed is that the plaintiffs at Worcester received considerably less compensation than they claimed. This is despite the fact that in some cases the loss incurred during the riots amounted to considerably more than claimed at trial.⁵¹

⁴⁹ DWL, 24.157 (171), Kenrick to Wodrow, 21 March 1792.

⁵⁰ DWL, 24.157 (171), Kenrick to Wodrow, 21 March 1792.

⁵¹ Hutton, *The Life of William Hutton*, p. 112.

Table 2 Claims and Verdicts at Worcestershire Assizes, March 13th 1792⁵²

Claimant	Total Claimed (£. S. P.)	Total Awarded (£. S. P.)	Percentage of Claim Awarded
John Taylor	3809. 5. 4.	2700	71%
Thomas Russell	285. 12. 7.	160	56%
William Piddock	556. 15. 7.	300	54%
John Harwood	83. 12. 6.	60	73%
Ben Cox	336. 13. 7.	254	76%
Thomas Hawkes	304. 3. 8.	90. 15. 8.	30%
Dollox Chapel	198. 8. 9	139. 17. 6.	70%
Parsonage House (Mr Wakeman)	267. 14. 11	200	75%
William Russell	2896. 5. 11	1600	55%
Total	8738. 13. 5	5504. 13. 2.	63%

John Taylor's case was the first to be tried. His claim was reduced from £3809 to £2700. According to Kenrick this established 'a certain mode of calculation or rather estimation...it was agreed to strike more than one third off the demand and only about £5000 was allowed for above eight that was claimed'.⁵³ The outcome of the trials led to dismay amongst the plaintiffs and the attorneys acting on their behalf. Henry Bell was exasperated by the differentiation between the amounts claimed by the plaintiffs and those awarded by the jury, especially in the cases of

⁵² BCL MS238 7.7. Statement of the losses sustained by the sufferers in the 1791 riots. WCRO CR136 B3696A Claims for damages during Birmingham Riots 1791. *Aris' Birmingham Gazette*, March 19th 1792.

⁵³ DWL, 24.157 (171), Kenrick to Wodrow, 21 March 1792.

John Taylor and William Russell.⁵⁴ Bell expressed surprise that the plaintiffs were held ‘up to the strictest evidence of their loss of every single article of furniture’ and that proof was required that such articles were ‘in or about the house at the time of the loss’.⁵⁵ This was, according to Bell, different to what he had experienced in the aftermath of the Gordon Riots where the majority of the victims were remunerated in full.⁵⁶ Bell was also critical of the judge for allowing such detailed examination of each individual’s claim when he should have been, ‘entirely satisfied with the evidence put forward in regards to the property loss’.⁵⁷

The Worcestershire trials confirmed the victims fear that they would not be compensated in full. Although there were variations between what individuals claimed and what they were awarded, the fact that almost all of the claims were reduced by at least a quarter and sometimes much more was a source of considerable frustration amongst the plaintiffs. With no official record of why the claims were reduced it is only possible to speculate on the reasons for the divergent experiences of a number of the claimants. These disparities were peculiar considering all schedules and inventories were created following the same template set out by the attorneys. It is significant that William Russell, the most controversial Dissenter in Birmingham other than Priestley, was to fare worse than most as he received only 55% of his claim.

⁵⁴ BCL MS281. 9.61. Bell to Lee. 16 March 1792.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

Warwickshire Trials

On the eve of the trials at the Warwickshire Assizes it was apparent that the inhabitants of Hundred of Hemlingford had delivered on their promise of vigorously contesting the plaintiffs' claims. A committee had been appointed in early September 1791 to oversee the Hundreds' defence.⁵⁸ George Hardinge was appointed to act as lead counsel. Hardinge was a well-established lawyer with an enviable reputation as well as a noted writer. He was perhaps most famous for acting as counsel in the House of Commons for the defence of Sir Thomas Rumbold in 1783 and later that year for acting as counsel at the bar of the House of Lords for the East India Company in opposition to Charles James Fox's India bill.⁵⁹ Hardinge was serving as Attorney General for the Queen and was also a judge on the Welsh circuit. He had a reputation for professional eloquence before juries.⁶⁰ Lord Camden described his capabilities: 'In language, wit and voice he has no superior at the bar'.⁶¹ In 1782 he was appointed as solicitor-general to Queen Charlotte and was later promoted to the post of Attorney General for the Queen.⁶² Hardinge was one of the most celebrated lawyers in the country and was hired by the Hundred of Hemlingford at considerable expense. In total Hardinge was paid £525 for his services. This was greater than the cost of hiring the four remaining

⁵⁸ Priestley, *An Appeal Part II*, p. 86.

⁵⁹ Michael Davis, 'Hardinge, George (1743-1816)' *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/12269?docPos=1>.

⁶⁰ Schofield, *The Enlightened Joseph Priestley*, p. 298.

⁶¹ Davis, 'Hardinge, George (1743-1816)'

⁶² Hardinge was appointed Attorney-General in 1794. See M. T. Davis, 'Hardinge, George (1743-1816)'

counsel who were employed at an expense of £474 10s.⁶³ It is also a sizable percentage of the £6088 spent by the hundred on defending the claims.⁶⁴

The claims against the Hundred of Hemlingford came to trial at the Warwickshire Assizes on Thursday 28th March 1792. As at Worcester, the verdict was determined by a jury. Initially, the claims were brought before Lord Baron Thompson but due to illness he only presided over the first two cases brought by John Ryland and John Taylor. Sir Alexander Thompson had served on the King's Bench since 1782 and was well regarded for his knowledge of the law and the quality of his judgments.⁶⁵ Similar to Sir Nash Grose he was respected for having obtained promotion without parliamentary influence.⁶⁶ Thompson was replaced by Lord Chief Baron Eyre who heard the remainder of the cases.⁶⁷

As with the Worcestershire trials no official account of proceedings at the Warwick Assizes remains. It is possible to establish what took place through the means of more substantial collection of newspaper sources and contemporary accounts, although the evidence is not always impartial. The trial broadly followed the pattern established at Worcestershire, with most of the plaintiffs having their claims substantially reduced. Hutton bemoaned that 'every insult was offered to the sufferers that the malice of an enemy could contrive'. The presiding judges were also reportedly shocked at the treatment of the victims.⁶⁸

⁶³ Warwickshire County Record Office (hereafter WCRO) QS0090/4 Birmingham Riots: Assessments, Receipts and other papers of the commissioners connected with the raising of money for paying damages on account of the riots at Birmingham, 1793-6.

⁶⁴ Ibid.

⁶⁵ Patrick Polden, 'Thompson, Sir Alexander (1744-1817)' *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/63081>

⁶⁶ Polden, 'Thompson, Sir Alexander (1744-1817)'.

⁶⁷ *Aris' Birmingham Gazette* April 2nd and April 9th 1792.

⁶⁸ Hutton, *The Life of William Hutton*, p. 111.

Aris' Birmingham Gazette provides only a minimalist reporting of the trial. It lists the plaintiffs name, amount claimed and amount awarded. In the case of the first two claims, made by John Ryland and John Taylor, the length of the individual trial for each is described as being sixteen and twelve hours respectively.⁶⁹ The most detailed account of the trial remains that written by the Birmingham tradesman and Unitarian Thomas Richards in a series of letters to his daughters.⁷⁰ For obvious reasons this account must be approached with some caution, although it does provide an insight into some of the proceedings. The behaviour of George Hardinge caused considerable consternation among the plaintiffs. Hardinge was described as 'the most violent, impudent fellow I have heard in any court'. Richards recorded that during Ryland's trial, Hardinge 'began to throw out such invectives and falsehoods against Dissenters and continued this action despite the judge's intervention'.⁷¹ Hardinge's performance in Ryland's trial even led to the plaintiffs asking Thomas Erskine the most eminent and respected counsel in Britain to represent them, although due to Erskine's unavailability this request was rejected.⁷²

Hardinge's actions continued to cause dismay as the trial proceeded. The victims' character was attacked in a clear effort to influence of the jury. Priestley suffered worse than most. When his claim came to trial on 5th April 1792, Hardinge read selective extracts from his writings with the intention of representing him as a dangerous political radical and a pest to society unworthy of recompense.⁷³ Priestley was so incensed by Hardinge's actions that in the aftermath of the trials he

⁶⁹ *Aris' Birmingham Gazette* April 2nd and April 9th 1792.

⁷⁰ Reprinted in Dent, *The Making of Birmingham*, pp. 223-4.

⁷¹ *Ibid.*, pp. 223.

⁷² *Ibid.*

⁷³ Priestley, *An Appeal to the Public Part II*, p. 93.

published a pamphlet detailing his recollection of Hardinge's speech in court.⁷⁴ The pamphlet details how Priestley's writings were allegedly likened to those of Thomas Paine and how Priestley was accused of being disloyal and of causing the riots in the first place.⁷⁵ Concerns over the duration between the trial and the pamphlet being published and editorial bias must cast serious doubts over the reliability of this source, much of Priestley's account is corroborated by other contemporary sources.⁷⁶

The substance of Priestley's claims as well as his theological and political beliefs were vigorously attacked. Detailed scrutiny was placed on Priestley's supporting evidence regarding the ownership of the items he was claiming for. His witnesses were also thoroughly questioned.⁷⁷ Thomas Richards believed that 'there was never a trial in court where so respectable a set of evidence was collected in favour of any man' and claimed that Priestley's selection of witnesses 'would have done honour to royalty itself'.⁷⁸ Despite this, Hardinge placed considerable and justifiable scrutiny upon some of Priestley's valuations.

⁷⁴ See Joseph Priestley, *The speech of Mr Hardinge as counsel for the defendants in the case of Priestley against the hundred of Hemlingford*, London, J. Johnson, 1792.

⁷⁵ Priestley, *The speech of Mr Hardinage*, pp. 9-17.

⁷⁶ Dent, *The Making of Birmingham*, pp. 224, Maddison and F. Maddison, 'Joseph Priestley and the Birmingham Riots', p. 106.

⁷⁷ Priestley, *The speech of Mr Hardinage*, pp. 25-42.

⁷⁸ Dent, *The Making of Birmingham*, pp. 224.

Table 3 Claims and Verdicts at the Warwickshire Assizes 28th March – 6th April 1792.⁷⁹

Claimant	Total Claimed (£. S. P.)	Total Awarded (£. S. P.)	Percentage of Claim Awarded
John Ryland	3240. 8. 4.	2495. 11. 6.	77%
John Taylor	9031. 3. 10.	7202. 3.	80%
Old Meeting	2177. 7. 5.	1390	64%
Joseph Priestley	4083. 10. 3.	2502. 10	61%
George Humphries	2153. 3. 1.	1855. 11.	86%
William Hutton	6736. 3. 8.	5390. 17.	80%
Thomas Hutton	619. 2. 2.	619. 2. 2.	100%
Total	£28040. 17. 9.	£21455. 14. 8.	76%

With the exception of the comparatively small claim made by Thomas Hutton, all of the claims were substantially reduced. The claimants at Warwick did fare better than those at Worcester, receiving 76% of their compensation in comparison to the 63% awarded at Worcester. There was considerable variation between the plaintiffs in regards to the amount claimed and the percentage awarded. Joseph Priestley received only 61% of the amount that he claimed. Thomas Lee had ensured that all of the plaintiffs prepared their claims in the same manner. There were however substantial discrepancies between Priestley's claim and that of Ryland, Humphries and Hutton, who all received over 80% of their valuations. This would suggest that

⁷⁹ BCL MS238 7.7. Statement of the losses sustained by the sufferers in the riots in the town and neighbourhood of Birmingham in July 1791, to accompany petition 1791; WCRO CR136 B3696A. Claims for damages during Birmingham Riots 1791. *Aris' Birmingham Gazette* April 2nd, April 9th 1792.

personality as well as the substance of the claim played a considerable role in influencing the verdicts.

Neither the plaintiffs nor their lawyers were satisfied with proceedings at the Warwickshire Assizes. Priestley bemoaned that the jury had allowed him next to nothing for books, apparatus or manuscripts and drastically reduced the amounts allowed for damages sustained to the house.⁸⁰ William Hutton bemoaned that 'it was inconceivable what trouble and anxiety we underwent in preparing for the trials to recover our lost property'.⁸¹ Hutton was also critical of the amounts awarded, claiming that in some cases 'the verdict...did not cover the expense of the claim'.⁸² Henry Bell shared the displeasure of his clients regarding proceedings at Warwick. He was critical of the 'obstinacy of the jury' and the fact that they 'cannot find a verdict for anything like the fair and full amount of...damages'.⁸³ Bell believed that due to 'all of these scandalous and abominable prejudices...sufferers can only get partial justice'. Finally, Bell was critical of Hardinge for the 'use of such vile languages which has nothing at all to do with the case' during Ryland's claim.⁸⁴

The condemnation of the Warwickshire Assizes by the plaintiffs and their lawyers was not entirely unjustified, although these trials were far from the farcical events that had ensued during the criminal proceedings. The substantial reductions in their claims, the inconsistency in the verdicts of the jury and the conduct within which the trials were held were all matters of great frustration for the claimants. It is now

⁸⁰ Priestley, *An Appeal Part II*, p. 97.

⁸¹ Hutton, *The Life of William Hutton*, p. 111.

⁸² Hutton, *The Life of William Hutton*, p. 112.

⁸³ BCL MS238 9.65. Letter from Mr Bell to Mr Lee, 31st March 1792.

⁸⁴ BCL MS238 9.65.

necessary to assess what factors influenced the reduced compensation awarded by the juries.

At both Worcester and Warwick the defence counsel appear to have skilfully disputed the cases brought against the Hundreds of Halfshire and Hemlingford. They also manipulated the hostile climate that continued to reside against Priestley and his fellow Dissenters. Bell's complaints regarding the valuations of individual items being held to the 'strictest evidence' as well as Priestley's account of George Hardinge's dialogue with the jury illustrate the way in which the estimates assembled by the prosecution and their appraisers were stoutly contested. In a number of the cases brought, the strategy of the defence counsel was also founded upon referencing the claimants' religious and political beliefs and representing them as subversive members of society. This was particularly apparent at Warwick where the tirade of invectives against Dissenters was worse than anything experienced at Worcester. George Hardinge's speeches as counsel have previously been described as both 'vile languages', and a 'masterpiece of legal ingenuity'.⁸⁵ Both descriptions are appropriate. Hardinge eloquently disputed the valuations presented and methodically probed the assembled witnesses for detailed information regarding the claims made. Several accounts concur that he also launched scathing attacks on Dissenters and that selectively read extracts from Priestley's political writings in an attempt to sway the minds of the jury.

The nomination of the jury was again a source of contention. Robert Dent has previously suggested that in Birmingham the juries were biased against the victims,

⁸⁵ Cited in Davis, 'Hardinge, George (1743-1816)'.

emulating what had taken place at the criminal trials.⁸⁶ Joseph Priestley agreed, referring to the ‘manifest disposition of the jury’ in his *Appeal*.⁸⁷ The task of assembling a list of potential jurors again fell to the county under-sheriff, John Brooke. This list was then forwarded to the prosecution attorneys who after consulting the claimants could remove any persons they did not want to serve on the jury. Upon receiving this list one of the prosecuting attorneys bemoaned that the claimants ‘being acquainted with some of the gentleman who are nominated, they are at a loss whom to strike out’.⁸⁸

Public perceptions of the causes of the riots could also to have contributed to the reduced compensation awarded at trial. As discussed in chapter 3, there remained the lingering suspicion that Priestley and the Dissenters were responsible for the outbreak of violence in July 1791. This view was reinforced by the way in which sections of the newspaper press and some contemporary pamphlet tracts identified the Bastille dinner and the inflammatory handbill as the primary causes of the riot. The *World* questioned ‘would it not be a good first principle in men of superior understanding and higher educations, not to be accessory in drawing together these mobs by inflammatory speeches in favour of foreign governments... and the organisation of anniversary dinners’.⁸⁹ Furthermore, the Bastille dinner was often described as being organised by Dissenters and the inflammatory handbill as originating from within Dissenting ranks. *The Times* was not alone in concluding that ‘when all the Dissenters are extirpated from Birmingham, the people say, riot shall

⁸⁶ Dent, *The Making of Birmingham*, London, J. K. Allday, 1894, p. 223

⁸⁷ Priestley, *An Appeal Part II*, p. 95.

⁸⁸ BCL MS238 9.52. Barker to Bell. 2nd March 1792.

⁸⁹ *The World*, July 19th 1791

cease’.⁹⁰ This view was even repeated within the highest ranks of government. In the aftermath of the riots George III wrote to Dundas to state ‘I cannot but be better pleased that Priestley is the sufferer for the doctrines that he and his party have instilled and the people see them in their true light’.⁹¹ As will be discussed in chapter six, the outpouring of print which followed the rioting in Birmingham barely exculpated Dissenters from these accusations of responsibility for causing the riots in the first place.

The relative success of these tactics was evident through the substantial discrepancies between the final amounts awarded to different claimants. It is significant that the most outspoken Dissenters, Priestley and Russell, fared comparatively worse than John Taylor, John Ryland and George Humphries who did not take a public interest in political or theological matters. Each claimant’s schedules and inventories were prepared by the same lawyers. It is thus evident that the reputation of the individual claimant appeared to have played a considerable role in the final outcome of the trials.

Reflections: Compensating Riot Victims in Eighteenth Century Britain

The issue of compensating riot victims during the eighteenth century has attracted very little historical interest. In order to ascertain whether Priestley and Hutton were justified to complain about the parsimonious verdicts, it is necessary to establish whether the experience of the Birmingham claimants was different to that of other riot victims during this period. Due to the rarity of rioting on this scale during the

⁹⁰ *The Times*, July 19th 1791.

⁹¹ Cited in Rose, ‘The Priestley Riots of 1791’, p. 77.

eighteenth century, examples where compensation were made on a similar scale are difficult to find. Furthermore, historical research on this subject remains equally elusive. It is fortunate that a substantial body of primary evidence exists relating to the claims brought against the city of London in the aftermath of the Gordon Riots of 1780.

The cases were all brought between March and May in 1781. The most substantial were tried at the Court of Kings Bench, Guildhall in London while the smaller claims were tried at the Court of Common Pleas. Due to the fragmentary nature of the primary evidence it is impossible to provide a definitive list of all of the plaintiffs and the amounts they were awarded. There was considerable diversity in terms of the amounts asked for. The Catholic distiller, Thomas Langdale claimed more than £20,000. In contrast 34 of the 81 claims amounted to less than £200.⁹² Most of the smaller cases were not deemed by the newspapers to be worthy of reporting. Despite this, sufficient evidence remains regarding the more substantial claims to enable a comparison.

Prior to the cases going to trial there is no evidence of the battle for the public mind that took place in Birmingham in the early months of 1792. While the immediate aftermath of the Gordon Riots had witnessed the publication of some pamphlet literature,⁹³ this had subsided by the time the trials took place. Newspaper reporting was also more circumspect. Unlike in Birmingham, no attempt was made to publish detailed inventories and valuations. Neither is there any evidence of an outbreak of pamphlet literature mocking the victims and their claims. The first official notice of

⁹² Rudé, 'The Gordon Riots', pp. 93-114.

⁹³ Ian Haywood & John Seed, 'Introduction' in Haywood and Seed (eds.) *The Gordon Riots: Politics, Culture and Insurrection in Late Eighteenth Century Britain*, (Cambridge, 2012) p. 8.

the claims being brought was in a London newspaper on Jan 5th 1781. It informed the public that ‘the cause between Mr Langdale and the city magistrates will most certainly be tried at the Court of King’s Bench, Guildhall in the sittings after Hilary Term’.⁹⁴ The London papers restricting themselves to reporting the date of the forthcoming trial and little else. The process of bringing their cases to trial was much more straightforward for the victims of the Gordon Riots than their Birmingham counterparts eleven years later.

Langdale’s case was the first to be tried on 5th March 1781. On the 7th June 1780 his distillery had been attacked and set alight, the resulting fire caused the destruction of over twenty houses located adjacent to the distillery.⁹⁵ The trial was heard before Mr Justice Buller. Sir Francis Buller was a self-confident judge who maintained control of his courtroom. He was sometimes regarded as being arrogant and impetuous with a tendency to leap to conclusions too quickly. He was, however, universally respected in civil cases.⁹⁶ Although the actions were brought privately, both sides benefited from high quality legal representation. Acting on behalf of the plaintiffs was James Wallace, the Attorney General, meanwhile the Recorder of London acted as lead counsel for the defence.

In all the trial lasted around six hours.⁹⁷ Due to the survival of the brief used by defence counsel and detailed newspaper reporting it is possible to provide a detailed account of proceedings. Langdale’s claim was robustly contested on a number of accounts. The first concerned a dispute over the valuation of property adjacent to

⁹⁴ *London Courant and Westminster Chronicle*, January 5 1782.

⁹⁵ See Hibbert, *King Mob*, p. 111-113.

⁹⁶ J. Oldham, ‘Buller, Sir Francis (1746-1800)’ *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/3914?docPos=6>.

⁹⁷ *London Courant and Westminster Chronicle*, March 5 1781.

the distillery in which Langdale's surveyors valued the property at £2000 more than those acting on behalf of the City of London.⁹⁸ The second point of contention concerned the fact that the Riot Act was not read while the attack on the distillery was in progress.⁹⁹ The defence counsel also disputed whether the Riot Act provided provision for buildings that were not destroyed as a result of being attacked directly by the crowd, but due to a fire that was started in an adjacent building. The judge is reported to have opposed this distinction on account of the fact that the buildings were destroyed as a result of the actions of the rioters.¹⁰⁰ It was also suggested that by sending in soldiers, the British Government had taken responsibility for defending the city. The defence argued that the civil magistrates had been marginalised and neither they, nor the city as a whole should be liable to pay compensation. Instead, responsibility should lie with the government as a whole.¹⁰¹ Finally, it was questioned whether the Riot Act provided provision for furniture and items removed and destroyed away from the property. Again, the judge overruled this.¹⁰²

Many of these arguments were likely made in hope rather than expectation and this was reflected in the final amount awarded. After deliberating for an hour and a quarter the jury returned a verdict of £18,729 15s 7d from a total claim of £20,062. 12s 4d. In total Langdale received 93% of the amount which he claimed. In addition he had already received £17,496 in compensation from three different fire

⁹⁸ *Craftsman or Say's Weekly Journal*, March 10 1781

⁹⁹ London Metropolitan Archives (Hereafter LMA) CLA/047/LC/03/009 (Misc. MSS 306.7) In the Kings Bench. Thomas Langdale v. Brackley Kennett and others re compensation for the destruction of Langdale's houses in Holborn in 1780.

¹⁰⁰ *Lloyds Evening Post*, March 2-5 1781.

¹⁰¹ *Craftsman or Say's Weekly Journal*, March 10 1781.

¹⁰² *London Courant and Westminster Chronicle*, March 5 1781.

or insurance offices and £14,000 from the British government for duty on the spirits destroyed in his distillery.¹⁰³

The other major actions brought against the City of London between March and May of 1781 generally imitated the opening trial with claimants receiving most of, if not all, of their claims. The Catholic silk merchant James Malo received the full £3667 which he claimed. William Hyde and Stephen Maberley also received their full claims of £1752 and £1829 respectively despite the defence counsel questioning whether the Riot Act made provision for the destruction of furniture outside of the property. The jury were of the opinion that it did make such provision and awarded the damages in full.¹⁰⁴ Robert Charlton and Sir John Fielding received the whole of their claims. A Mr Stock also claimed £2800 for the destruction of his house but his case was disputed on account of a difference of opinion over the surveyors estimates. The doubt regarding the value of the property was sufficient to persuade the jury to award £2180 in damages. Another claimant, Mr Peachey, rebuilt his house at expense of £600, but his new house being much better than the old one he only claimed one half. A verdict was immediately given for £300, apparently to the satisfaction of all parties.¹⁰⁵ Ferdinand Schonberg was less fortunate. He claimed £800 but the jury, after deliberating for an hour and a half, returned a verdict for half that sum.¹⁰⁶

¹⁰³ *Craftsman or Say's Weekly Journal*, March 10 1781.

¹⁰⁴ *London Chronicle*, June 21-23 1781.

¹⁰⁵ *London Courant and Westminster Chronicle*, March 7 1781.

¹⁰⁶ *St James Chronicle or British Evening Post*, June 9 1781.

Table 4 Major Actions Brought Against City of London at Court of Kings Bench,
March – July 1781.¹⁰⁷

Claimant	Total claimed (£. S. P.)	Total Awarded (£. S. P.)	% of claim awarded
Thomas Langdale	20,062. 12. 4.	18,729. 15. 7.	93%
Robert Charlton	955	955	100%
James Malo	3,667	3,667	100%
Mr Stock	2,800	2,180	78%
Mr Peachey	300	300	100%
Sir John Fielding	1,057	1,057	100%
Ferdinand Schonberg	800	400	50%
William Hyde	1,752	1,752	100%
Stephen Maberley	1,829	1,829	100%
Total	33,222. 12. 4.	30,869	93%

As previously noted, a definitive list of all the claims brought after the Gordon Riots does not exist, contemporary newspapers only deemed the larger cases worthy of reporting. The individuals listed above this account for only a fraction of the eighty-seven people who brought actions against the City of London at the Court of Kings Bench between March and July of 1781. Despite this, they do provide an insight

¹⁰⁷ LMA CLA/047/LC/03/009 (Misc. MSS 306.7); *London Courant and Westminster Chronicle*, March 5 1781; *Craftsman or Say's Weekly Journal*, March 10 1781; *St James Chronicle or British Evening Post*, June 9 1781; *London Chronicle*, June 21-23 1781.

into the outcome of all of the largest claims made and those most comparable in size to the cases brought against the Hundreds of Halfshire and Hemlingford in 1792.

It is immediately apparent that the London claimants in 1781 fared substantially better than the Birmingham counterparts a decade later. Hutton's statement regarding the Gordon Riots victims receiving the whole of their losses is not entirely accurate, as some did have the amounts they asked for reduced in court. Many were awarded the full amount. On average the Birmingham claimants received only 70% while the sample of cases brought against the City of London reveals that 93% of the money asked for was awarded.

This evidence provides some justification for Priestley and Hutton's displeasure at the outcome of the compensation trials. This substantial discrepancy is even more confusing given that the Birmingham Dissenters purposely appointed Henry Bell for his experience in dealing with Langdale's case. Bell was instructed to ensure the Birmingham cases were prepared in exactly the same manner as they had been in London.¹⁰⁸

None of the primary material relating to the London trials records the levels of controversy witnessed during the Birmingham trials. While Langdale and his fellow victims had their claims rigorously disputed, this appears to have been made purely on the basis of disagreement between surveyors and legal technicalities. The primary evidence does not record that the Catholic claimants in 1781 were subject to the kind of invectives made against Dissenters in 1792. Neither does it seem that

¹⁰⁸ BCL 238 9.57. Bell to Lee March 7th 1792.

the defence counsel resorted to referring to the claimants religious or political beliefs in an attempt to influence the minds of the jury.

Accounting for these varying experiences is more problematic. Two potential explanations present themselves. An examination of the national context within which the riots and their respective trials took place provides some possible insight. The extent of animosity directed towards Dissenters in Birmingham during 1791 was longer lasting than that towards Catholics in 1780. Although hostility towards Catholics was commonplace in eighteenth century Britain, it had been in decline since 1745, despite being periodically reawakened at times of war or potential war with other Catholic countries.¹⁰⁹ In 1780, such hostility was reignited by the vociferous activities of Lord Gordon and the Protestant Association. Yet the widespread disgust at the week long riots, even by members of the Protestant Association, ensured that the extent of animosity towards Catholics witnessed during the riots was only temporary.¹¹⁰ In contrast popular fear of Dissenters was only increasing in 1792 as a result of the public support of the French Revolution by some prominent Dissenters and their support for the campaign for parliamentary reform in the early 1790s. Growing violence in France in the early months of 1792 had stimulated a powerful conservative reaction against reformers of all kinds in Britain.¹¹¹ Through their role in organising the Bastille dinner, the Birmingham Dissenters were intrinsically associated with support for the French Revolution. This combined with their previously prominent role in the local reform movement may have influenced the outcome of the compensation trials.

¹⁰⁹ Rogers, *Crowds, Culture and Politics*, p. 155.

¹¹⁰ Haydon, *Anti-Catholicism*, p. 238.

¹¹¹ Dickinson, 'The political context', p. 8.

It has already been suggested that public perceptions of where responsibility for causing the Priestley Riots lay may have influenced the outcome of the compensation trials. This may also provide an explanation for the contrasting outcome of the actions brought by the victims of the Gordon Riots. If the Birmingham Dissenters were often portrayed as causing the riots in 1791, the same cannot be said of the London Catholics in 1780. The circumstances in which the 1780 riots arose led to Lord George Gordon and the Protest Association being portrayed as guilty of provoking the rioting. This was reflected in both newspaper reporting and contemporary pamphlets which discussed Gordon's personal role in detail.¹¹² The *London Chronicle* described lucidly how during the riots elements of 'mob' had paraded outside Lord George Gordon's House, giving him 'three cheers'.¹¹³ As the ringleader for the campaign against Catholic relief, Gordon became the symbol for its unacceptable outcomes.¹¹⁴ While Gordon was tried and acquitted before the compensation actions commenced, suspicions over his culpability remained. Contemporaries also asserted the violence as arising through deluded and ignorant members of the lower orders aroused by fanatical preachers.¹¹⁵ Wherever contemporary perceptions of where responsibility for the Gordon riots lay, they did not generally attribute the Catholics themselves as causing the riots.

¹¹² See for example *St James Chronicle or British Evening Post* June 1-3 1780, *Whitehall Evening Post* June 1-3 1780, William Vincent, *A Plain and Succinct Narrative of the late Riots and Disturbances in the cities of London and Westminster and Borough of Southwark* (London, 1780), p11-25, Thomas Strickland, *A Plain and Succinct Narrative of the Late Riots and Disturbances in the Cities of London and Westminster and Borough of Southwark* (London, 1780).

¹¹³ *London Chronicle* June 3-6 1780.

¹¹⁴ Dominic Green, 'George Gordon: a biographical reassessment' in *The Gordon Riots: Politics, Culture and Insurrection*, p. 254.

¹¹⁵ Seed, 'The Fall of Romish Babylon anticipated': plebian Dissenters and anti-papery in the Gordon Riots' in Seed and Haywood (eds.), *The Gordon Riots: Politics, Culture and Insurrection*, p. 72.

There is no doubting that popular sympathy for Catholics was greater in 1780 than it was for Dissenters in 1791. This is evident through the way in which the *St James Chronicle* described Langdale's trial as 'one of the most important cases that has ever appeared' before the Kings Bench.¹¹⁶ The implication was clear, that Langdale should receive his losses in full. The press did not share this level of enthusiasm when the Birmingham claims went to trial.

Levying the Riot Rate

The length of time in which it took for the compensation to be paid was a further source of discontent for the Birmingham claimants. The delay prompted William Hutton to comment that the money was paid with 'much reluctance'.¹¹⁷ Raising the sufficient funds to compensate the victims was an arduous process. An act of parliament was required to levy a riot tax on the inhabitants of the Hundred of Hemlingford. Local authorities then had to individually assess each property to determine the amount its owner was liable to pay. Finally, the money would have to be collected through a series of rates. This section will thus examine the process of raising the money and consider to what extent complaints about late payment of compensation were justified. A secondary objective will be to consider the public reaction to the levying of the riot rate and assess what kind of hostility this provoked.

Initially, little action was taken by the authorities to levy the riot tax. This lethargy once again prompted William Russell to lobby Prime Minister Pitt the Younger to intervene. Although Pitt still regarded the Dissenters as partly responsible for

¹¹⁶ *St James Chronicle or the British Evening Post*, Jan 23rd to Jan 25th 1781.

¹¹⁷ Hutton, *The Life of William Hutton*, p. 112.

initiating the violence, he was also prepared to take action to ensure they were compensated.¹¹⁸ Warwickshire cleric John Henry Williams may have bemoaned that Russell, in pursuing direct action from Pitt, ‘unboomed himself to his mortal foe’¹¹⁹ but his efforts had the desired effect. The Earl of Aylesford, Lord-Lieutenant of Warwickshire was summoned to Pitt’s office to answer the inquiry.¹²⁰

Heneage Finch, the fourth Earl of Aylesford, was to play an instrumental role in the eventual payment of compensation. He was perhaps the only local establishment figure who had distinguished himself during the riots, although his efforts to halt the rioters ultimately proved in vain. A member of the House of Lords, Finch was also a close ally of Pitt. In 1783 he was also appointed Captain of the Yeoman of the Guard by Pitt the Younger and later that year was sworn into the Privy Council.¹²¹ Aylesford, in his younger days, was privately tutored by the outspoken clergyman Samuel Horsley in 1768.¹²² With his links to Horsley and Pitt, Lord Aylesford was not a natural ally of the Dissenters. Yet in Hutton’s view without his determination and vigilance, the compensation money may never have been paid.¹²³

Aylesford had foreseen considerable difficulties in raising the money through rates imposed on the Hundred of Hemlingford due to the ‘grievous burden to the inhabitants’.¹²⁴ The amount of money needed was substantial, a total of £29,704.

¹¹⁸ Mori, *William Pitt and the French Revolution*, p. 94.

¹¹⁹ Haydon, *John Henry Williams*, p. 80.

¹²⁰ Gibbs, *Joseph Priestley*, p. 213.

¹²¹ George Cockayne, *Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, Extant, Extinct or Dormant Volume 1* (Gloucester, 2000), pp. 365-6

¹²² Hole, ‘Horsley, Samuel (1733-1806)’.

¹²³ Hutton, *The Life of William Hutton*, p. 112.

¹²⁴ WCRO QS0090/3. Birmingham Riots – Book of the Proceedings of the Meetings of the commissioners (appointed under an Act (33 Geo. 111) for raising upon the Hundred of Hemlingford for paying the damages incurred on the account of the riots at Birmingham, July 1791.

£23,615 of which went to the claimants,¹²⁵ while the remaining £6088 paid for legal expenses incurred in defending the actions. The Act of Parliament ‘for the more easy raising of money upon the Hundred of Hemlingford’ allowed for money to be raised through loans with time being allowed for their repayment.¹²⁶ At the first meeting of the commissioners appointed to oversee the levying of the riot rate, two local banking firms, Taylor & Lloyd and Spooner Atwoods & Aynsworth, agreed to provide loans of £6000 each.¹²⁷ Taylor and Lloyd was partly owned by the Unitarian John Taylor who had suffered the most substantial material losses during the riots. Further loans were also secured from local benefactors, while an assessment had been ordered on the Hundred of Hemlingford for raising the first instalment of £11,337.¹²⁸ Two further assessments were later made to raise the second and third instalments of £5618 12s 6p each. The following tables detail the three assessments and the individual tax imposed on each area of the Hundred.

¹²⁵ This included interest on the £21455. 15. 8 awarded to the plaintiffs at trial.

¹²⁶ WCRO QS0090/3.

¹²⁷ Ibid.

¹²⁸ Ibid.

Table 5 Total Amount of Money Assessed on Birmingham Division of Hemlingford
Hundred to Pay Plaintiffs Compensation Claims.¹²⁹

District	1st Assessment (£. S. P.)	2 nd Assessment (£. S. P.)	3 rd Assessment (£. S. P.)
Sutton Coldfield	308	154	154
Aston	1100	550	550
Birmingham	5000	2500	2500
Edgbaston	200	100	100
Curdworth	40	20	20
Sheldon	90	43	45
Minworth	60	30	30
Coleshill	206	103	103
Wishaw and Moxhill	50	25	25
Total payable	7054	3527	3527
% of Total Assessment	62%	62%	62%

¹²⁹ WCRO QS0090/4. Assessments, receipts (and other papers of the commissioners) connected with the raising of money for paying damages incurred on account of the riots at Birmingham, July 1791. 1793-6.

Table 6 Total Amount of Money Assessed on Solihull Division of Hemlingford
Hundred to Pay Plaintiffs Compensation Claims.

District	1 st Assessment (£. S. P.)	2 nd Assessment (£. S. P.)	3 rd Assessment (£. S. P.)
Solihull	390	195	195
Bickenhill	90	45	45
Great Packington	50	25	25
Meriden	125	62. 10.	62. 10.
Berkswell	150	75	75
Little Packington	29	14. 10.	14. 10.
Knowle	115	57. 10.	57. 10.
Balsall	130	65	65
Elmdon	40	20	20
Hampton in Arden	75	37. 10.	37. 10.
Banston	75	37. 10.	37. 10.
Baddesley Clinton	35	17. 10.	17. 10.
Nuthurst	18	9	9
Hinwalsey	4. 6.	2. 3.	2. 3.
Total	1326. 6.	663. 3.	663. 3.
% of Total Assessment	12%	12%	12%

Table 7 Total Amount of Money Assessed on Tamworth Division of Hemlingford
Hundred to Pay Plaintiffs Compensation Claims.

District	1 st Assessment (£. S. P.)	2 nd Assessment (£. S. P.)	3 rd Assessment (£. S. P.)
Tamworth	150	75	75
Tamworth Castle	12. 10.	6. 5.	6. 5.
Newton	35	17. 10.	17. 10.
Seckington	35	17. 10.	17. 10.
Bolehall & Glascott	80	40	40
Grendon	85	42. 10.	42. 10.
Middleton	119. 9.	59. 14. 6.	59. 14. 6.
Polesworth	250	125	125
Ammington	70	35	35
Shuttington	33	16. 10.	16. 10.
Austrey	60	30	30
Kingsbury	285	142. 10.	142. 10.
Wilnecote	40	20	20
Baddesley Enson	30	15	15
Total	1284. 19.	592. 9. 6.	592. 9. 6.
% of Total Assessment	11%	11%	11%

Table 8 Total Amount of Money Assessed on Atherstone Division of Hemlingford
Hundred to Pay Plaintiffs Compensation Claims.

District	1 st Assessment (£. S. P.)	2 nd Assessment (£. S. P.)	3 rd Assessment (£. S. P.)
Atherstone	180	90	90
Nether Whitacre	60	30	30
Over Whitacre	40	20	20
Shurstock	100	50	50
Ansley	100	50	50
Morevale	44	22	22
Maxstoke	75	37. 10.	37. 10.
Coley	88	44	44
Hailshill	50	25	25
Bentley	40	20	20
Caldecote	40	20	20
Badenley	35	17. 10.	17. 10.
Chilvens Coton	100	50	50
Nuneaton	340	170	170
Lea Marston	60	30	30
Weddington	50	25	25
Hillongley	175	87. 10.	87. 10.
Mancetter	70	35	35
Oldbury	25	12. 10.	12. 10.
Total	1672	836	836

% of Total Assessment	15%	15%	15%
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The official deadline imposed upon each district to produce their share of the first assessment was 10th August 1793.¹³⁰ Despite the burden placed upon the inhabitants of the hundred, all but three districts produced the required amounts on time with the exceptions of Meriden, Aston and Birmingham. Considering the state of ill-feeling that continued to exist within Birmingham, it is unsurprising that collecting the money in the town itself proved problematic. The constable was only able to produce £3844. 9s, leaving a shortfall of £1155. 11s. Despite these difficulties, the threat of action directed to the three constables was sufficient for the outstanding debt to be swiftly paid.¹³¹

On 5th September 1793 Lord Aylesford authorised the full compensation to be paid to the claimants. This was over two years after the riots had initially taken place. Two further assessments were carried out on the Hundred, in April and October 1794 and April 1795 in order to raise sufficient funds to pay the money borrowed from the local banking firms. Both the commissioners and plaintiffs were generous in their praise regarding the role of the Earl of Aylesford in ensuring that this compensation was paid.¹³²

The claimants were incensed by the amount of time it took to levy the riots rate and for compensation to eventually be paid. Once again, a comparison with the Gordon Riots enables a consideration of to what extent these complaints were justified. The

¹³⁰ WCRO QS0090/3.

¹³¹ Ibid.

¹³² Hutton, *The Life of William Hutton*, p. 112.

cases brought against the City of London had been heard between March and May of 1781, however it was not until November of that year that an application was made for levying the riot rate upon three districts; the City of London and the counties of Middlesex and Surrey.¹³³ The tax was assessed at two shillings for every pound that the property was valued at.¹³⁴ Once again obtaining the necessary acts of parliament was responsible for the delay in levying the riot rate. As a result local constables were not able to begin collecting the tax until February of 1782.

The initial deadline for the constables in the City of London and Middlesex to produce the first assessment on their respective districts was 16th April 1782.¹³⁵ At this point, of the forty-seven districts required to produce an assessment, only twenty-five had raised the full amount. A further eighteen had produced some of the required amount while a further five had collected no money at all.¹³⁶ In comparison to Birmingham, the London constables were inefficient. Despite only having a month to levy the riot tax, all but three districts within the Hundred of Hemlingford were able to produce the required money by the initial deadline. In London collecting the tax was a much more difficult process. The defaulting constables were summoned before the Justices on 18th April 1782 to explain why the taxes had not been successfully collected. The threat of action was sufficient to precipitate the prompt payment of the money from some constables but not all, as

¹³³ *Lloyds Evening Post*, November 5-7 1781.

¹³⁴ LMA CLC/W/JB/028/MS09073/001-002. St Andrew Holbron Precinct: Assessment books for a rate levied to recover damages sustained and costs incurred by the late riots.

¹³⁵ LMA MJ/SP/1782/04/006. Charles Eyles (Clerk of the Peace) to Middlesex Justices, 11th April 1782.

¹³⁶ LMA MJ/SP/1782/04/008. Report of the constables responsible for collecting the levy for damage caused in the riots. April 16th 1782.

late as 7th August 1782 seven constables still had not produced the money required from their district despite the threat of being 'indicted'.¹³⁷

Despite the difficulties in physically collecting the compensation, the majority of the claimants received their compensation between 3rd and 6th of July 1793.¹³⁸ The money had taken just over a year to pay. Unlike the Priestley Riots, some of the victims of the Gordon Riots did not receive their compensation in full. As late as 1786 some of the claimants were petitioning for the payment of outstanding money. In February Thomas Langdale was still owed £323 3s 4d of the £18,974 awarded to be paid to him.¹³⁹ Langdale was not alone, on the same date Robert Charlton was petitioning to have the remaining £17 10s 8d paid to him of the £955 he was awarded.¹⁴⁰

This evidence illustrates that the indignation of the Birmingham claimants in relation to the time in which it took for the compensation to be paid is less justified. The process of levying the riot tax in London was an arduous process and fraught with difficulties. Many of the constables tasked with collecting the rate were unable to produce the required assessments in the time allowed. While the Birmingham claimants had to wait longer for their compensation to be paid, this was largely due to the time needed to acquire an Act of Parliament. Unlike in London the compensation was paid in its entirety at the first time of asking.

¹³⁷ LMA MJ/SP/1782/08/002. Letter to defaulting constables 21 August 1782.

¹³⁸ LMA MC/X/002. Volume containing receipts for compensation paid by the county of Middlesex to persons suffering damage during the Gordon Riots 1781-5.

¹³⁹ LMA CLA/047/LC/03/011. Petition of Thomas Langdale for the remainder of the sum of £18,974 due to him for damage suffered during the Gordon riots. 20th Feb 1786.

¹⁴⁰ LMA CLA/047/LC/03/003. Brief for Robert Charlton to move at the Guildhall sessions for relief for damages sustained in the Gordon Riots. 20 Feb 1786.

The Little Riot of 1793

In Birmingham it is frequently forgotten that the process of raising the remaining funds led to further outbreak of violence within the town. The Birmingham constable had forwarded the remaining £1155 to the commissioners without having collected all the money due from the local inhabitants. In the process of pursuing these outstanding debts, Birmingham was to see the most violent resistance to paying the compensation in the ‘little riot’ of October 1793. Accounts of the riot appeared in both *The Times* and *Aris’ Birmingham Gazette* and through these it is possible to establish what took place.

The riot began on October 23rd 1793 when one of the constables, Mr Barrs and his officers went to the house of Thomas Wood who had refused to pay the sum he had been assessed. At this point the constables of Birmingham had not been able to collect between £600 and £700 of the first assessment.¹⁴¹ The constable and his officers attempted to seize Mr Wood’s property to obtain payment of the money owed, but were prevented from doing so by Mr Wood ‘who behaved very improperly’ and ‘a considerable concourse of people’ who appeared at the door and threatened the constables forcing them to retire.¹⁴²

By six o’clock that evening, hundreds of people had assembled at St Phillips Churchyard and went on to attack the house of Mr Barrs in Temple Row, breaking the windows and causing damage to the house.¹⁴³ Unlike the Priestley Riots, the magistrates acted swiftly to try and disperse the rioters. By 10 o’clock the violence

¹⁴¹ *The Times*, October 25th 1793.

¹⁴² *The Times*, October 25th; *Aris Birmingham Gazette*, October 29th 1793.

¹⁴³ *Aris Birmingham Gazette*, October 29th 1793.

had become so great that Joseph Carles arrived along with a party of the 3rd Regiment of Dragoons to read the Riot Act.¹⁴⁴ Despite the reading of the Riot Act, the crowd refused to desist and the troops were directed to break up the rioters. The troops successfully dispersed the rioters, a small number were wounded while twenty-six others were taken to the dungeon.¹⁴⁵ The Riot Act was read three more times during the course of the night with troops forced to patrol the streets during the evening.¹⁴⁶

The riotous activity did not end here. At around 9 o'clock the next morning a crowd again assembled in the churchyard near constable Barrs' house. Again the magistrates and military were forced to intervene, the Riot Act was read and the crowd dispersed.¹⁴⁷ During the course of the day, those arrested the previous evening were brought before the magistrates; ten were discharged while fourteen were remanded for further questioning.¹⁴⁸ Between nine and ten at night, rioting broke out again, this time at the town's prison. A crowd had assembled with the apparent intention of breaking into the prison and rescuing those held inside. As the crowd attempted to force the door they were fired upon by the gaoler, severely wounding two of the rioters and forcing the rest to disperse.¹⁴⁹

¹⁴⁴ *The Times*, October 25th, *Aris Birmingham Gazette*, October 29th 1793.

¹⁴⁵ There is some discrepancy regarding numbers of wounded and numbers sent to the prison. *The Times* claims '5 or 6' were wounded while 24 were taken into custody. *Aris' Birmingham Gazette* lists the number of injured as 'two', one 'receiving a severe contusion to the head' and the other receiving a broken arm. According to *Aris' Birmingham Gazette* 26 were then conveyed to the dungeon. Considering the *Birmingham Gazette* provides more detail than *The Times* it is possible that this is the more accurate account.

¹⁴⁶ *The Times*, October 25th 1793.

¹⁴⁷ *Aris Birmingham Gazette*, October 29th 1793.

¹⁴⁸ *The Times*, October 25th 1793.

¹⁴⁹ *Aris Birmingham Gazette*, October 29th 1793.

Despite the numbers involved only two people were punished for involvement in the disturbances. Thomas Wood who had caused the riot had absconded but was apprehended on 27th October 1793 at Walsall. He was committed to Warwick gaol for assaulting constable Barrs and for promoting riot. Joseph Darby, who had threatened to pull down the prison was committed to the House of Correction.

While small scale in comparison to the Priestley Riots, it is clear that these disturbances were more serious than their name 'Little Riot' would first suggest. They took place over two days and required multiple interventions from Birmingham's magistrates and armed forces now based at a nearby garrison. Further reinforcements also had to be summoned from Kidderminster.¹⁵⁰ The disturbances were caused by one man, Thomas Wood resisting the payment of his share of the riot tax but eventually involved crowds comprising dozens of people. The reason for Wood refusing to pay was not based on an inability to do so. After the riots the constables published a paper indicating that Wood was fully capable of paying his share of the riot rate.¹⁵¹ Neither of the newspaper accounts provide any details of the rioters motives, although it was suggested that the numbers of rioters were swelled by the 'idle and the curious'.¹⁵² It is only possible to speculate on the reasons why there was such hostility shown by Thomas Wood and other members of the populace of Birmingham towards the rate collectors. The necessity of paying an extra tax is likely to have caused considerable anger amongst the inhabitants of Birmingham, it is also difficult to believe that the climate of animosity that presided in the town prior to the trials cannot have contributed in some way to the hostility shown towards the rate collectors.

¹⁵⁰ *The Times*, October 25th 1793.

¹⁵¹ *Aris Birmingham Gazette*, October 29th 1793.

¹⁵² *The Times*, October 25th 1793.

It is notable that hostility towards the victims of the Priestley Riots did not manifest itself in the Little Riot. The primary target of the rioters was the rate collectors and the prison where some of the suspected rioters were being held. At no point were attacks made on any individuals targeted during the Priestley Riots or Dissenters in general. It is however difficult to believe that the eventual destination of the riot tax was not a contributing factor to the outbreak of rioting. The most outspoken victims of the Priestley Riots had long since left Birmingham while the two Unitarian meeting houses had been burned down leaving fewer prominent targets. In addition, because the magistrates acted quickly to disperse the rioters and had a readily available coercive force in the shape of the dragoons, there was no opportunity for the riots to develop in the way they had done in 1791. While the Little Riot was not directed against Dissenters or the victims of the Priestley Riots, however it seems likely that the thought of paying for compensation to them can only have exacerbated the anger already felt at having to pay the riot rate.

Conclusion

Even after their compensation was received there remained a belief among the Birmingham Dissenters that justice had not been done. In total the claimants received £26,960. 12. 5. Yet the claims had cost in excess of £13,000 to bring¹⁵³, were substantially reduced in court and it took over two years for the money to be paid. An alternative view could also be taken. The compensation trials were a far cry from the criminal proceedings, which had acquitted the majority of the rioters

¹⁵³ Langford, *A Century of Birmingham Life*, p. 499.

despite strong evidence as to their guilt. The flagrant bias of the jury in evidence during the criminal trials was not evident in its totality here. Despite attempts to sway the jury by defence counsel, they returned favourable verdicts in all cases and only Priestley and Russell had reason for serious discontent, it was their claims that were the most dramatically reduced. The discontent about the length of the time it took for the money to be paid was largely unjustified. This was due to the time needed for the authorities to obtain the Act of Parliament and to physically levy the riot tax.

The strongest reason for consternation arose from the very public attempts to destroy popular sympathy for the Dissenters, both in advance of the cases going to trial and during the trials themselves. Priestley and Hutton both spoke of their disgust that detailed inventories of their household items should be circulated and mocked in both newspapers and provocative handbills and disseminated around Birmingham. The timing of this print campaign proved to be especially unfortunate. The renewed difficulties in the button and buckle trades plunged a substantial percentage of Birmingham's manufacturers into potential financial adversity. Compassion for the losses suffered by Birmingham's wealthy middle class was always likely to be in short supply in this climate of increasing hardship.

The comparisons drawn with the Gordon Riots provided another source of discontent for the Birmingham claimants. Both Priestley and Hutton contrasted their own experiences with the actions brought against the City of London in 1781. As Hutton observed, the law governing the claiming of compensation for victims of rioting was the same for the Catholics in 1780 as it was for Dissenters in 1791. As

this chapter has shown, the manner in which the actions were brought and the trials conducted in London was very different to what was experienced at Worcester and Warwick eleven years later. An explanation for these divergent experiences can be found in the context in which the respective actions were brought and contemporary perceptions of where responsibility for the riots lay. Despite the destruction wreaked upon Dissenters property, the impression that they had caused the riots remained persistent, even as the compensation suits came to trial. The defence counsel at both Warwick and Worcester seized upon this in disputing the claims brought before jury. Thomas Plumer and George Hardinge not only reminded the jury of circumstances immediately prior to the outbreak of rioting and also sought to portray the claimants, through their religious and political beliefs, as subversive members of society unworthy of redress. In contrast the London claimants were not considered to be responsible for the outbreak of rioting and thus did not face such attacks when their own cases went to trial.

It is only possible to speculate upon to what extent these invectives, made both before and during the trials, influenced their eventual outcome. It is difficult to believe that the level of vitriol directed towards Priestley and the Dissenters did not play some role in the reduced compensation awarded at trial. This is not to say that the valuations of property were beyond criticism, indeed there is every indication that these were contested vigorously during the trials. Yet at times the very basis for the defence counsel's strategy rested upon the drawing attention to the identity of the claimants and their political and religious beliefs. The success of these tactics was evident through the equivocations of the jury in which the most outspoken Dissenters such as Priestley and Russell fared comparatively worse than the more

reserved claimants such as John Taylor and John Ryland. It can be stated that although the extent of apparent injustice witnessed at the criminal prosecutions was not in evidence here, it is indisputable that matters external to the compensation proceedings had a significant impact upon their outcome.

Chapter 6: ‘Broken, Shattered and Marginalised?’ Birmingham Dissent and the Impact of the Priestley Riots of 1791

Introduction

The Birmingham Riots of 1791 were a horrific experience for the Dissenting congregations of Birmingham. Four of their chapels were destroyed as were the houses of a number of the most prominent Dissenters within the town, some of who fled Birmingham for good. Within the historiography of the riots there has been a tendency to describe the events of July 1791 as a catastrophe for Birmingham Dissent. Lenore Davidoff and Catherine Hall argued that ‘the fright which radical Unitarians had received in 1791 gave them significant reasons to treat politics with much more care and to retreat into social and for some, political conservatism’.¹ Peter Jones recently argued that the impact was not confined to the Unitarians, ‘all members of the broad Dissenting family suffered marginalisation in the decade that followed’.² David Wykes provided an even bleaker assessment, arguing that many Dissenters ‘were to reject their earlier enthusiasm for reform and radicalism, abandoning politics, Dissent and in a few cases even religion itself’.³ In a recent article in *Midland History*, Harry Smith questioned the extent to which Unitarians were ‘broken’ after the riots and retreated into political apathy. Through analysing the sermons of Unitarian ministers between 1791-1815, Smith demonstrated that the Unitarian congregations did not conduct a wholesale retreat from the strand of

¹ Lenore Davidoff & Catherine Hall, *Family Fortunes: Men and Women of the Middle Class* (London, 2002), p. 97.

² Jones, *Industrial Enlightenment*, p. 195.

³ Wykes, ‘A Finished Monster of the true Birmingham Breed’, p. 58.

‘enlightenment thought’, which had initially been advanced by Joseph Priestley in the decade previous to the riots.⁴

This chapter seeks to assess the impact of the riots on Nonconformity in Birmingham between 1791-1820. Although the contention that the riots were a catastrophe for Birmingham Dissenters has proved popular with historians, this chapter seeks to challenge these conclusions and will argue that Dissenters in Birmingham underwent a surprisingly rapid recovery given the tumultuous events of July 1791. In the short-term the riots caused much hardship for the local Nonconformist community. The dissemination of pamphlet literature discussing the riots only helped to strengthen the negative public perception of Dissenters in Birmingham. The departure of key personalities such as Joseph Priestley and William Russell also left local congregations with an obvious void in terms of charisma and leadership.

If a longer-term view is taken it will be argued that Birmingham Dissent underwent a revival in the late eighteenth and early nineteenth centuries. Although Dissenters continued to be the objects of hostility, this was increasingly sporadic and diminishing by the turn of the century. The chapter will investigate the impact of the riots on congregational sizes and suggest that in reality these expanded after 1791. It will also suggest that while local Dissenters were not as politically active as they had been before the riots, neither were they completely silenced on such matters. Finally, the extent to which Dissenters ‘retreated into social conservatism’ will be investigated. It will be suggested that through their continued involvement in local government and their particularly prosperous involvement in education, the

⁴ Smith, ‘The blessedness of those who are persecuted for righteousness sake’, pp. 174-90.

alleged retreat into social conservatism never took place. On the contrary, Dissenters continued to occupy a prominent position within wider Birmingham society.

Pamphlet Responses to the Riots

Peter Jones has argued that after the riots, Dissenters retreated into seclusion and ‘quietism’⁵ and were far more cautious when dealing with politics than before July 1791. As will be discussed, in the longer term there is considerable evidence to support this argument. This change was not instantaneous. The aftermath of July 1791 witnessed a mass outpouring of literature on the riots. This pamphlet reaction went beyond the main protagonists simply attempting to absolve themselves from responsibility in instigating the riots. It rapidly developed into a battle to influence the public mind between 1791 and 1793. The resulting exchange of literature was as controversial and vitriolic as anything witnessed in the 1780s. It served only to reignite both the political and theological controversies of the 1780s.

In keeping with his centrality to the print disputes of the 1780s, Joseph Priestley, although no longer in Birmingham, was at the very heart of the pamphlet exchange. Having summarised his early thoughts on the riots in a printed sermon entitled the *Duty of Forgiveness of Injuries*⁶, Priestley waded into the intensifying print reaction with the first volume of his *Appeal to the Public*. In this pamphlet Priestley broadly sought to exculpate himself and other Dissenters from any responsibility in causing the riots.

⁵ ‘Quietism’ is the term used by Joseph Priestley to refer to those who disliked the aggressive political and religious stance adopted by Priestley and his supporters. See Wykes, ‘A finished monster of the true Birmingham breed’, p. 52.

⁶ See Priestley, *The Duty of Forgiveness of Injuries: A Discourse Intended to be Delivered Soon After the Riots in Birmingham* (Birmingham, 1791).

In doing so Priestley attributed the outbreak of violence as resulting from the ‘bigotry’ of the local clergy and members of the local establishment such as the magistrates. The tone of the *Appeal* was not conciliatory. In his preface Priestley accused the population of Birmingham of being ‘guilty of the greatest injustice and cruelty’.⁷ He also declared that ‘with respect to the high church party, I may be considered as in a state of open-war’.⁸ The local clergy were attacked with particular vitriol. They were, according to Priestley, guilty of ‘brutality’ and ‘licentiousness’ on an unprecedented scale.⁹

Given the tone of Priestley’s *Appeal* it is unsurprising that this was to provoke a number of replies.¹⁰ The most significant of these was Edward Burn’s *A Reply to Dr Priestley’s Appeal* published in April 1792. Burn’s *Reply* was a robust attempt to refute, almost point by point, the allegations levelled by Priestley in his *Appeal*. This was to provoke further replies from Dissenters, including a second *Appeal to the Public* made by Priestley and four separate editions of *Letters to the British Nation* by the Rev John Edwards who succeeded Priestley as minister of the New Meeting.

Not all Dissenters replies were made in defence of Priestley, the most notable condemnation came from Rev John Clayton, a London Congregationalist who attacked Priestley’s ‘rational Christianity’ for abandoning the faith of the Reformation and arguing that Christians should avoid political matters.¹¹ Clayton was also critical of Priestley’s public war of words with Anglicans in advance of the

⁷ Priestley, *An Appeal to the Public*, p. xi.

⁸ *Ibid.*, p. xx.

⁹ *Ibid.*, p. 77.

¹⁰ See for example Anon, Address to Dr. Priestley, from his Congregation at Birmingham, and the Young People in it, in consequence of the Riots; with his Answers (Birmingham, 1792)

¹¹ Hole, *Pulpits, politics and public order*, p. 113.

riots. The sermon was in stark contrast to the reactions of the majority of Dissenters who roundly condemned Clayton.¹²

An exhaustive discussion of the vociferous exchanges between the protagonists in these exchanges is not necessary, but a number of observations need to be made regarding the subject matter discussed in the pamphlets. In the first part of his *Appeal* Priestley insisted that the primary cause of the rioting was resentment of his religion.¹³ The resulting exchanges however focused primarily on Priestley's and Dissenters' political beliefs. Priestley was likened by Burn to Tom Paine. Burn suggested that the differences between the two were slight, 'differing only on a principle of prudence rather than general policy'.¹⁴ In seeking the repeal of the Test and Corporation Acts, Priestley was also accused of 'hastening the accomplishment of his favourite object, the eventual destruction of the establishment'.¹⁵ Priestley remained unrepentant and used the pamphlet war as an opportunity to restate his own position. While claiming that the attempt to repeal the Test Acts had been 'misapprehended by the great body of the clergy',¹⁶ Priestley warned that the policy of suppressing man's sentiments would backfire and inevitably result in a revolution such as that seen in France.¹⁷ The result of these exchanges was that Dissenters continued to be portrayed as possessing dangerous political beliefs. The pamphlets written by Priestley and Edwards reveal that in the short-term the riots had not resulted in a retreat into 'quietism', or a compromising of their own beliefs. Yet the unrepentant tone of their writing combined with accusations levelled by the likes of

¹² Ibid., p. 113.

¹³ Priestley, *An Appeal to the Public*, p. 36.

¹⁴ Burn, *A Reply to Dr Priestley's Appeal*, p. 31.

¹⁵ Ibid., p. 12.

¹⁶ Priestley, *An Appeal to the Public*, p. 12.

¹⁷ Priestley, *An Appeal to the Public*, pp. 90-91.

Burn continued to depict Dissenters as seditious and a threat to both the Church and the existing constitution.

The pamphlet exchange also witnessed tangible fractures within the Dissenting community in the aftermath of the riots. John Clayton's aforementioned pamphlet emphasised the divergence of political beliefs between the differing Dissenting congregations and that the political beliefs of Rational Dissenters could differ greatly from other Nonconformist congregations. Clayton stated that disaffection with government should not be impugned on Dissenters in general, but upon Unitarians in particular.¹⁸ Clayton's support of the existing constitutional regime was to provoke replies from other Dissenters extolling the virtues of the rights of man.¹⁹ Even members of the Kingswood chapel, which was Presbyterian but closely affiliated to the Old and New Meetings, were keen to distance themselves from Priestley's political stance before the riots. They expressed their particular dismay at the destruction of their chapel. In a petition to the society of Protestant Dissenters in 1793, the trustees of the Kingswood chapel argued that the majority of their congregation were 'mostly labouring men'. Furthermore, their attendees were not 'any degree either qualified or accustomed to attend to public political measures or political discussions'.²⁰ Such a statement may have been disingenuous. Their minister, John Hobson, was known to have Unitarian leanings and was considered by local establishment figures to be one of the most outspoken of the local Dissenters

¹⁸ John Clayton. *The Duty of Christians to Magistrates: a sermon, occasioned by the late riots at Birmingham* (London, 1791) pvi

¹⁹ Hole, *Pulpits, Politics and Public Order*, p. 100.

²⁰ BCL UC 5 5/14/1. Kingswood Chapel, Kings Norton. Memorial and Petition to the society of Protestant Dissenters, October 17th 1793.

in both theology and politics.²¹ Regardless, this marked a conscious effort by other Dissenting denominations to distance themselves from the political beliefs of Priestley and the outspoken Unitarians. This did not, in itself, mark a retreat into political ‘quietism’ on the part of the group commonly referred to as ‘old’ Dissent. In reality the political beliefs of Baptists, Quakers and Independents could diverge considerably but were generally considered more moderate than the Unitarians. These differences became blurred as all sides were broadly united during the attempts to repeal the Test and Corporation Acts.²² The riots do appear to have given other Dissenting denominations cause to forcefully re-state their differences from Priestley and his fellow Unitarians.

Dissenters’ enthusiasm for the French Revolution was also scrutinised. Burn was scathing in his discussion of the French Revolution, stating that ‘we are yet to be instructed by the fish-women of Paris, or their admirers in this country’.²³ Yet Priestley and other Dissenters used the opportunity to restate their unwavering support for the French Revolution. Priestley claimed that ‘as to the French Revolution which defence of and celebration of has been seen as such a crime, you will now see it in a different light’.²⁴ He also juxtaposed the ‘liberty’ of France with the ‘evil triumph of bigotry’ in Birmingham.²⁵ John Edwards went even further than Priestley in his support for the French cause. He described the clergy’s attitude towards the Revolution, ‘In vain do they endeavour to stop the tide of freedoms victory by moans and wishes. It is the earthquake of liberty and the remotest of

²¹ Hobson was accused of authoring and disseminating the inflammatory handbill circulated in advance of the riots. His house was also targeted during the riots and he seems to have left Birmingham after their conclusion. See TNA HO 42/19 folio 522, Ward to Brooke, 15th August 1791.

²² Watts, *The Dissenters: Volume II*, p. 349.

²³ Burn, *A Reply to Dr Priestley’s Appeal*, p. 19.

²⁴ Priestley, *An Appeal to the Public*, p. xvi.

²⁵ Priestley, *An Appeal to the Public*, p. xxiv.

nations shall feel its shock'.²⁶ By 1792, the situation in France was becoming increasingly unstable with the declaration of war with Austria in April 1792 and the September massacres and France declaring itself as a republic.²⁷ The British reaction to the French Revolution increasingly hardened with the development of popular loyalism which was assisted, in part, by the British Government's Royal Proclamation against seditious writings and the dissemination of loyalist propaganda.²⁸ Given these events, such unbridled enthusiasm for the French Revolution by Priestley and Edwards was unwise and provoked further censure.²⁹ These exchanges only served to strengthen the belief that some Dissenters desired events in France to be replicated in Britain.

The pamphlet reaction to the Birmingham riots began shortly after the riots in 1791 and continued to rage as late as 1793. The outpouring of pamphlet literature had a significant cumulative effect. Joseph Priestley and John Edwards had sought to exculpate the Birmingham Dissenters from responsibility in causing the riots. The controversial and unrepentant tone of their publications and the hostile responses they provoked were unlikely to have achieved this objective. In particular the unrelenting support for the French Revolution which had increasingly lurched into crisis, combined with predictions of these events being repeated elsewhere was unlikely to find favour with a large section of the 'public' that Priestley and Edwards were appealing to. Their continued support of the French Revolution was skillfully attacked by other pamphleteers, most notably Edward Burn. Far from exculpating

²⁶ John Edwards, *Letters to the British Nation part IV*, (London, 1792), p. 71.

²⁷ Paul Hanson, *Contesting the French Revolution* (London, 2009), pp. 87-89.

²⁸ Emsley, Repression, 'terror' and the rule of law, p802. See also Claeys, *The French Revolution Debate in Britain*, chapter 5.

²⁹ See for example Not (sic), John, A Letter of Advice, to the Rev. J. Edwards, with Remarks on his late Productions, by John Not, Button burnisher (Birmingham, 1792)

Dissenters, the exchanges only served to reaffirm the belief that Dissenters had caused the riots and remained a very real threat to the Church and British government.

This brief examination of the outpouring of pamphlet literature sheds some interesting light on the contention of Davidoff & Hall that the riots caused Birmingham Dissenters to treat politics with much greater care.³⁰ On the one hand it provides evidence to support this conclusion. The aftermath of the riots marked the end of the close local alliance of Dissenting congregations, which had begun in 1787 with the attempt to repeal the Test Acts. After the riots, the other denominations were quietly distancing themselves from Priestley and the Unitarians. The pamphlet literature also illustrates that, contrary to the argument made by Davidoff & Hall, Birmingham Dissenters did not immediately seek to treat politics with ‘much greater care’. The pamphlets written by Priestley and Edwards were as controversial as anything written before the riots and politics was a prevalent theme throughout the exchanges.

Continued Hostility?

The animosity suffered by claimants in their plea for compensation has already been documented elsewhere in this thesis. What is of concern here is whether this was systematic of a more deep-rooted hostility towards Dissenters in the aftermath of the riots. David Wykes has argued that every effort was made to ‘to direct and to maintain the level of abuse against Priestley, his fellow victims and Unitarians in

³⁰ Davidoff & Hall, *Family Fortunes*, p. 97.

general'.³¹ This was certainly the case in the immediate aftermath of the riots. Wykes's study provides other examples of hostility suffered by Dissenters in and beyond Birmingham after 1791. Yet the focus of this study is relatively narrow, focusing primarily upon the immediate aftermath of the riots when hostility to Dissenters was likely to remain at its most vociferous. This section will attempt to assess whether such hostility continued or abated over time.

During the three years after the riots, Birmingham Dissenters were to suffer from further sporadic outbreaks of hostility. These fluctuated in their level of intensity. Most attacks were directed towards Unitarians, the primary victims of the riots. In December 1792 the Taylor family were threatened by a small gang of youths operating under the banner of Church and King. Cash ransoms were paid to prevent any further attacks.³² William Hutton was also targeted. A group from the local loyalist association, the Loyal True Blues, allegedly knocked Hutton's door late and night and demanded that Hutton and his family declare their loyalty to Church and King.³³ The hostility against William Russell appears to have been more concerted. Priestley, writing to Russell in June 1792, exclaimed that he was 'concerned to hear of the rancour with which you continue to be visited at Birmingham'.³⁴ Such attacks are likely to have only hastened Russell's departure to America. Although these attacks were scattered they were sufficiently frequent and serious enough to create the perception that Dissenters lived within a climate of fear. Shortly after becoming minister of the Congregationalist Carrs Lane meeting, Edward Williams remarked that 'because of the dark and malignant spirit of

³¹ Wykes, 'A finished Monster', p. 59.

³² Jones, *Industrial Enlightenment*, p. 197.

³³ Wykes, 'The Spirit of Persecutors Exemplified', p. 27.

³⁴ Cited in Samuel Jeyes, *The Russells of Birmingham in the French Revolution and in America 1791-1814* (London, 1911), p. 48.

prejudice, bigotry and riot which often discloses itself...this town is too much like a synagogue of satan'.³⁵

Sporadic but unprovoked attacks upon Dissenters continued throughout the early 1790s. In the minds of many, Dissent remained indistinguishable from Francophile Republicanism. Unitarians were not the only targets of this hostility. In August 1793, around 150 Dissenters (mostly Quakers) had their windows broken for failing to celebrate the fall of Valenciennes, a major allied victory in the war with the French.³⁶ By this time the wider negative British reaction to the French Revolution had increasingly hardened to the point of outright hostility. This led to Pitt's government taking steps to prosecute writers and publishers of seditious material.³⁷ This coincided with the establishment of loyalist associations and the mass dissemination of anti-radical propaganda. The aim was to suppress radicals and reformers regardless of their religious beliefs.³⁸ In Birmingham, the Loyal True Blues were a typical example of the vociferous and at times violent loyalist associations that were being formed nationwide.³⁹ While these events did not necessarily amount to a government inspired 'reign of terror',⁴⁰ radicals and reformers were being subjected to repression and intimidation across the nation. The fact that this coincided with the recent memory of the riots means that assessing the impact of the July 1791 disturbances becomes increasingly problematic. There seems little doubting that most of the early hostility to Dissenters was at the very

³⁵ Alan Driver, *Carrs Lane 1748-1948* (Northampton, 1948), p. 20.

³⁶ Rose, 'Political History to 1832', p. 283.

³⁷ Mori, *Britain in the Age of the French Revolution*, p. 97.

³⁸ Wykes, 'The Spirit of Persecutors Exemplified', p. 24.

³⁹ Money, *Experience and Identity*, p. 232.

⁴⁰ Clive Emsley described any parallel between events in Britain and France as 'ludicrous', while Mori notes that Pitt's campaign against sedition was dramatically scaled back from what was originally planned. See Emsley, *Repression, 'Terror' and the Rule of Law in England During the Decade of the French Revolution*, p. 802 and J. Mori, *William Pitt and the French Revolution*, p. 96.

least linked with the after effects of the riots (with the attack on Quakers being the possible exception). The role of the pamphlet exchanges and the compensation claims should not be understated. They served to strengthen the conviction that Dissenters were unrepentant and remained disloyal even after the riots. The strong support given by some to the anti-war movement seemed to be a continuation of this disloyalty.

The attacks on Birmingham Dissenters during the 1790s were undoubtedly a frightening experience for their victims. They were however, in no way comparable to the severity of the 1791 riots. Neither did 1790s Birmingham witness the kind of serious Church and King Disturbances seen elsewhere in Britain. Birmingham was not the only place in which long-standing tensions between Anglicans and Dissenters were given added intensity by the outbreak of the French Revolution. This was most evident in Manchester and Nottingham where there were riots in 1792 and 1794 respectively.⁴¹ In June 1792 two Dissenting meeting houses in Manchester were attacked by crowds using trees as battering rams.⁴² This was followed by more serious disturbances in December 1792 which partly emulated events in Birmingham a year earlier. They were principally directed against Thomas Walker, a wealthy Unitarian and leader of the local reform movement. The crowd attacked Walker's house and the offices of the *Manchester Herald*, the local radical newspaper.⁴³ The Nottingham disturbances were of a different nature, occurring after Britain had entered the war against France and were primarily directed against French sympathisers, although many of the victims were

⁴¹ Clive Emsley, *Britain and the French Revolution* (Harlow, 2000), p. 41.

⁴² Rudé, *The Crowd in History, 1730-1848*, p. 141.

⁴³ Ibid.

Nonconformist manufacturers.⁴⁴ Although Rudé suggested that the ‘religious element played little or no part’,⁴⁵ sectarian antagonisms were still in evidence. Not only was property attacked but also unfortunate victims were made to undergo forced ‘baptisms’ where they were held under pumps and ducked in the Leam.⁴⁶ In both riots, the local magistrates were staunch loyalists and reluctant to intervene.⁴⁷ In the case of Nottingham, the magistrates were seen encouraging the rioters.⁴⁸

The priorities of the Birmingham populace were to undergo a rapid transformation during the course of the 1790s. Aside from the ‘Little Riot’ of 1793, there were two further instances of major popular disturbances in Birmingham during the decade, in 1795 and 1800. These did not originate through opposition to Dissenters or French sympathisers but instead through rising food prices. A poor harvest in 1794 resulted in food prices rising sharply in the pre-harvest months of 1795 and led to a series of disturbances across the country.⁴⁹ June 1795 witnessed the outbreak of rioting in Birmingham when a crowd of some 1,000 people forced entry into James Pickard’s mill. They were protesting about the new smaller loaf which Pickard had introduced, claiming they were being starved to death.⁵⁰ This was followed by a series of disorders in February, May and September of 1800. These were again a direct reaction to rising food prices. The disturbances were again directed against Pickard’s mill, together with local corn dealers and bakers.⁵¹ Poor harvests in 1799 and 1800 initiated similar disturbances across the country. In Birmingham these

⁴⁴ Malcolm Thomis, *Politics and Society in Nottingham 1785-1835* (Oxford, 1969) p. 173.

⁴⁵ G. Rudé, *The Crowd in History, 1730-1848*, p. 140.

⁴⁶ Thomis, *Politics and Society in Nottingham*, p. 160.

⁴⁷ Briggs, John, Harrison, Christopher, McInnes, Angus and Vincent, David, *Crime and Punishment in England An Introductory History* (London, 1996), p. 107.

⁴⁸ Thomis, *Politics and Society in Nottingham*, p. 160.

⁴⁹ John Stevenson, ‘Food Riots in England 1792-1818’, in Stevenson and Roland Quinault (eds.) *Popular Protest and Public Order, Six Studies in British History, 1790-1920*, (London, 1974), p. 35.

⁵⁰ Rose, ‘Political and Administrative History: Political History to 1832’, p. 285.

⁵¹ Langford, *A Century of Birmingham Life volume II*, pp. 96-98.

protests took place alongside the collapse of the local shoe-buckle trade.⁵² It would be incorrect to simply assume that the participants in the 1795 and 1800 riots were the same people involved in the Priestley Riots. The very fact that they took place reflects a wider change in priorities for the Birmingham crowd; a shortage of food could rapidly supersede concerns over Dissent or the reform movement.

This evolution of attitudes also witnessed more tangible hostility towards the British Government. This is most evident when examining the changing nature of inscriptions on local walls from 1791 to 1800. At the beginning of the decade common inscriptions were 'No Foxites', 'No Priestley' and 'No Paine'. By the end of the decade this had changed to 'bread or blood' and 'No Pitt', 'No Portland', 'No Damned rogues in grain'.⁵³ This demonstrates how rapidly the loyalty of the Birmingham crowd could dissipate when faced with economic hardship.

While Birmingham Dissent evidently suffered hostility from external sources in the aftermath of the riots, the relationships between individual Dissenting congregations requires some attention. In particular, it is necessary to establish whether the experience of the riots created longer lasting fractures within the local Dissenting community. It has already been suggested that in the immediate aftermath of the riots, other local congregations sought to disassociate themselves from the Unitarians. Despite their alliance during the campaign to repeal the Test and Corporation Acts, Dissenters were not always acting in unison before the riots. During the fall out over interdenominational Sunday schools the Baptists, Methodists and Congregationalists effectively sided with the Anglicans rather than

⁵² Jones, *Industrial Enlightenment*, p. 198.

⁵³ BCL MS 184534, James Bisset, 'Original MSS Songs'; see also Victor Gatrell, *The Hanging Tree*, p. 195.

Unitarians.⁵⁴ Priestley, for his part, continued to be critical of the Dissenters who disagreed with his aggressive political stance.⁵⁵ This was unlikely to engender sympathy from the other Dissenters of Birmingham. Many of their chapels had only narrowly avoided sharing the fate of the Old and New Meetings. Other Nonconformists privately deplored the folly of Priestley's conduct prior to the riots. When the trustees of the New Meeting sought a chapel for their congregation to use while their own meeting houses were rebuilt, they found offers of assistance in short supply. The Congregationalists did make their Carrs Lane chapel available for use, but this was only on a temporary basis, for three months. Finding a longer-term solution proved more problematic. The New Meeting vestry minutes recorded that 'several applications for different places suitable for the society to assemble in for public worship had proved fruitless'.⁵⁶ This is hardly surprising, given the hostile climate that continued to preside within the town in the immediate aftermath of the riots. Instead, the combined congregations of the Old and New meetings had to move into the previously disused Livery Street Union Meeting, which had been converted from a former circus and riding school.⁵⁷

These fractures appear to have been only short-term in nature. As previously noted, the London Congregationalist John Clayton who was critical of Priestley after the riots found himself under attack from other Dissenters, including those of his own denomination.⁵⁸ The anti-war movement of the 1790s once again witnessed local Dissenters unite against the war with France. In Birmingham the anti-war

⁵⁴ Philip Cliff, *The Rise and Development of the Sunday School in Movement in England 1780-1980*, (Redhill, 1986), p. 42

⁵⁵ Wykes, 'A Finished Monster of the True Birmingham Breed', p. 52.

⁵⁶ BCL UC2 3/3/1/2 Church of the Messiah, minutes of the vestry committee meetings 1788-1792.

⁵⁷ Elrington, 'Religious History: 'Places of Worship'', date Accessed 18th April 2011

⁵⁸ Hole, *Pulpits, Politics and Public Order in England*, p113.

movement was spearheaded by local Quakers as much as it was by Unitarians. In 1793 when local youths decided to break the windows of those protesting against the war, it was Quakers and not the Unitarians who were the primary targets.⁵⁹

As will be discussed, Dissenters were to remain a source of irritancy to members of the establishment for their anti-war stance and the success of their Sunday schools. In 1797 the level of hostility directed towards Unitarians in Birmingham compelled Theophilus Lindsay to remark that there was still too much 'Church and King spirit' in Birmingham.⁶⁰ Despite Lindsay's assertions, the level of hostility directed towards Dissenters in the late 1790s and early nineteenth century was nowhere near as ferocious as it had been prior to the riots, during the disturbances themselves or in their immediate aftermath.

Congregational Sizes

While the loss of leading personalities such as Joseph Priestley and William Russell had an adverse effect on the strength of the Dissenting presence in Birmingham, it is necessary to consider what effect the 1791 riots had on wider congregational sizes. Peter Jones has attempted to estimate the numbers of Protestant Dissenting households between 1751 and 1820.⁶¹ Jones admits that due to a lack of source material these statistics should be treated with caution and are based on 'informed guess-work'. They do however provide some indication of the consequences of the riots on congregational sizes. The figures suggest that the Old and New Meeting congregations dropped substantially between 1780 and 1800 while Quaker numbers

⁵⁹ Rose, 'Political History to 1832', p283.

⁶⁰ Cited in Wykes, 'A finished Monster', p62.

⁶¹ Jones, *Industrial Enlightenment*, p. 171.

remained around the same. Meanwhile, the Baptist, Independent and Methodist congregations grew substantially in this period.⁶² As will be shown, other primary and secondary evidence reveals that the Baptists, Independents and Methodists congregations expanded to varying degrees in the three decades after the riots. Further research also suggests that the Unitarians did not suffer a decline as drastic as depicted by Jones.

Table 9 Birmingham's Protestant Dissenters (households), 1751-1820⁶³

Denomination	1751-55	1771-80	1791-1800	1811-20
Old Meeting	240?	213?	82	100?
New Meeting	240	213	138	180
Quakers	43	65	62	66
Baptists	50	132?	197	405
Congregationalists	40?	50?	100?	160?
Methodists	10?	160	224	300
Total	623	833	803	1211
As % of all B'ham households	14.9	11.6	6.1	7.3

This evidence indicates that the size of the Baptist presence in Birmingham grew dramatically between 1791-1820. Records of the Baptist Cannon Street chapel reveal that in 1788 the size of the congregation was 242. Between 1788 and 1799 no

⁶² Ibid., table 5.0.

⁶³ Jones, *Industrial Enlightenment*, p. 171.

less than 355 people added to the church.⁶⁴ Even allowing for deaths and people otherwise leaving this number amounts to nothing less than a considerable increase. The rapid expansion of the Cannon Street after the riots is underlined by the fact that that by 1802 it was decided to rebuild the chapel as it was no longer large enough to accommodate the number of attendees.⁶⁵ In 1802 the congregation was described as ‘flourishing’ and continued to expand in the first two decades of the nineteenth century. According to Jones, the number of Baptist households was in 1820 double the size that it had been in 1791.⁶⁶ During this period the Cannon Street chapel was particularly successful in attracting new members, particularly among the young.⁶⁷ The Bond Street chapel, built in 1785, likewise reported an increase in attendances in the decade after the riots.⁶⁸ As a satellite of Cannon Street, Bond Street had a much smaller congregation. Upon its opening the chapel had only 65 regular attendees, but this more than doubled by 1820.⁶⁹

The Independents or Congregationalists were also to experience a considerable expansion of their numbers between 1791 and 1820. Immediately after the riots, the Carrs Lane chapel, the mainstay of the Independent presence in the town, was described as being ‘in a depressed state, with considerable derangement amongst its affairs’.⁷⁰ While the numbers of attendees increased only minimally in the first half of the 1790s, they increased rapidly in the second half of that decade to the extent that the chapel had to be rebuilt in 1802 and again in 1820 to accommodate a

⁶⁴ BCL BC 2/1. Baptist Cannon Street Chapel, Church Minute Meeting Book 1781-1922.

⁶⁵ Ibid.

⁶⁶ Jones, *Industrial Enlightenment*, p. 171.

⁶⁷ John Angell James, *Protestant Nonconformity: A Sketch of its General History with an Account of the Rise and Present State of its Various Denominations in the Town of Birmingham* (London, 1849) p. 166.

⁶⁸ BCL BC 1/1. Bond Street Chapel Birmingham, Church Meeting Minute Book 1785-1809.

⁶⁹ James, *Protestant Nonconformity*, p. 172.

⁷⁰ Ibid., p. 120.

seemingly ever-expanding congregation.⁷¹ The chapel built in 1802 could seat 800. The rebuild of 1820 could accommodate more than 2,000 worshippers.⁷² This provides a clear indication as to the extent of expansion that the Independents were undergoing in this period. Meanwhile, two further Independent chapels were established in Oxford Street in 1795 and Livery Street in 1802.⁷³ The end of the eighteenth century and the beginning of the nineteenth century was a time of rapid expansion for the Independents.

In the decade before the riots, the fastest growing Dissenting denomination was the Methodists. The Methodist presence in Birmingham can be accurately dated back to 1743 when John Wesley delivered a sermon to a small but attentive group while passing through the town.⁷⁴ Although Wesley took a personal interest in Birmingham, making annual visits, the development of Methodism in the town was gradual. They did not possess a meeting place until 1751 when they used an outhouse at the back of a private house on Steelhouse Lane.⁷⁵ The Methodists then used an old theatre in Moor Street as a meeting house. They quickly outgrew this and constructed a new chapel in Cherry Street in 1782. With the number of attendees rapidly expanding this was followed by two further chapels built on Bradford Street in 1786 and Belmont Row in 1789. Both chapels were opened by Wesley. The Birmingham society of Methodists had, until 1782, belonged to a larger circuit embracing the whole of the county of Stafford. By this point in time their numbers had so dramatically increased that a new circuit was formed with

⁷¹ Rose, 'Religious History: Protestant Nonconformity', pp. 448-9.

⁷² James, *Protestant Nonconformity*, p. 129.

⁷³ Rose, 'Religious History: Protestant Nonconformity', pp. 451-2.

⁷⁴ James, *Protestant Nonconformity*, p. 202.

⁷⁵ Rose, 'Religious History: Protestant Nonconformity', p. 472.

Birmingham at its head.⁷⁶ No further chapels were constructed in Birmingham until 1825, however Methodism continued to flourish in Birmingham and all three chapels were able to report steady if not spectacular increases in attendances in the decade after the riots.⁷⁷ A much more rapid expansion appears to have occurred between 1820 and 1849 by which time the Methodists could boast almost 17,000 regular attendees to their churches.⁷⁸

The late eighteenth century had also witnessed newer, smaller denominations begin to gain a foothold in Birmingham. The 'Church of the New Jerusalem', made up of followers of Emmanuel Swedenborg, had first established a presence in Birmingham in 1789 where they worshipped in a room on Great Charles Street. Just weeks before the riots, the construction of the first dedicated Swedenborgian chapel in Newhall Street was completed. The opening was attended by a number of prominent members of the New Meeting including Joseph Priestley.⁷⁹ The chapel was briefly threatened during the riots, presumably because of the association with Priestley and the Unitarians. It was saved when its minister Joseph Proud bribed the rioters with the contents of the previous day's collection plate.⁸⁰ Although the congregation was small its numbers remained steady after the riots. The congregation encountered difficulties when its Newhall chapel was sold to pay the debts of its owner. A new Chapel was swiftly constructed on the same street in 1794. The Swedenborgians enjoyed a gradual expansion and by 1830 had grown sufficiently to necessitate the construction of a larger chapel on Summer Lane which

⁷⁶ Dent, *The Making of Birmingham*, p. 170

⁷⁷ James, *Protestant Nonconformity*, p. 207

⁷⁸ Ibid., p. 208.

⁷⁹ Dent, *The Making of Birmingham*, p. 171.

⁸⁰ Jones, *Industrial Enlightenment*, p. 194.

provided seating for four hundred, although it seems the congregation numbered around half of this.⁸¹

The Unitarians were undoubtedly hardest hit by the 1791 riots. As Peter Jones's figures illustrate, they suffered a considerable decline in the size of their congregations in the decade after the riots. According to Jones, by 1800 the number of households worshipping at the Old Meeting was less than half of what it had been in 1780, while those attending the New Meeting dropped by a third in this same period. Such a decline is unsurprising given the torment suffered by leading members of both congregations. Further primary research indicates that although the Unitarians attendances did not return to their pre-riot level, the decline may not have been as dramatic depicted by Jones.

When the trustees of the New Meeting were planning the construction of a new chapel, it was decided that the replacement should be considerably larger than the one destroyed. This was to provide provision for a number of people who had applied for seating before the riots but could not be accommodated in the original building.⁸² This decision was taken in September 1792, by which time the combined congregations of the New and Old Meetings had been worshipping again at the Union Meeting on Livery Street. It seems unlikely that the trustees would have decided to build a much larger meeting house than the one destroyed if attendances at Carrs Lane had declined so dramatically in the aftermath of the riots. One secondary estimate suggests that the Livery Street chapel was, between 1792 and

⁸¹ Rose, 'Religious History: Protestant Nonconformity', p. 479.

⁸² BCL UC2 3/3/1/2. Church of the Messiah Vestry Meeting Minutes, 1792-1804.

1795, attracting very healthy attendances of between 1,000 and 1,200.⁸³ In the short term a considerable number of worshippers may have deserted the chapels temporarily as the pamphlet debate raged but as the controversy gradually died down, the number of worshippers steadily increased. Thus, although there was a decline it was by no means terminal. Jones's figures suggest a considerable recovery in the number of households belonging to attendees of the New and Old Meetings by 1811.

At least one chapel, that of Kingswood, Kings Norton was able to report a substantial increase in attendances after the riots. The chapel was rebuilt in 1793 and the trustees were to find that upon reopening the chapel, the size of their congregation was considerably larger than it had been before the riots.⁸⁴ The experience of the Old Meeting appears to have been the opposite with a definite decline in worshippers in the decade after the riots. This led to some financial difficulties, which ensured that the congregation could only support one minister, rather than the two, which it had done before the riots.⁸⁵ These financial difficulties were not caused solely by the riots but also the 'very numerous' deaths of a number of subscribers between 1791 and 1800.⁸⁶ In reality, the failure to find renewed financial backing was likely not unrelated to the experience of the riots. It would be incorrect to consider the Old Meeting congregation to be in terminal decline. As will be shown, Sunday schools established by the Old Meeting prospered in the aftermath of the riots and these undoubtedly played an important role in the recovery of the congregation's size by 1811.

⁸³ Herbert New, *The New Meeting and the Church of the Messiah, Birmingham, a Survey of their History* (Birmingham 1912) p. 16.

⁸⁴ BCL UC 5/14/1.

⁸⁵ BCL UC 1/3/6/1/1. Old Meeting, General Subscribers Minute Book 1771-1838.

⁸⁶ BCL UC 1/3/6/1/1.

In any discussion of the impact of the riots on the number of Dissenters in Birmingham, it is necessary to examine wider population trends. The expansion of the Baptist, Methodist and Congregationalist presence in Birmingham may be initially seen as merely reflecting wider population growth. This was not the case. Birmingham's sharp population growth in the second half of the eighteenth century was dramatically curtailed in the 1790s and first decade of the nineteenth century.⁸⁷ This resulted not from the riots but from the outbreak of war in France, which had a ruinous impact on sections of Birmingham's industry and led to widespread unemployment within the town.⁸⁸ In spite of this, a number of Birmingham's Dissenting congregations were experiencing substantial growth in this period. This illustrates that the riots did not precipitate a dramatic decline in the number of Dissenters in Birmingham, at least not across all congregations.

This point is further underlined by the fact that the growth experienced in the 1790s and the beginning of the 1800s actually reversed a longer-term decline in the proportion of Birmingham's population that were Dissenters. This decline reached its lowest point in the decade after the riots when just 6.1% of Birmingham households were Nonconformist, reduced from 11.6% in the 1770s.⁸⁹ In the early nineteenth century the percentage of Dissenting households had risen to 7.3%. This provides further evidence, that although the riots may have prefigured a temporary decline in the number of Dissenters, this was by no means permanent. Conversely, despite the stagnating population a substantial proportion of Birmingham's Dissenting community was able to report rapid growth.

⁸⁷ See Jones, *Industrial Enlightenment*, p. 37, figure 2.2.

⁸⁸ *Ibid.*, p. 38.

⁸⁹ See table 6.1.

The expansion of the Dissenting presence was also evident through the construction of new chapels and places of worship. Between 1782 and 1819 ten more Dissenting places of worship were established in the town.⁹⁰ Approximately half of these were established after the riots.⁹¹ This provides further evidence that despite the experience of 1791, the number of Dissenters in Birmingham expanded in the aftermath of the riots. In particular Baptist, Independent and Methodist all witnessed their number of worshippers increase substantially. As a result, the existing chapels were no longer able to meet the growing congregations needs.

In addition to the expanding numbers of Dissenters, Birmingham also retained its diverse Dissenting culture. Previously to the riots, all of the major Nonconformist denominations had maintained some presence within the town and this remained the case after the riots. The near destruction of their Newhall chapel may have persuaded the Swedenborgians that Birmingham was not the ideal home for their first chapel. Despite this, it remained and was able to increase the numbers of its attendees throughout the 1790s. This provides proof that despite the experience of the riots Birmingham continued to sustain a diverse Dissenting culture into the nineteenth century.

Personalities

The loss of Joseph Priestley was a significant blow for local Unitarians. His presence had ensured that the New Meeting was one of the most prominent congregations of

⁹⁰ Davidoff & Hall, *Family Fortunes*, p. 78.

⁹¹ Rose, 'Religious History: Protestant Nonconformity', p. 418.

its kind in Britain during the 1780s. Contemporary evidence indicates that he was revered by much of his congregation and this continued to be the case even after his death in 1804.⁹² The trustees of the New Meeting, apparently unperturbed by the riots, did their utmost to persuade Priestley to return as their pastor.⁹³ Priestley's decision not to return appears to have been made on advice from his London friends who felt that it would be both unwise and unsafe to do so.⁹⁴ It will be argued that Priestley's decision to leave was not to check the recovery of Dissent within the town. The Unitarians were able to attract capable preachers to replace him. Vocal and charismatic leadership was not only to be found at the New Meeting. In the 1790s other Dissenting congregations were able to attract vocal and charismatic preachers. As a whole these individuals helped to drive the recovery of Birmingham Dissent in the 1790s and early 1800s.

Priestley's loss left the vestry and the trustees of the New Meeting with a massive chasm to fill. The position of minister was of great importance to any Dissenting meeting house as they served as both the public face and intellectual heart of the congregation.⁹⁵ Thus, their skill as a preacher and the contents of their sermons was intrinsic to their role within the meeting. During the early 1790s the New Meeting sustained two ministers as pastors. While Priestley was irreplaceable, it appears that the vestry and trustees of the New Meeting actively sought vocal ministers who were also capable preachers.

⁹² See Smith 'The blessedness of those who are persecuted', p. 183.

⁹³ BCL UC2 3/3/1/1. Church of the Messiah, Vestry Meeting Minutes 1788-92. See the entries for between August and October 1791.

⁹⁴ William Griffith, 'Priestley in London', *Notes and Records of the Royal Society of London*, 38 (1983), p. 9.

⁹⁵ Smith, 'The blessedness of those who are persecuted', p. 178.

Priestley's most immediate replacement was John Edwards. Edwards was a vocal reformer, he had had been one of the first members of the Society for Constitutional Information in the 1780s.⁹⁶ Edwards arrived in Birmingham in 1790 and served as co-pastor of the New Meeting. After Priestley had left he stepped up to the role of lead pastor.⁹⁷ Edwards, keen to establish himself, intervened in the public 'debate' on the riots that was raging unabated. His *Letters to the British Nation*, published in four parts in 1792, was a staunch and obdurate defence of Priestley and the Unitarians. The tone of the *Letters* was provocative. Edwards stated that 'with respect to the inhabitants of Birmingham in particular, I take the liberty to remark that whoever is not against the rioters is for them.'⁹⁸ The Birmingham laity were accused of 'cherishing a blind and bigoted spirit', while Dissenters were encouraged to wait for the 'progress of truth and reason'.⁹⁹ Edwards reserved his strongest attacks for the clergy of Birmingham. Addressing Madan and Burn, Edwards asked 'what has Jesus Christ got to do with you, or what have you reverend sirs got to do with Jesus Christ?'¹⁰⁰ Evidently, Edwards was unperturbed by the experiences of his predecessor in July 1791 as he attacked the clergy in terms as strongly as anything written by Priestley.

Edwards was also a staunch anti war campaigner. During the 1790s he was to preach pro peace sermons with fellow pastor David Jones.¹⁰¹ Edwards was so hostile to the war with France, he was not afraid to offend his own congregation in expressing his views. In 1798 when the vestry of the New Meeting organised a

⁹⁶ Andrews, *Unitarian Radicalism*, p. 123.

⁹⁷ BCL UC2 3/3/1/1. Vestry meeting, November 15th 1791.

⁹⁸ Edwards, *Letters to the British Nation*, part IV, p. 69.

⁹⁹ Edwards, *Letters to the British Nation*, part IV, p. 72.

¹⁰⁰ Edwards, *Letters to the British Nation*, part III (London, 1792), p. 18.

¹⁰¹ John Cookson, *The Friends of Peace: Anti-War Liberalism in England 1793-1815* (Cambridge, 1982) p. 135.

collection for widows and children of seamen killed in a recent naval engagement with France, Edwards expressed his condemnation of the collection and refused to preach on the day it was held.¹⁰²

John Edwards was joined at the New Meeting between 1792 and 1795 by David Jones. The appointment of Jones came about as a result of him being recommended by Priestley.¹⁰³ Jones had been a tutor and lecturer in experimental science at New College, Hackney. He was also a student of Richard Price. He was also known as a resolute defender of the Unitarian faith and under the pseudonym of the 'Welsh Freeholder' had written a series of letters rebuking Samuel Horsley (one of the most ardent critics of Unitarianism) in 1790.¹⁰⁴ After the riots in Birmingham, Jones wrote a pamphlet entitled *Thoughts on the Late Riot* (1791). This pamphlet provided an unwavering defence of the personality of Joseph Priestley.¹⁰⁵ After arriving in Birmingham, Jones continued to defend Unitarianism in print and it was during this time that he wrote his most famous work, *Reasons for Unitarianism, or, The Primitive Christian Doctrine* (1792). This was a further defence of Unitarianism in the face of Horsley's continued attacks. In terms of theology, Jones was strongly influenced by Joseph Priestley while his political beliefs were similar to Richard Price.¹⁰⁶ He was enthusiastic about the French Revolution until the Terror of 1793 and like Edwards strongly opposed war with revolutionary France. In 1795 Jones resigned as pastor of the New Meeting to pursue a career in law.

¹⁰² BCL UC2/3/3/1/2. Vestry meeting November 30th 1798.

¹⁰³ BCL UC2/3/3/1/1. Vestry meeting December 11th 1791.

¹⁰⁴ Davies, H. M., 'Jones, David (1765-1816)'. Oxford Dictionary of National Biography, www.oxforddnb.com/view/article/14993.

¹⁰⁵ David Jones, *Thoughts on the Riot at Birmingham*, (Birmingham 1791).

¹⁰⁶ Davies, 'Jones, David (1765-1816)'.

After the resignation of Jones, Edwards remained sole pastor of the New Meeting until 1802. In 1802 the trustees of the New Meeting approached John Kentish. A more conservative Unitarian, his sermons were renowned for being non-doctrinal and practical and were noted for their eloquence.¹⁰⁷ His political views were moderate and he generally disapproved of the more outspoken elements of the Unitarian denomination. Despite this, Kentish was an energetic publisher and commanded considerable respect from other Dissenters.¹⁰⁸

The New Meeting reverted to two ministers in 1804 when Kentish was joined by Joshua Toulmin. Toulmin remained a minister of the New Meeting until his death in 1815. Toulmin was the most outspoken minister to arrive in Birmingham since Joseph Priestley who had left thirteen years previously. Toulmin was a noted historian of Dissent. He had previously served as minister of Mary Street Baptist chapel in Taunton, a post he had held for thirty-nine years. Like many General Baptists in the later eighteenth century he came to adopt anti-Trinitarian opinions.¹⁰⁹ He was also a prolific writer and had published many sermons on a range of issues. Toulmin had taken part in the main political campaigns of the Unitarians in the late eighteenth century. He opposed the war with America and had strongly supported the campaign to repeal the Test and Corporation Acts with his *Letter to the Bishops* in 1789.¹¹⁰ He was known as a robust defender of the Unitarian faith and published many pamphlets in support of Socinian views. Finally,

¹⁰⁷ Robert Webb, 'Kentish, John (1768-1853)', *Oxford Dictionary of National Biography*, www.oxforddnb.com/view/article/15427.

¹⁰⁸ Webb, 'Kentish, John (1768-1853)'.

¹⁰⁹ See Wykes, 'Joshua Toulmin (1740-1815) of Taunton: Baptist minister, historian and religious radical' *The Baptist Quarterly*, 39, 5 (2002), p. 224.

¹¹⁰ Ditchfield, 'Toulmin, Joshua (1740-1815)', *Oxford Dictionary of National Biography*, www.oxforddnb.com/view/article/27579.

Toulmin was a noted philanthropist and had promoted the use of Sunday schools in his former congregation at Taunton.

In many ways Toulmin was an ideal heir to Priestley, sharing many of his religious, political and educational views. Priestley had known and admired Toulmin for some years and had encouraged him in his efforts to write a biography of Faustus Socinus.¹¹¹ Like Priestley, Toulmin had also suffered at the hands of members of his community when an effigy of Tom Paine was burnt outside his house in Taunton in 1792.¹¹² Undeterred, Toulmin remained in Taunton until 1804 when he moved to Birmingham.

Toulmin appears to have been very active in his role of minister of the New Meeting. He continued to preach and write in defence of Unitarianism while his sermons were well received by the congregation.¹¹³ His death was greeted by substantial mourning by the membership of the New Meeting, who arranged to pay a pension of £105 per year to Toulmin's widow as a token of appreciation for his efforts.¹¹⁴

The choice of ministers appointed by the New Meeting merits further examination. Harry Smith tentatively suggested that the congregation was seeking ministers of an outspoken nature to replace Joseph Priestley.¹¹⁵ With the exception of Kentish, there is little reason to dispute this. Edwards, Jones and Toulmin had divergent political beliefs but all were prepared to publicly challenge authority in their

¹¹¹ Andrews, *Unitarian Radicalism*, p. 29.

¹¹² Watts, *The Dissenters volume II*, p. 353.

¹¹³ Ditchfield, 'Toulmin, Joshua (1740-1815)'.

¹¹⁴ BCL UC 2/3/3/1/3. Church of the Messiah Vestry Meeting Minutes, 1813-1825.

¹¹⁵ Smith, 'The Blessedness', p. 178.

sermons and in print. The minister's skill as a preacher also appears to have been of considerable importance. Each minister appointed after the riots was firstly directed to undertake a trial period of a month.¹¹⁶ This enabled the congregation to assess their ability as a preacher. Joseph Priestley as an individual was irreplaceable, however it appears that the trustees of the New Meeting sought candidates of a similarly forthright nature. This is certainly the impression given by William Russell who boasted of the New Meeting maintaining 'two of the cleverest young ministers in England' (referring to Edwards and Jones) 'so that the evicted preachers enemies would discover they had gained nothing by expelling Priestley'.¹¹⁷

Considering their choice of ministers, it seems likely that the New Meeting wished to preserve its outspoken reputation and reformist disposition, despite the experience of the riots. John Seed has argued that a Unitarian congregation was likely to have had granted their minister a degree of freedom in their theological pursuits and political discussions. Despite this, there must have been a degree of conformity of opinion between the congregation and their minister, otherwise the minister would not have been retained at the expense of the congregation.¹¹⁸ Furthermore, the New Meeting was very active in encouraging those ministers to participate in Birmingham's public sphere. When David Jones gave his inaugural sermon at the New Meeting he was encouraged to publish it. The vestry records contain a number of examples of their ministers sermons being published, often at the vestrys' own request.¹¹⁹ Clearly, the New Meeting wished to maintain itself as an active and vocal part of the community.

¹¹⁶ See BCL UC 2/3/3/1/1, Vestry Meeting Minutes 22nd October 1792.

¹¹⁷ Jeyes, *The Russells of Birmingham*, p. 48.

¹¹⁸ Seed, 'Gentleman Dissenters', p. 325.

¹¹⁹ BCL UC 2/3/3/1/2.

The riots did not cause Birmingham Unitarians to alter their theological beliefs. From a close reading of the New Meeting ministers' sermons between 1791 and 1815, Harry Smith has suggested that Edwards, Jones, Kentish and Toulmin all preached sermons that encouraged Unitarians to stand by their beliefs and to resist the repression they had encountered.¹²⁰ They continued to disseminate the 'doctrine of candour', the idea that the open discussion of ideas and opinions could help determine the truth in religion and politics.¹²¹ Priestley had been a proponent of this ideology and his successors continued to convey these ideas, albeit with variations in form, to their congregation. Thus Smith argues the Birmingham Unitarians did not retreat from the 'form of enlightenment', which they had adopted before the riots.¹²²

The 1791 riots did not just deprive the Birmingham Unitarians of their leading minister. The loss of William Russell who left for America in 1794 was a serious blow to the congregation. William Russell was at the forefront of the leadership of the New Meeting being both a member of the vestry and a trustee. If Priestley was the intellectual heart of the New Meeting, then it was Russell who was responsible for much of its day to day running. Russell's importance was demonstrated by his role in claiming damages for the victims. The action that was brought was partly funded by Russell,¹²³ while his persistent lobbying of William Pitt resulted in £2000 being awarded to the New Meeting by the British Government, an action that was

¹²⁰ Smith, 'The Blessedness of those who are persecuted', p. 181.

¹²¹ On 'Candour' see Martin Fitzpatrick, 'Heretical Religion and Radical Political Ideas in Late Eighteenth Century England' in Eckhart Hellmuth (ed.) *The Transformation of Political Culture: England and Germany in the Late Eighteenth Century* (Oxford, 1990) pp. 339-72.

¹²² Smith, 'The Blessedness', pp. 180-186.

¹²³ Jeyes, *The Russell's of Birmingham*, p. 44.

unprecedented in British legal history. Russell no longer felt safe at Birmingham and followed his friend Priestley to America at the first opportunity.

The loss of Priestley and Russell has overshadowed the decision of other prominent victims of the riots to stay in Birmingham. In many ways the decision of John Taylor and John Ryland to stay in the town was as significant as Priestley and Russell's to leave. As major manufacturers they were two of the largest employers in the town, Taylor's button works was comparable to Mathew Boulton's Soho works in size.¹²⁴ These men played an important role in upholding the substantial place occupied by Dissenters in Birmingham's wider community.

After the loss of Russell, other members of the Unitarian laity were also prepared to step up and play an equally significant role in Birmingham's wider community. One such person was James Luckcock. A Birmingham jeweller, Luckcock had been influenced and inspired by Joseph Priestley in his early adult life.¹²⁵ As Priestley and Russell left Birmingham for pastures new, it was up to men like Luckcock to pick up the baton. Adopting Priestley's philosophy towards education, as we will see, Luckcock was instrumental in the Unitarians Sunday School movement in the late eighteenth and early nineteenth centuries. Luckcock was also outspoken in his political views and was heavily involved in the local reform movement. In 1810 he wrote a pamphlet on the folly of war, while his political beliefs were not far removed from Paine.¹²⁶ Luckcock was also active in local government and served as a street commissioner.

¹²⁴ Chris Upton, *A History of Birmingham* (Chichester, 2001), p. 68.

¹²⁵ Davidoff & C. Hall, *Family Fortunes*, p. 15.

¹²⁶ Davidoff & C. Hall, *Family Fortunes*, p. 15.

The Unitarians did not have the monopoly on charismatic and influential preachers. The expansion of the Independent congregation at Carrs Lane owed much to the activities of its two ministers in the 1790s. When Dr Edward Williams was appointed the Carrs Lane chapel in 1792 its affairs were in disarray and the size of its congregation in decline.¹²⁷ Upon arriving in Birmingham Williams made a scathing appraisal of the current state of the church. He commented that ‘discipline is at a low ebb’ and bemoaned the ‘failure to keep proper records’.¹²⁸ Although in Birmingham for only 3 years, Williams was able to revive the congregation to an extent and its numbers began to slowly increase. Although not a natural public speaker, he was popular among his congregation.¹²⁹ His theological writings were highly esteemed among orthodox Dissenters and his role in helping to found the London Missionary society made him well known beyond Birmingham.¹³⁰ During his time in Birmingham Williams helped to create and edit the *Evangelical Magazine*.¹³¹ Throughout his time in Birmingham Williams provided a notable public face to the Carrs Lane chapel.

After three and a half years, Edward Williams left Birmingham for Masbrough Independent church in Yorkshire. Under his replacement, Jehoiada Brewer, the congregation increasingly prospered. Unlike Williams, Brewer arrived with an enviable reputation as a preacher. At his previous posting in Sheffield he had welcomed the French Revolution with enthusiasm. He was compelled to temper his public support of events in France as it had caused some discontent among his

¹²⁷ James, *Protestant Nonconformity*, p. 120.

¹²⁸ A. Driver, *Carrs Lane* p. 32.

¹²⁹ James, *Protestant Nonconformity*, p. 120.

¹³⁰ R. K. Dent, *The Making of Birmingham*, p. 169.

¹³¹ J. E. Lloyd, ‘Williams, Edward (1750-1813)’, *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/29497>

friends and visitors to his church.¹³² He remained in Birmingham until 1802 during which time he attracted a substantial congregation and was much admired by his followers.¹³³ Although a popular preacher, Brewer never published any of his sermons and was not well known beyond Birmingham in the way that Williams had been.¹³⁴ This did not matter. Brewer had set the Carrs Lane chapel on a trajectory of growth in the early nineteenth century.

The Carrs Lane chapel was further revived by John Angell James who served as pastor between 1806 and his death in 1859. James was a significant figure in nineteenth century Nonconformity and he made significant changes to life in the chapel.¹³⁵ In 1805 the only meetings held at Carrs Lane were Sunday services and a Sunday school. James introduced a number of new evangelistic, missionary and philanthropic activities. He was particularly concerned about the conditions of the poor and frequently spoke about the importance of education. Women were also encouraged to take an active role in life in the chapel.¹³⁶ In addition to his evangelistic and philanthropic work, James was also a skilled preacher and prolific writer. He advocated greater cooperation between Congregational churches nationwide and was also critical of the established Church for sponsoring the restriction of Dissenters' liberties, although in terms more moderate than Joseph Priestley. When a new Carrs Lane chapel was opened in 1820 that could accommodate over 2,000 worshippers, it was due largely to the exertions of John Angell James.

¹³² James, *Protestant Nonconformity*, p. 125.

¹³³ James, *Protestant Nonconformity*, p. 125.

¹³⁴ J. H. Thorpe, 'Brewer Jehoiada, (1752-1817)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/3363>.

¹³⁵ R. Tudor-Jones, 'James, John Angell (1785-1859)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/14614>.

¹³⁶ Tudor-Jones, 'James, John Angell (1785-1859)'.

At the Baptist Cannon Street chapel, Samuel Pearce was another notable personality present in Birmingham in the 1790s. Pearce became minister of Cannon Street in Birmingham, where he served until his death in 1799. During this time the church is described as ‘rapidly and greatly extended’.¹³⁷ Pearce helped to found the Baptist Missionary Society. He also applied to serve as a missionary in India but this opportunity was denied. Despite these extra activities Pearce did not neglect his ministerial labours and pastoral occupations.¹³⁸ Like Williams, Brewer and James at Carrs lane, Pearce helped set the Cannon Street chapel on a trajectory of growth into the early nineteenth century.

Retreat into Political Loyalism?

Undeterred by the relative brevity of research on Birmingham in the 1790s, historians have not refrained from arguing that the riots had a devastating impact on the local reform movement. Lenore Davidoff & Catherine Hall have argued that the riots ‘silenced the middle class reform movement’ and forced Dissenters in the town to ‘retreat into political conservatism’.¹³⁹ In Birmingham the evidence to support this is contradictory and some deviation can be found within the different Dissenting denominations. The Baptists, Independents and Quakers maintained a contrasting attitude to politics. They had supported the Test Act repeal agitations between 1787-1790. In turn, their attitude to the French Revolution and constitutional matters had been more cautious. The Methodists had not joined the

¹³⁷ James, *Protestant Nonconformity*, p. 159.

¹³⁸ E. F. Clipsham, ‘Pearce, Samuel (1766-1799)’, *Oxford Dictionary of National Biography*, www.oxforddnb.com/view/article/21690.

¹³⁹ Davidoff & Hall, *Family Fortunes*, p. 97.

1780s campaign for parliamentary reform. During the 1790s they generally remained loyal to Pitt's government.¹⁴⁰ These are generalisations and a cross section of political beliefs could be found within individual congregations, not least the denomination as a whole. The Unitarians were the most politically active of Dissenters in the 1790s.¹⁴¹ In order to assess the impact of the riots on local Dissenters involvement in politics it is necessary to place the heaviest scrutiny on the town's Unitarians.

Albert Goodwin has argued that nationally, the failure to repeal the Test and Corporation Acts did not check the Dissenters' support for the cause of parliamentary reform in the 1790s. Goodwin found that across the nation Dissenting groups responded to the establishment of loyalist clubs by assisting in the organisation of reform societies.¹⁴² The hardening of the British reaction to events in France, which occurred in 1792, gave politically active Dissenters reasons to be more cautious. Martin Smith has suggested that the decision not to renew the repeal of the Test and Corporation Acts in the 1790s was not a coincidence.¹⁴³ Unitarians did persist with their attempt to repeal the blasphemy act and sought toleration comparable to the Catholics and Trinitarian Dissenters in 1792.¹⁴⁴ The experience of the riots undoubtedly caused politically engaged Dissenters to operate with more caution than in other towns with a strong reformist presence such as Sheffield or Norwich.

¹⁴⁰ Watts, *The Dissenters Volume II*, p. 351.

¹⁴¹ Iain Hampsher-Monk, 'Introduction', in Monk (ed.) *The Impact of the French Revolution: Texts from Britain in the 1790s* (Cambridge, 2005)

¹⁴² Albert Goodwin, *The Friends of Liberty: The English Democratic Movement in the age of the French Revolution* (London, 1979), p. 98.

¹⁴³ Smith, 'Conflict and Society', p. 64.

¹⁴⁴ Ditchfield, 'Anti-trinitarianism and Toleration in Late Eighteenth Century British Politics: The Unitarian Petition of 1792', *The Journal of Ecclesiastical History*, 42:1 (1991) p. 41.

The position of the local reform movement in Birmingham and its activities in the 1790s merits some attention. In 1792, 12 local members of the Society for Constitutional Information founded a Birmingham branch in which they campaigned for friendship with France and a parliament with more equal representation. Despite Peter Jones' contention that Birmingham's rank and file was to remain 'steadfastly Church and King throughout the 1790s',¹⁴⁵ the society was able to attract considerable support. John Money described the forces of reform and reaction as evenly balanced at the end of 1792. The two groups experienced fluctuating fortunes throughout the decade. Reformers enjoyed particular success in 1792 and between 1796 and 1797, although loyalists retained the ascendancy.¹⁴⁶ The improving fortunes of local reformers were evident five years after the 1791 riots. A local industrialist visiting Birmingham in 1796 found the mood of the town much changed, 'The tradesmen appear to be about one third aristocrats and two thirds democrats but the working mechanics are the greatest democrats I ever met with'.¹⁴⁷ The ownership of Birmingham's printing presses and bookshops, proved to be an important mechanism in promulgating ideas. The government's campaign of prosecutions against publishers of seditious literature had less success in Birmingham than in other towns.¹⁴⁸ Economic difficulties also proved to be an effective recruiting agent for local reform societies.¹⁴⁹

It is clear that despite these successes the Birmingham reform movement did not enjoy the kind of support found in other industrial towns such as Sheffield. Gwyn

¹⁴⁵ Jones, *Industrial Enlightenment*, p. 198.

¹⁴⁶ Money, *Experience and Identity*, p. 233-8.

¹⁴⁷ Cited in Chris Evans, *Debating the Revolution Britain in the 1790s* (London, 2006), p. 66.

¹⁴⁸ See TNA TS 11/954/3498. Replies to TS's letter to provincial magistrates and attorneys on the prosecution of seditious booksellers.

¹⁴⁹ Money, *Experience and Identity*, p. 236.

Williams has suggested that Birmingham should have been a natural home for 'artisan Jacobinism, with its myriad of small workshops'.¹⁵⁰ Such conclusions underestimate the relative strength of the local loyalist movement. As Martin Smith has noted, there existed in Birmingham a long-standing organisational structure upon which opposition to reform could be built.¹⁵¹ Despite the close attention of local loyalist associations, the Birmingham reform movement was far from being silenced.

To what extent the Birmingham Constitutional Society or the local reform movement as a whole had any direct connections with the Dissenting chapels is difficult to ascertain. Barrie Rose has suggested that the leaders of the Birmingham Society had few traceable connections with the older supporters of reform such as Priestley and Russell.¹⁵² This perhaps underestimates the role played by Unitarians in establishing book clubs and reading societies which contributed to the extension of popular articulacy in Birmingham. According to John Money these societies were central to the reform movement in the 1790s. They preserved the links between the original Dissenting leaders of the reform movement and their successors.¹⁵³ Meetings of these reading societies were hosted in taverns and coffee houses such as John Freeth's Leicester Arms. Freeth was a Unitarian and also a prolific balladeer.¹⁵⁴ The Leicester Arms was a focal point for supporters of reform to meet during the 1780s and remained so during the 1790s. Among regular guests were members of the Birmingham Constitutional Society and the vestries of the Old and

¹⁵⁰ Gwyn Williams, *Artisans and sans-culottes: popular movement in France and Britain during the French Revolution* (London, 1989), p. 64.

¹⁵¹ Smith, 'Conflict and Society', p. 64.

¹⁵² Rose, 'Political History to 1832', p. 282.

¹⁵³ Money, *Experience and Identity*, p. 224.

¹⁵⁴ John Horden, 'Freeth, John (1731-1808)', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/37433>.

New Meetings.¹⁵⁵ James Luckcock, a prominent member of the New Meeting was a supporter of reform and at different times the secretary, treasurer and president of the Birmingham Book Club. As a former disciple of Priestley, Luckcock's involvement in reading societies demonstrates how links with Birmingham's previous Dissenting leaders was retained. The warden of the New Meeting, Edward Corn, could be found in 1796 to be working closely with delegates from a London Corresponding Society during their visit to Birmingham. Evidently, the congregation of the New Meeting was far from being entirely disconnected from the reform movement.

Birmingham Dissenters were not forced into submerging their collective political identity. Regardless of their connections, they continued to support the cause of parliamentary reform and were prepared to state this publicly. In December 1792 prominent members of local Dissenting congregations met with William Russell in the chair. They expressed their continued desire for parliamentary reform and affirmed that the freedom of the press 'to be the most invaluable privileges of Englishmen'.¹⁵⁶

That meeting had been called as a result of an invitation given by the local loyalist association for Birmingham Dissenters to join the association and declare their loyalty to the British crown and constitution.¹⁵⁷ While the Dissenters were prepared to express their loyalty to the crown, they used the opportunity to spurn the overtures of the association and assert that their position remained distinct. For their part, the Birmingham Dissenters were quick to disassociate themselves from the

¹⁵⁵ Scott, 'The Inquiring Sort', p. 66.

¹⁵⁶ Rose, 'Political and Administrative History: Political History to 1832', p. 283.

¹⁵⁷ Money, *Experience and Identity*, p. 233.

activities of local Paineites but they also refused to align themselves with an organisation that included prominent opponents of Dissent such as the magistrate John Brooke.¹⁵⁸

Dissenters also used the opportunity to restate their political beliefs. Their desire for constitutional reform was similar to what they campaigned for in the 1780s. The call for freedom of the press was a direct reference to the activities of the Pitt government in late 1792. The only notable difference was the absence of any specific reference to the restrictions placed upon Dissenters by the Test and Corporation Acts.¹⁵⁹ This was surely not a coincidence. The contribution of the repeal campaign of the 1780s to the outbreak of rioting in 1791 was not lost on Dissenters. This combined with the current political climate likely convinced Russell that this issue should not be brought back into the public domain.

This was the last time Dissenters would intervene politically as a united group in the 1790s. There is no disputing that as a group, Birmingham Dissenters were not as active in political matters in the 1790s as they had been in the 1780s. This resulted from the riots and the current political climate where radicals and reformers were being suppressed. In 1794 Edward Corn bemoaned that ‘present circumstances render it somewhat difficult and dangerous to instruct mankind in the great and important principles of politics’.¹⁶⁰ This did not mean that Dissenters were politically inactive. The anti-war movement of the 1790s was primarily a Dissenting affair and its basis was often the local Quaker and Unitarian chapels.¹⁶¹ As we have

¹⁵⁸ Smith, ‘Conflict and Society’, p. 84.

¹⁵⁹ Ibid.

¹⁶⁰ Graham, *The Nation, The Law and The King*, p. 724.

¹⁶¹ Watts, *The Dissenters Volume II*, p. 350.

seen in Birmingham, John Edwards was a tireless campaigner against the war with France. James Luckcock played a central role in the anti-war movement¹⁶² and was later described by Thomas Atwood in 1831 as ‘the father of Birmingham reform’.¹⁶³

Similar to their opposition to the war with France in the 1790s, Birmingham Dissenters were to play a prominent role in the anti-war movements of 1812 and 1813. They were particularly active in their opposition to the Orders in Council, the series of decrees that restricted neutral trade and enforced a naval blockade of Napoleonic France and its allies. The embargo of trade with America caused particular economic damage to Britain’s manufacturing and port cities. Opposition to the orders originated in Liverpool, where it was spearheaded by liberal Dissenters, but also found support in Leeds, Sheffield and the Potteries where public meetings were held to condemn the orders and the effect they were having in Britain’s manufacturing towns.¹⁶⁴ Despite the detrimental effect the Orders in Council were having on Birmingham’s local economy,¹⁶⁵ the town was initially slow to join the public outcry against them.¹⁶⁶ This changed after the intervention of the Tory Anglican Richard Spooner. Spooner called a public meeting, despite the objections of the magistrates, to mobilise opposition to the orders amongst the artisanry. At the beginning of June 1812, around 700 artisans attended a meeting at the Shakespeare Tavern in New Street.¹⁶⁷ Birmingham’s public opposition to the orders was to play a significant role in their eventual repeal. Spooner may have been at the forefront of the local campaign, but he was backed by prominent members of

¹⁶² Davidoff & C. Hall, *Family Fortunes*, p. 15.

¹⁶³ Money, *Experience and Identity*, p. 143.

¹⁶⁴ See Cookson, *The Friends of Peace*, p. 225.

¹⁶⁵ Rose, ‘Political and Administrative History’, p. 291.

¹⁶⁶ Cookson, *The Friends of Peace*, p. 228.

¹⁶⁷ Rose, ‘Political and Administrative History’, p.291.

Birmingham's Dissenting community, such as the Quaker Tertius Galton and the Unitarians Joshua Scholfield and Joseph Webster. When the Orders in Council were repealed, on 23 June 1812, contemporary estimates suggest that as many as 30,000 people paraded the streets of Birmingham in celebration.¹⁶⁸

This section has illustrated that local Dissenters' involvement with the political movements of the late eighteenth and early nineteenth centuries was not completely halted by the experience of the riots. During the 1780s the New Meeting was one of the leading congregations in the country actively engaged in politics and reform. After 1791 it was not. They continued to state their support for the cause of parliamentary reform and some members of their congregations participated in the local reform movement of the 1790s. Their chapels formed the basis of the local anti-war movement and their ministers publically condemned the conflict with France.

Social Conservatism?

If a proper assessment of the impact of the riots upon Birmingham Dissent is to be made, it is necessary to look beyond the choice of ministers and to consider the activities of the Dissenting laity in during this period. It is imperative to establish whether Dissenters' involvement in public life was temporarily curtailed by the riots or whether they induced a longer-term withdrawal from public life. Davidoff & Hall have argued that the riots did not just result in a retreat into political conservatism but social conservatism as well.¹⁶⁹ This section will firstly consider whether the riots

¹⁶⁸ Ibid., p. 235.

¹⁶⁹ Davidoff & C. Hall, *Family Fortunes*, p. 97.

curtailed Dissenters' involvement in local government. The contribution made by each denomination to wider Birmingham society will then be considered. John Money has previously argued that the involvement in local book clubs and reading societies provide one way in which Dissenters continued to make an important contribution.¹⁷⁰ It will be suggested here that through their involvement in the field of education Dissenters continued to play a prominent role in Birmingham public life after the riots.

Peter Jones has previously observed that the riots resulted in a significant disempowerment of Dissenters on a local level. In his words, 'before the riots they had secured an extensive and dis-proportionate power base in local government, in the ranks of the street commissioners and in the Court of Requests'.¹⁷¹ Jones argues that this was brought to a swift end after July 1791. Following the riots, Dissenters repeatedly relinquished positions of authority to Anglicans. After the experience of having both his shop and country house burnt down, William Hutton stepped down as commissioner of the Court of Requests.¹⁷²

Jones argument places its heaviest burden on who held the office of Low Bailiff, the most important manorial position in the town. It had been routinely held by a Dissenter for the previous century but was handed to an Anglican banker in 1792. This was in no small part due to the efforts of John Brooke, the magistrate, who manipulated the local administration to ensure an Anglican obtained the position. Brooke's actions led him to be pursued by Russell in the courts and led to his

¹⁷⁰ Money, *Experience and Identity*, pp. 142-3.

¹⁷¹ Jones, *Industrial Enlightenment*, p. 184.

¹⁷² Money, *Experience and Identity*, p. 22.

financial ruin.¹⁷³ The loss of Low Bailiff was a significant blow but not, it seems, a permanent one. By 1796 it was back in the Dissenters' hands, being held by the Unitarian Samuel Ryland, the son of John Ryland.¹⁷⁴ During the early 1800s Dissenters were regularly serving in the position. In 1811 it was occupied by the Unitarian pin-maker Thomas Phipson, in 1818 by William Phipson, the following year by Thomas Ryland and in 1825 by Joseph Weatherley Phipson.¹⁷⁵

Dissenters also continued to play an active role within the Birmingham Street Commission. The Street Commission was originally established in 1769 and its officers were primarily tasked with ensuring that the streets were lit and kept clear. They were later granted powers to repair the roads, make new by-laws and to appoint watchmen.¹⁷⁶ The commissioners were all men of property. A personal estate of at least £1,000 was required to serve. Such an amount was a guarantee of modest middle class status in the late eighteenth century.¹⁷⁷ Prominent local families from all denominations served as commissioners but Dissenters were especially well represented. Members of prominent Unitarian families such as the Russell, Ryland, and Taylor families were all active within the ranks of the Street Commission as were Quaker's such as the Lloyd and Galton families.¹⁷⁸

The riots appear to have provoked a minor crisis within the Birmingham Street Commission with a substantial drop in the average number of commissioners

¹⁷³ Smith, 'Conflict and Society', p. 54.

¹⁷⁴ John Burke, *A Genealogical and Heraldic History of the Landed Gentry or Commoners of Great Britain and Ireland* Vol IV (London, 1838), p. 408.

¹⁷⁵ *Ibid.*, p. 405.

¹⁷⁶ John Thackray Bunce, *History of the Corporation of Birmingham; with a sketch of the earlier government of the town, Vol I* (Birmingham, 1878), pp. 77-82.

¹⁷⁷ *Ibid.*, p. 76; Paul Langford, *Public Life and the Propertied Englishman* (Oxford, 1991), pp. 234-5.

¹⁷⁸ BCL MS 2818/1/1, Minutes of the Birmingham Street Commission, 3 Dec. 1776-6 December 1785.

attending meetings.¹⁷⁹ Given the experience of the riots, the prominent Unitarian families; the Taylor's, Russell's, Ryland's and Hutton's may have wished to take a step back from their role in local government. Yet such a retreat was by no means permanent. When a new Improvement Act was passed in 1801 the numbers attending meetings returned to their pre 1791 average. Significantly, a number of the commissioners serving in 1801 can be identified as Dissenters. John Ryland and son Thomas were once again active as were Thomas Hutton and Samuel Galton.¹⁸⁰ Other Dissenters who had risen to prominence since the riots such as James Luckcock and the Assay master and metal merchant Thomas Phipson had also joined the Street Commission. This ensured that Birmingham Dissenters continued to wield substantial influence within their ranks.¹⁸¹ This evidence does not contradict Jones's convictions regarding the disempowerment of Dissenters in Birmingham. It does however suggest that the voluntary relinquishment of responsibility in local government taken by some Dissenters in the aftermath of the riots was only temporary.

The important role played by Dissenters in wider Birmingham society was most evident through their involvement in the field of education. As discussed in chapter 2, this began in the 1780s through their joint collaboration with the Church in the Sunday school movement. A dispute regarding the requirement of children to attend an Anglican service after school resulted in the joint venture collapsing in inauspicious circumstances. The Unitarians withdrew from the committee which administered the schools and established their own separate schools. The Baptists and Methodists remained on the committee until 1795 and the Congregationalists

¹⁷⁹ BCL MS 2818/1/2, Minutes of the Birmingham Street Commission, 3 Jan, 1786-3 Dec, 1800.

¹⁸⁰ BCL MS 2818/1/3, Minutes of the Birmingham Street Commission, 4 Feb. 1801-4 May 1812.

¹⁸¹ Ibid.

until 1797.¹⁸² The damage was done. The Old Meeting established its first Sunday school in April 1787. The New Meeting followed in March 1788.¹⁸³ Joseph Priestley played an instrumental role in establishing these schools. He took an active role in the planning of the curriculum, supplied books and preached a charity sermon for them.¹⁸⁴ His support of the Sunday schools came from his perception of knowledge as power, and his belief in the importance of educating the young.¹⁸⁵ Thomas Laqueur has suggested that Unitarians were less interested in Sunday schools than the old Dissenting denominations.¹⁸⁶ This was not the case in Birmingham. The Unitarians had been a driving force in the initial establishment of Sunday schools in Birmingham. They believed enthusiastically in the value of education and regarded the schools as one way in which children could receive an education.¹⁸⁷

The schools started as relatively small-scale affairs but grew rapidly in the late eighteenth and early nineteenth centuries. The first classes at the New Meeting Sunday schools attracted just 22 boys and sixteen girls who were taught by one female teacher. By the end of 1791 these numbers had increased to 195.¹⁸⁸ By 1802 the number of attendees stood at 600.¹⁸⁹ The early nineteenth century witnessed continued rapid growth. In 1817 there were three schools for girls containing between 160-190 pupils with three teachers. There were also a total of 10 boys schools. Between 400 and 470 boys were in regular attendance.¹⁹⁰ In total there

¹⁸² Philip Cliff, *The Rise and Development of the Sunday School*, p. 42.

¹⁸³ BCL UC 2/11/10/3. Herbert New, Centenary of the Church of the Messiah Sunday Schools Sketch of the History of the Schools 1788-1888.

¹⁸⁴ Schofield, *The Enlightened Joseph Priestley*, p. 245.

¹⁸⁵ Ruth Watts, *Gender, Power and the Unitarians in England 1760-1860* (London, 1998), p. 7.

¹⁸⁶ Timothy Laqueur, *Religion and Respectability Sunday Schools and Working Class Culture 1780-1850*, (Yale, 1976), p. 46.

¹⁸⁷ Watts, *Gender, Power and the Unitarians*, p. 7.

¹⁸⁸ BCL UC 2/3/3/1/1.

¹⁸⁹ BCL UC 2/3/3/1/2.

¹⁹⁰ BCL UC 2/11/10/3.

were at least 600 children being educated by the New Meeting Sunday schools at this point.

The Old Meeting Sunday schools also reported considerable growth during this period, although not to the same extent as the schools administered by the New Meeting. When the schools were first opened they were educating 19 girls and 2 boys.¹⁹¹ By 1815 the Old Meeting Sunday schools had expanded to the point where they were accommodating 180 boys and 100 girls. It is possible that this number would have been much greater if the premises used had been large enough to accommodate more children.¹⁹² This problem was addressed in 1820 when a purpose built school building was erected which was capable of accommodating 600 pupils.¹⁹³

The Sunday school movement was not confined to the Unitarians. Having witnessed their success other local Dissenters congregations swiftly followed the Unitarians example. The Baptists established their first Sunday schools in 1795 'for the purpose of affording instruction to the poor and indignant youth'.¹⁹⁴ These reported impressive numbers from the outset and continued to grow throughout the course of the nineteenth century.¹⁹⁵ The success of the school contributed to the establishment of a separate girls school in 1822. The Congregationalists joined the movement somewhat later, not established their own schools until 1812. When their

¹⁹¹ BCL UC 1/11/2/1/1. Old Meeting Sunday Schools Subscribers Minutes 1787-1818.

¹⁹² BCL UC 1/11/2/1/1.

¹⁹³ BCL MS390807, James Luckcock, Narrative of the Proceedings Relative to the Erection of the Old Meeting Sunday Schools'. C.1832.

¹⁹⁴ BCL BC2/50. Cannon Street Baptist Church Sunday school committee minutes 1804-31

¹⁹⁵ BCL BC2/ 8: Church book (1781-1922).

schools opened they offered provision for both and girls and the schools were capable of accommodating upwards of 200 children each.¹⁹⁶

The primary purpose of these schools and the type of education offered within them is worthy of consideration. Michael Watts has provided a sceptical assessment of the value of the education offered by Dissenters Sunday schools during this period.

Watts has argued that ‘the teaching provided by Sunday schools was often bad and frequently useless, the range of skills taught was often restricted to Sabbatarian bigotry’.¹⁹⁷ To what extent this is true nationally goes beyond the focus of this study.

In Birmingham at least, the standard of education in Sunday schools appears to have been higher than Michael Watts has suggested. This was certainly the opinion of the Birmingham Statistical Society. In 1840 their report into to the state of Birmingham Sunday schools commented that some were ‘more, others less efficient, but, on the whole, the Sunday schools in Birmingham must rank higher than those of any other place which has been subject to similar investigation’.¹⁹⁸ The teaching of writing for example was uncommon in most Sunday schools administered by non-Unitarians nationwide.¹⁹⁹ Yet all Dissenting Sunday schools in Birmingham (apart from the Methodists) taught writing in some capacity even though their Anglican counterparts did not.²⁰⁰ The findings of the Statistical Society at least provide an indication that the Dissenters schools were highly regarded by contemporaries.

¹⁹⁶ BCL CC1/ 58 Carrs Lane Sabbath Schools Minutes 1812-45.

¹⁹⁷ Watts, *The Dissenters Vol II*, p296.

¹⁹⁸ *Journal of the Statistical Society*, Volume 3, London, Charles Knight & Co, 1840, p39.

¹⁹⁹ Watts, *Gender, Power and Unitarianism*, p167.

²⁰⁰ Cliff, *The Rise and Development of the Sunday School*, p80.

Many of the Sunday schools claimed to be founded with the specific intention of educating the poor. Whether this motivation was based on moral compulsion or as an extra source of recruitment is open to debate. The establishment of such a school often helped to presage the progressive decline of the congregation, which administered it.²⁰¹ The desire to provide an education to the poor was the stated objective of the Baptist, Methodist and Independent Sunday schools. In the 1780s Joseph Priestley stated his belief ‘that all the poor should taught to read and write’.²⁰² James Luckcock emphasised the role the education offered by Unitarians could play in ‘increasing the usefulness of the lower orders to the community’.²⁰³ The curriculum offered within the schools was intended to fulfill this objective. The Baptist schools taught reading, spelling and writing,²⁰⁴ while the Independents aimed ‘to train up children of poor in principles of gospel and to teach them to read and write’.²⁰⁵ In reality, the focus for both the Baptists and Independents was predominantly on scripture, with the ability to read the Bible considered the culmination of a child’s education.

A much more diverse curriculum could be found in the Unitarian Sunday Schools. Indeed Unitarians were alone in permitting a wider range of subjects beyond scripture. They were scornful of other religious bodies for offering only the ‘mere rudiments of an education’.²⁰⁶ From the outset the New Meeting schools offered a broad curriculum teaching reading, writing and arithmetic. By 1809 the curriculum

²⁰¹ Keith Snell, ‘The Sunday School Movement in England and Wales: Child Labour, Denominational Control and Working Class-Culture’, *Past and Present*, 164 (1999), p. 138.

²⁰² Schofield, *The Enlightened Joseph Priestley*, p. 243.

²⁰³ BCL MS390807.

²⁰⁴ BCL BC2/ 50. Cannon Street Baptist Church, Sunday School Committee Minutes 1804-31.

²⁰⁵ BCL CC1/ 58.

²⁰⁶ Watts, *Gender, Power and Unitarianism*, p. 167.

was adapted to include ‘whatever may be generally useful to a manufacturer’.²⁰⁷

Their attitudes were in part informed by Priestley’s own egalitarian philosophy, the belief that a proper education required instruction in all aspects of being, whether it was intellectual, moral or physical.²⁰⁸ As a result Unitarian Sunday schools offered a ‘broad secular education’ encompassing a variety of subjects.²⁰⁹ The breadth of the education even encouraged some liberal Anglicans to send their children to the Unitarian schools.²¹⁰ The contents of the library attached to the Old Meeting school also provides further evidence of the broad range of subjects taught. While there were many theological texts, there were also works of history, geography, poetry and the natural sciences as well as a selection of periodicals.²¹¹

Assessing to what extent the Birmingham schools were successful in providing an education to the poor is problematic due to a lack of available evidence. The most reliable sources for indicating this are admission registers but only two remain, the Old Meeting House boys school for the years between 1806 and 1839 and the Cannon Street Baptist girls school for between 1830 and 1833. The evidence is contradictory. For the school attached to the Old Meeting the educational attainment of each child on entry is listed. Most children possessed some degree of literacy even before they entered the school.²¹² The congregations of the Old Meeting were however largely drawn from the middling sorts of the town, thus it is unlikely their admission register provides a representative sample. The register from

²⁰⁷ BCL UC 1/11/2/2, Old Meeting Sunday School Friendly Society Minutes 1810-22, 26 November 1809.

²⁰⁸ Ruth Watts, ‘Joseph Priestley and His Influence on Education in Birmingham’ in Malcolm Dick (ed.) *Joseph Priestley and Birmingham* (Studley, 2005), p. 48.

²⁰⁹ Watts, *Gender, Power and the Unitarians*, p. 71.

²¹⁰ *Ibid.*, p. 54.

²¹¹ BCL UC1/11/10/5 Miscellaneous Sunday School Records, Catalogue of Books in the Old Meeting Sunday School Library, Birmingham, 1842.

²¹² BCL UC 1/11/7/1. Old Meeting Boys School Admission Register, 1806-39.

the Cannon Street girls' school at least provides some indication that the majority of their children were drawn from the poorer parts of Birmingham.²¹³ A year after the Sunday school movement was established in 1785, a report on the state of the schools claimed that two thirds of the children attending had already received some form of education, indicating they were not from the poorest backgrounds.²¹⁴ These statistics suggest that even from the outset the schools were making a substantial contribution to child literacy in the town. It would be unwise to make further conclusions based on this very limited body of evidence. It is possible to speculate that the number of poor children educated in these schools would have expanded after the establishment of Congregationalist, Baptist and Methodist schools whose congregations tended to be drawn from poorer parts of Birmingham.

The numbers that Dissenting Sunday schools attracted and the education offered within them caused alarm among some members of the established Church. Most poignantly the growth of the Dissenting Sunday school movement had led to a reduction in numbers of those attending schools administered by Anglicans. In 1788 some 1,700 children in Birmingham were attending Church schools but by 1792 this had been reduced to 1,472.²¹⁵ In 1806 Anglicans were actively recruiting subscribers to combat what was seen as the numerical superiority and undue influence of the Dissenters. In what was supposed to be a non-denominational report into the state of Birmingham Sunday schools, Spencer Madan (the most likely author of the report) warned that the Dissenting 'establishments are rapidly extending and their moral and political inference is becoming even more important in guiding sentiments and determining future connections of a large proportion of

²¹³ BCL BC2/48. Cannon Street Baptist Church Sunday school Admission Register, 1830-33.

²¹⁴ BCL MS2268, Report of the State of Sunday Schools in Birmingham, 1785.

²¹⁵ BCL UC 2/11/10/3.

the population of country'.²¹⁶ Madan was clearly aware of the role the schools could play in instilling the doctrines of the Church into young minds and that too many individuals were being lost to Nonconformity.

Despite these warnings, the growth of Dissenting Sunday schools continued unabated. Increasingly the type of education offered by particularly the Unitarian Sunday schools drew both praise and derision from local Anglicans. *Aris Birmingham Gazette* reports that in March 1812 a meeting was called by the local clergy regarding the education of the poor. The meeting witnessed a great deal of introspection and debate regarding the type of education their own schools should provide. The Rev Dr Edmund Outram, who had replaced Spencer Madan as the rector of St Philips, said of the Unitarian institutions: 'instruction has been provided generally for the children belonging to them not only in reading and in religious principles but in writing and accounts. Instances have occurred of children being taken away from Sunday schools of the establishment in which writing and arithmetic are not taught to Dissenting schools that offered those advantages'. He praised the Dissenters, 'they have acted with a sense of duty and they should be commended' and 'they have set a praise-worthy example and we shall not any longer I hope be slow to follow it'.²¹⁷

These opinions were by no means universal. Charles Curtis was critical of the secular education offered by the Unitarians. He argued that scripture should be the foundation of education from the very beginning; 'If the children of our poor do not choose their religion until their judgement is sufficiently matured and their

²¹⁶ BCL EP 25 AS, Bundle V. A report of the state of Sunday Schools in Birmingham, Michelmias 1806.

²¹⁷ *Aris' Birmingham Gazette*, March 16th 1812.

knowledge sufficiently advanced to direct their choice, will they choose at all?’

Edward Burn was equally disturbed by the growth of the impact of Dissenting Sunday schools. He expressed his concerns at the meeting, ‘if the influence hostile to the established Church continues to increase in the proportion it has done for the last 20 years we may possibly retain our establishment for another generation but at the end of that period we shall have an Episcopal establishment and a Dissenting population’.²¹⁸ Burn, unlike Curtis, did realise the value of a more wide-ranging education. In recommending a course of action to proceed he stated, ‘I can conceive sir, nothing better adapted to avert this evil than an institution of the education of the poor that shall combine the common branches of secular instruction and the inculcation of the principles of our church’.²¹⁹

The anxiety of Burn and Curtis towards Dissenters’ involvement in Sunday schools may have reflected wider apprehensions about the precarious position of the Anglican Church in Birmingham. The Church had been bolstered by strong leadership in the 1780s and 90s, however this was no longer the case after 1810. Spencer Madan had departed the town in 1809 and moved to Staffordshire where he became rector of Thorpe Constantine.²²⁰ This had deprived the Church in Birmingham of its most influential cleric. Both Madan’s successor Edmund Outram and the Rector of St Martin’s, Charles Curtis were frequently absent from Birmingham.²²¹ Curtis in particular, spent most of his time at his other rectory at

²¹⁸ *Aris’ Birmingham Gazette*, March 16 1812.

²¹⁹ *Aris’ Birmingham Gazette*, March 16 1812.

²²⁰ Hole, ‘Madan, Spencer (1758-1836).

²²¹ David Mole, ‘Challenge to the Church: Birmingham 1815-65’, in Jim Dyos and Michael Wolff (eds.) *The Victorian City: Images and Realities*, Vol II (London, 1973), p. 822.

Solihull having become unpopular in Birmingham through his enforcement of the payment of Easter dues from unwilling parishioners.²²²

In this climate, the clergy changed their policy towards education and began to adopt the approaches taken by their Unitarian neighbours. The Church took steps to expand its influence on education within the town. This included the formation of a teachers Union in 1816 and the construction of a number of schools not directly attached to an Anglican place of worship. Despite these efforts the Dissenting Sunday schools continued to expand and played an important role in the education of Birmingham children during the first half of the nineteenth century. In 1831 the Anglican schools attracted some 4,000 children. Meanwhile some 2,300 were enrolled at Methodist schools, around 1,800 children attended each of the Baptist and Congregationalist schools and finally 1,400 children at the Old and New meeting houses.²²³ Until 1870 these Sunday schools provided the only opportunity for an education to a significant proportion of the children in Birmingham.

Dissenters involvement in education in Birmingham went beyond the Sunday schools. In 1789 teachers within the Nonconformist Sunday school movement established the Sunday Society, whose object was to educate youths who had left Sunday schools in writing, arithmetic, geography, book-keeping, drawing and morals.²²⁴ Most of its active members were manufacturers. The Society's activities were temporarily halted by the 1791 riots but in 1792 they resumed with renewed vigour. In 1796 a new Society was formed which was known as the Brotherly

²²² Mole, 'Challenge to the Church', p. 822.

²²³ Cliff, *The Rise and Development of the Sunday School Movement*, p. 74.

²²⁴ William Mathews, *A sketch of the principal means which have been employed to ameliorate the intellectual and moral condition of the working classes at Birmingham* (London, 1830), pp. 6-7.

Society. This provided the means to select the most intelligent pupils from the Sunday Society and educate them as teachers so they could offer a similar education to others that they had already received. Teachers at the Brotherly Society were largely from a working class background.²²⁵ They would instruct students in reading, writing, arithmetic, drawing, geography, natural and civil history and morals. The range of skills taught was intended to be useful to a manufacturer.²²⁶ The organisers also ran a successful debating society. Attached to the Brotherly Society was a benefit club, sponsored by James Luckcock, which provided for both teachers and pupils of the school.²²⁷

Dissenters also played an active role in encouraging the growth of literacy. In addition to the aforementioned book clubs and reading societies, which were very much confined to the middle classes, two local Unitarian Sunday school teachers, William and Samuel Carpenter established an ‘artisans’ library for the specific benefit of the working classes. Initially, the library was only open to members of the school and had just twenty subscribers. Within two years the library was made public. By 1812 it had moved to Edmund Street and by 1825 boasted 182 subscribers and some 1,500 volumes ranging encompassing varying subjects including history, biography, travels, arts and sciences, poetry and drama.²²⁸

It is clear that within the field of education at least Dissenters did not retreat into ‘social conservatism’ after all. Dissenting Sunday schools were committed to and responsible for providing widespread education of children in Birmingham in the

²²⁵ Watts, *Gender Power and the Unitarians*, p. 73.

²²⁶ W. B. Stephens, ‘Social History before 1815’, in W. B. Stephens (ed.) *A History of the County of Warwick: Volume 7: The City of Birmingham*, p. 215

²²⁷ Money, *Experience and Identity*, p. 143.

²²⁸ Mathews, *A Sketch of the principal means*, pp. 15-18.

late eighteenth and early nineteenth centuries. Whether these schools were successful in providing education for the poorer parts of the community is unknown. What is beyond doubt is that these schools provided a pivotal role in the education of the children of the town, and for many children provided the sole opportunity for an education. There was evidently great divergence in the curriculums delivered but the emphatic role played by Dissent in the education of the young people in Birmingham can in no way be described as socially conservative.

Conclusion

This chapter has argued that historians' preoccupation with the immediate aftermath of the riot has led to a misrepresentation of their longer-term consequences. David Wykes may be justified as describing Dissenters remaining in Birmingham after the riots as being left with a 'deep sense of hopelessness.'²²⁹ Considering the disturbing experience of the riots this was an understandable reaction. The Unitarians had witnessed the destruction of three meeting houses and the homes of many of their most prominent laity. The Baptists also suffered the loss of a chapel, while Quaker and Swedenborgian chapels had come perilously close to sharing the same fate. Despite these experiences, this sense of hopelessness was not one that endured. The memories of destruction of July 1791 would persist, it is argued here that Birmingham Dissenters underwent a surprisingly rapid recovery.

Birmingham Dissenters' involvement in politics was where the impact of the riots was most noticeably felt. Priestley and Russell had been at the very forefront of

²²⁹ Wykes, 'The Spirit of Persecutors Exemplified', p. 17.

campaigns for civil, ecclesiastical and parliamentary reform in the 1780s. Their successors were, with good reason, considerably more cautious with such matters in the 1790s. While not disputing that the riots were to have a profound impact on Birmingham's involvement with the wider political movements of the 1790s, it is necessary to offer a qualification to those historians who allege that Birmingham's Dissenters completely withdrew from the political activities. There remained a presence of skilled and vocal preachers such as Jones, Edwards, Toulmin and Brewer who continued to take an interest in politics, in particular the anti-war campaign of the 1790s. These preachers continued to preach and to publish on politics, even if this was dramatically curtailed in comparison to before 1791. Prominent Dissenters were no longer at the forefront of the reform movement of the 1790s neither were they completely disassociated from it, as the activities of James Luckcock and Edward Corn demonstrate.

In other ways, the recovery of Birmingham Dissenters is far more striking. In the face of previously rapid population growth stunted by economic difficulties associated with the war with France, the number of Dissenters within the town continued to grow in the 1790s and early 1800s. Their involvement in local government was temporarily checked as the likes of William Hutton and William Russell relinquished positions of responsibility they had held before the riots. The decision of a number of Dissenters to return the ranks of the Street Commission by the turn of the century indicates the withdrawal from local government was by no means permanent. The short-term dis-empowerment of Dissenters must be measured against their continued involvement in other aspects of Birmingham society, not least the field of education. All of the major local denominations were to

play a considerable role in the growth of the Sunday school movement which increasingly prospered after the riots. By 1820 the educational provision offered by Dissenters outstripped that offered by the Anglican Church by a considerable margin.

The evidence presented here is not sufficient to overturn the notion that the aftermath of the riots was a difficult time for Birmingham's Dissenters. When a longer-term view is taken years between 1791 and 1820 represent a period of gradual recovery. This recovery can be illustrated by the musings of two young women from Cornwall who visited Birmingham in 1819. Both were struck by the level of Dissenting activity within the town; 'It is a perfectly Dissenting and Republican place...Presbyterians, Quakers, Independents, Unitarians, all seem placed here on the same level; the last we fancy have rather the preference'.²³⁰ This indicates that if wounds opened by the riots were not completely healed, they were becoming an increasingly distant memory

²³⁰ Cited in Davidoff & Hall, *Family Fortunes*, p. 79.

Chapter 7: Conclusion

When William Hutton began to compose his memoirs, several years had passed since the destruction of his stationers shop on High Street and his country house on Bennetts Hill. They offered a unique opportunity for reflection on what had been the most turbulent event of his life. Unsurprisingly the experience of July 1791 had embittered him. The riots caused Hutton to regret his own contribution to Birmingham public life. He attributed the experience as contributing to the decline in his wife Sally's health and her untimely death on 23rd January 1796. Despite a surprisingly detailed and balanced assessment of the causes of the riot,¹ Hutton was damning in his assessment of the rioters themselves and their motivations. He dismissed the notion that they were induced to act out of 'loyalty'. In Hutton's words, the violence was 'done by people who would have sold their king for a jug of ale, and demolished the Church for a bottle of gin. The few among them who were instigators, better understood thirty nine bottles than thirty nine articles.'² Hutton undoubtedly had an inclination to write 'an interesting and entertaining narrative than of giving an accurate and balanced statements'.³ His dismissal of the rioters acting only for the want of alcohol and without any motivations beyond a desire for destruction and violence, sits uncomfortably with the myriad of historians who have strived to identify participants in such disturbances as informed by clear and sustained value systems. It would be impossible to find a more contrasting opinion

¹Hutton attributed the riots as arising from five main factors; the dispute over the public library, The Dissenters attempts to repeal the Test and Corporation Acts, the theological controversy between Priestley and prominent Anglican Clergy, the handbill and the Bastille dinner. See Hutton, *The Life of William Hutton*, p. 82-3.

² Hutton, *The Life of William Hutton*, p. 87.

³ Gill, *History of Birmingham. Volume I*, p. ii.

than with a contemporary newspaper, *The Times*, which claimed the riots arose from ‘the loyalty of the people and the utter abhorrence in which the principles of a republican system of government are held by the people at large’.⁴ Hutton’s hasty denunciation of his persecutors provocation and *The Times* converse approval of their actions poses important questions regarding to what extent the rioters were galvanised by a desire to protect the Church, the king and the existing social order.

The late eighteenth century witnessed a great upheaval in religious culture and these were undoubtedly unsettling times for the Anglican Church. The pursuit of political rights by both Dissenters and Catholics had already caused great alarm within the ranks of the clergy and the outbreak of revolution in France merely served to elevate Dissenters, especially Unitarians, as a direct threat to the established order. The Catholic Relief Act and the rapid spread of Methodism, merely served to further undermine Anglican confidence. These concerns were combined with the structural challenges the Church was facing as industrialisation and urbanisation placed increasing pressure on its medieval and parochial construction.⁵ If the eighteenth century in general has been described as a time of difficulty for the Church⁶, the last quarter of the century represented a period of particular adversity. As John Walsh and Steven Taylor have observed, defeat in the American Revolutionary War focused attention upon the inadequacies of the established Church.⁷

⁴ *The Times*, 18th July 1791.

⁵ See Snape, *The Church of England in Industrialising Society*, pp. 1-15.

⁶ Gilbert, *Religion and Society in Industrial England*, p. 27.

⁷ J. Walsh & S. Taylor, ‘Introduction’ in *The Church and Anglicanism in the ‘long’ Eighteenth Century*, p. 18.

Nowhere was this more evident than in Birmingham. Contrary to Barrie Rose's depiction of a sudden fall out between Anglicans and Dissenters in Birmingham,⁸ this thesis has illustrated that the breakdown was more gradual, beginning with the American War but accelerating dramatically after Joseph Priestley's arrival in the town in 1780. John Money may have regarded Priestley's entrance as incidental to the eventual outbreak of rioting,⁹ but in reality it was crucial. Whatever tensions that existed prior to 1780, Peter Jones has shown that in the 1760s and 1770s relations between St Martins and St Philips and the Old and New Meetings were generally cordial.¹⁰ The series of disagreements, identified in chapter 2 over the public library, Sunday schools and the Dissenters' campaign to repeal the Test Acts, contributed to the total disappearance of this spirit of amity. Priestley's arrival upset the well placed local clergy and illuminated a wider problem; the growth of Rational Dissent. While Unitarianism had been present in Britain since the mid-eighteenth century, it was with Priestley's arrival that it gained a public voice within the town. In the 1780s the Unitarians may have formed only a small minority of Birmingham's population, they were a particularly vocal and outspoken minority through their anti-Trinitarian theology, their campaign for the removal of the Test Acts and their support of the French Revolution. In Birmingham such men also commanded power and influence disproportionate to their modest numbers.

If this argument places considerable emphasis on the role of the individual protagonists then it reflects what had become a very personal dispute between Priestley and leading members of both the local and national Anglican clergy. Priestley's persistent and unrelenting rejection of the trinity through his pamphlet

⁸ Rose, 'The Priestley Riots of 1791', p. 70.

⁹ Money, 'Science and Dissent in English Provincial Culture', p. 87.

¹⁰ Jones, *Industrial Enlightenment*, p. 189.

confrontation with Horsley caused great offence to Anglicans and drew particular attention to the threat posed by Rational Dissent. In response leading members of the local clergy sought not only to engage Priestley in print but also to step back from the interdenominational co-operation that existed in Birmingham in the previous two decades. Confrontation over both the public library and Sunday schools arose through an Anglican desire to prevent the potential dissemination of controversial theological ideas. Yet it was also these projects within which Priestley was most closely associated and the corresponding fall-out once again cast Priestley as the villain in Anglican eyes.

The riots cannot just be seen as arising from the theological dispute. The outbreak of the French Revolution also proved to be an important secondary cause. Although the Bastille dinner may have immediately instigated the disturbances, historians have generally been cautious about attributing hostility to the Revolution as among the rioter's primary motivating principles. Instead they prefer to prioritise existing sectarian or social antagonisms. E. P. Thompson exemplifies this approach. In *The Making of English Working Class*, Thompson dismissed the role played by revolutionary France and sought to disassociate the Birmingham crowd from possessing an ingrained hostility towards French Revolutionary ideas.¹¹ While this may reflect Thompson's tendency to play down the significance of 1789,¹² such a conclusion is problematic and underestimates the profound wider impact that events in France played on British public life. In a number of industrial centres the growing acrimony between Anglicans and Dissenters which prefigured the outbreak of the French Revolution were further exacerbated by the fall of the Bastille and the heated

¹¹ Thompson, *The Making of the English Working Class*, p. 80.

¹² See David Eastwood, 'E. P. Thompson, Britain and the French Revolution', *History Workshop Journal*, 39, 1 (1995), p. 79.

political debate in Britain which it engendered. The French Revolution fundamentally altered the parameters of the relationship between Church and Dissent. By 1790 Edmund Burke was not alone in regarding the French Revolution as the greatest challenge faced by the British Church and state. It was, in part, the identification of Dissent with republicanism that blocked the repeal of the Test and Corporation Acts and presented Dissenters as such a profound threat to the Church, even more so than before 1789. When Spencer Madan spoke out in opposition to the repeal campaign he asserted that 'Dissenting principles were unquestionably republican'.¹³ In turn, the language of Dissenters such as Joseph Priestley altered during the repeal campaign. The prospect of the removal of political disabilities was increasingly discussed of as a 'right' rather than a 'privilege'. In the eyes of leading Anglicans such discourse carried with it the undeniable semblance of revolutionary thinking.

The outbreak of the French Revolution and the 1790 repeal campaign coincided with more systematic and widespread attacks on Rational Dissent. Such hostility took upon a variety of forms. From the pulpit, George Croft, upon arriving in Birmingham, described Unitarianism as 'almost demolishing the whole fabric of Christianity'.¹⁴ No less significant were attacks made in the working class pamphlet press; the Nott pamphlets frequently likened leading Dissenters to villains in children's stories. Priestley was often singled out as the focal point of these attacks. For example, John Nott's *Very Familiar Letters* likened Edward Burn's printed dispute with Priestley as similar to the battle between David and Goliath.¹⁵ It is of little

¹³ Madan, *The Principal Claims of the Dissenters Considered*, p. 12.

¹⁴ George Croft, *The Test Laws Defended. A Sermon Preached at St Philips Church in Birmingham on Sunday, January 3rd 1790* (Birmingham, 1790), p. xii.

¹⁵ Scott, 'The Enquiring Sort', p. 209.

surprise that when violence broke out a year later, it was the leading and prominent Unitarians as opposed to any other kind of Dissenters that were the primary objects of the rioter's attention.

The causes of the riots were multi-layered, arising from a complex milieu of events that were both national and local in origin. All of the factors mentioned above contributed in some way to the outbreak of violence in Birmingham in July 1791. The local aspect of the dispute explains why rioting was restricted to Birmingham at this point. While sections of the crowd were undoubtedly responding to the cry of 'Church in danger', as noted in chapter 3, the slogans shouted during the course of the destruction reveals a range of motivating triggers. In addition to the apparent desire to protect the Church, there was equally a desire to protect the king and the existing social order. This was juxtaposed with hostility towards Dissenters and French Revolutionary ideas. Whether the reference to 'no philosophers' chalked on Birmingham walls during the riot was a reference to French or Birmingham's philosophers or both remains unclear.

In light of this research it is clear that Hutton's belittling of the rioting crowds 'loyalty' underestimates the level of suspicion towards Birmingham's Rational Dissenting community by July 1791. To what extent ranks of the crowd understood the subtleties of the theological dispute or the extent of the threat that the French Revolution posed to the British Church and King will always remain questionable. It can be said with greater certainty that the local conflict between Anglicans and Dissenters had not simply been played out between the clergy and Priestley but had engulfed Birmingham's public sphere. No matter how developed the rioting crowds

understanding of the ideas and issues of the day, they were clearly motivated by a desire to protect Church and King.

The notion that the riots resulted from a government conspiracy can be safely put to rest. If the British Government were heartened by the manifestation of popular support for the existing social order in Birmingham, they were greatly concerned by the form in which this took. The Gordon Riots of 1780 had provided the government with a timely and unpleasant reminder about the dangers of popular disorder. The perception that the Government were unsympathetic to the plight of Priestley and the Dissenters has remained more persistent. This is only reinforced by Priestley's own sparring with Pitt in advance of the riots and George III's admonishment of Priestley immediately afterwards. Regardless of the ministry's personal views there is no evidence to suggest that either Pitt or Dundas acted with impropriety. Dundas expressed concern at the dangers of the 'levelling principle' and the belief that the cause of rioting crowds could easily sway from acting in favor of government to acting against it.¹⁶ The Home Secretary reacted with great efficiency in dispatching soldiers to Birmingham as soon as he was requested to do so by the local magistrates. Both Dundas and Pitt, as well as other senior members of the government were eager to see as many of the rioters prosecuted as possible and appropriate pressure was placed on the local magistrates to this end. If the Treasury Solicitor did not share this desire as enthusiastically then this cannot be blamed on the Home Office. Even in the case of William Chamberlayne there is no evidence to suggest that he deliberately obstructed the prosecution of rioters although his cordiality with the local magistrates and apparent indifference to the outcome

¹⁶ Uglow, *The Lunar Men*, p. 446.

prevented the process of rounding up the culpable rioters from being as stringent as it might have been.

The greatest criticism that can be levelled at Government is an apparent fatigue and weariness as the judicial progress dragged on and a desire to rapidly bring to a close the chapter of Birmingham's history opened by the riots. This was evident not only through the opposition of the Pitt ministry to the motion for an enquiry spearheaded by Samuel Whitbread, but also the hasty and entirely unprecedented payment of £2000 to the trustees of the New Meeting for its destruction. By May 1792 Ministers had more pressing concerns with the rapid and alarming growth of societies advocating political reform in the urban centres of Britain, as well as the outbreak of war between France and Austria which threatened to further destabilise Europe. These events obliged the Pitt ministry to speak out publically against the dangers of reform and radicalism.¹⁷ In the face of these concerns, the protestations of the Birmingham Dissenters and their Whig party supporters no longer seemed important and this was reflected through an apparent urgency to consign the experience to the past.

If the riots in Birmingham had resulted from a longer term decline in relations between Anglicans and Dissenters that can realistically be dated back to before the 1780s, the subsequent pamphlet exchange and the criminal and compensation trials reveal that riots were not merely a temporary manifestation of hostility against Dissenters in Birmingham. They were the height of sustained animosity that was to continue until the middle of the 1790s before the prevailing mood began to temper. Whatever the deficiencies of the eighteenth century legal system, the victims were

¹⁷ Mori, *William Pitt and the French Revolution*, p. 108.

always going to struggle to obtain their perception of proper justice due to the level of resentment that continued to reside within the town. The criminal trials accordingly spectacularly failed to convict even a small minority of the rioters, although the local magistrates were to play a decisive role in both the composition of accused sent to trial and the outcome. Priestley's lawyers were to later lament that the prosecutions were held in the immediate aftermath of the riots¹⁸, yet the compensation trials reveal that several months later the enmity had barely abated. This was sustained in part by the raging public reaction in which various protagonists engaged in an ill-tempered exchange regarding the causes of the riots. Some Anglican clergy had publically condemned the riots, not least Samuel Parr who described the rioter's battle-cry of 'Church and King' as 'the toast of incendiaries. It means a Church without the gospel and a king above the law'.¹⁹ Despite this, the outpouring of print once again firmly cast Anglicans against Dissenters. In the midst of a series of pamphlets and 'authentic' accounts of dubious reliability, Priestley, John Edwards and David Jones all singled out local senior Anglicans as partly responsible for causing the riots. These accusations were met with a barrage of criticism, although it is significant that of the Birmingham clergy, only Edward Burn felt the need to directly retaliate. Madan and Croft who both had much to say before the riots, were strangely silent afterwards. In reality these exchanges achieved little beyond fanning the flames of seemingly mutual contempt. As the 'Little Riot' of 1793 so profoundly illustrated this virulence was to remain entrenched for some time to come.

¹⁸ BCL MS238 9/5. Bell to Lee, 2 October 1791.

¹⁹ Derry, *Samuel Parr*, p. 137.

When the rifts opened by the breakdown in relations within Birmingham's religious community eventually healed remains an open question. By the early nineteenth century the level of hostility appears to have abated. At the turn of the century, in an atmosphere of allaying tensions if not outright reconciliation Dissenters took their first tentative steps back into local government, returning to the ranks of the street commissioners. Yet tensions remained just beneath the surface. The decision of local Dissenters in 1804 to abandon plans to erect a monument of Priestley within the town was unlikely to be a coincidence and indicates that the embers of discord had not completely burnt out.²⁰ Likewise, Edward Burn's tirade against Nonconformist Sunday schools in 1812 reveals continuing Anglican apprehensions about the strength of Dissent and its potential to erode the influence of the Church within Birmingham.

While much work remains to be done on Birmingham between 1791 and 1830, the initial research of Barrie Rose²¹ at least provides an indication that the confrontations between reformers and loyalists in the early nineteenth century continued to play a pivotal role in shaping relations between Anglicans and Dissenters in Birmingham. While the standoffs in the early nineteenth century were different in character to what had passed in 1791 they still bore a number of similarities. Dissenters were once again to be found amongst the leading ranks of reformers. They were opposed by loyalists with leading members of the clergy at the fulcrum acting in partnership with local magistrates and establishment figures of the town. In this sense seemingly little had changed since 1791.

²⁰ Jones, *Industrial Enlightenment*, p. 198.

²¹ See Rose, 'Political and Administrative History: Political History to 1832', pp. 270-97.

Hutton's personal tragedy also necessitates a wider consideration of the lasting legacy of the riots. John Money has argued that the memory of the riots 'far from being consigned to its proper place in the past, it remained a present obsession' in Birmingham during the 1790s.²² This is unsurprising given the extent of violence and destruction which was on a scale not witnessed since the Sacheverell uprisings in 1715. If the riots were to live long in the memory, their longer term significance is more difficult to discern.

There is little doubting that the impact of the riots was most profoundly felt upon the victims themselves. Some left Birmingham never to return. Joseph Priestley was never the same again. He continued to publish on polemical and theological matters in Hackney energetically and even resumed his scientific work after his arrival in America. With a less functional and less well-equipped laboratory Priestley was unable to repeat his earlier successes in science and his most notable contributions in Pennsylvania were to the fields of theology and education. Priestley's emigration to America on 8th April 1794 may have been prompted by the flurry of prosecutions of reformers in 1793-4, many of who were his personal friends,²³ but the decision was undoubtedly set in motion by the experience of the riots. William Russell, likewise made his ill-fated journey to America in the same year, partly as a result of the continued malevolence he faced in Birmingham during his efforts to seek financial remuneration for the victims. For the likes of John Taylor, John Ryland and William Hutton who chose to stay in Birmingham, they were subjected to occasional animosity from the town's loyalist fraternity and forced to retreat from

²² Money, *Experience and Identity*, p. 237.

²³ Jenny Graham, 'Joseph Priestley in America', in *Joseph Priestley Scientist, Philosopher and Theologian*, p. 204.

Birmingham public life for good. For these men and their families they were never to recover completely from the riots.

This thesis has extensively discussed the impact of the riots on Birmingham's Nonconformist community. It has been suggested that the riots precipitated a short-term crisis for Dissenters in Birmingham and engendered continued hostility towards prominent members of their congregations for several years. A more extensive analysis of the longer-term effects of the riots has revealed that contrary to previously held opinion, Birmingham's Nonconformist community underwent a rapid recovery. This recovery was not to be undermined by the sporadic intimidation of the Hutton and Taylor families nor the more widespread confrontation between reformers and loyalists during the 1790s. If the live and let die attitude towards politics was somewhat more restrained in the 1790s than it had been in the previous decade, the involvement of Dissenters in the field of education was considerably more assertive after the riots. This coupled with a sharp rise in congregational numbers in the 1790s in the face of wider population growth levelling off ensured that Nonconformity was to retain its prominent position within Birmingham.

Due to the ever-fluctuating political climate of the 1790s, the decade witnessed the battle-lines being redrawn, as confrontation between reformers and loyalists superseded the earlier conflicts between Anglicans and Dissenters which had characterised the late 1780s and early 1790s. In this, Birmingham played its part as loyalists and reformers jostled for position. John Stevenson has suggested that the

Priestley Riots strangled the reform movement in the town at birth.²⁴ There is some evidence to support this argument. Joseph Priestley and William Russell were not only leading Dissenters but also leading reformers and their loss was certainly significant. In addition, the planned Warwickshire Constitutional Society never saw the light of day.²⁵ The riots alone did not deliver a fatal blow as John Money's research on the partial revival of the reform movement in Birmingham from 1792 onwards illustrates. Of more substance is the decision to attribute the riots as the primary causal factor in Birmingham's failure to develop the level of support for reform that could be found in other manufacturing centres such as Sheffield and Norwich in the 1790s.²⁶ But whether Birmingham's reform movement would have reached that kind of ascendancy is highly debatable. Unlike Sheffield and Norwich, Birmingham already had an established tradition of loyalism upon which the foundations of opposition to reform could be built. Regardless of the 1791 riots, it is possible to argue that Birmingham reformers were unlikely to command the support that their counterparts did in other industrial centres.

In the process of writing this PhD thesis, three potential topics for future research have been identified. The first relates to judicial procedures in the aftermath of popular disturbances in eighteenth century Britain. While the study of rioting has resulted in a rich and varied historiography, in depth research on the way in which rioters were prosecuted is rare. As a result, while the results of criminal prosecutions are frequently known, details on how the verdicts were determined remains concealed. The Gordon Riots of 1780 provide the most striking example of this,

²⁴ Stevenson, 'Popular Radicalism and Popular Protest', p. 68.

²⁵ Edward Royle and James Walvin, *English Radicals and Reformers 1760-1848*, Brighton, The Harvester Press, 1982, p. 48.

²⁶ Stevenson, 'Popular Radicalism and Popular Protest', p. 70.

with only the trial of Lord George Gordon documented in any detail. A large body of evidence relating to the trials exists in both the Home Office and Treasury Solicitor papers in the National Archives and there remains an opportunity for a substantive study of the criminal proceedings brought against the rioters. The second potential area of research relates to the Anglican Church in Birmingham in the eighteenth century. The study of the eighteenth century Church in North Warwickshire is benefitting from the on-going efforts of Colin Haydon,²⁷ unfortunately this research does not extend to Birmingham. The third and final area of research relates to the loyalist and reform movements in Birmingham during the late eighteenth and early nineteenth Centuries. Extensive research has already been conducted into loyalist propaganda in this period.²⁸ The research of John Money and Martin Smith has also shed some light on both the loyalist and reform movements in Birmingham during the 1790s. Despite this, much work remains to be done, especially after the turn of the century, on the composition of these organisations, their respective links with Anglicanism and Dissent and the way in which their ideas were disseminated.

Assessing the legacy of the Priestley Riots remains problematic. As with the origins, the impact of the riots remains multi-layered and the evidence at times contradictory. The equivocation of the rioters and the subsequent vitriol directed at the victims in their pursuit of justice exposed the chasm that had opened between the older Dissenting denominations and Unitarianism and the way it was perceived at large. Yet if the Priestley Riots were an overture to the more widespread loyalist backlash of the 1790s they were also an anomaly. For all the intensity of the British

²⁷ See Haydon, *John Henry Williams*.

²⁸ See M. Smith, 'Conflict and Society', chapters 2 and 3; Scott, 'The Enquiring Sort', pp. 171-80; Money, *Experience and Identity*, chapter 9.

reaction to the French Revolution, Britain was not to witness the extent of violence seen in July 1791 in the remainder of the 1790s. While violent crowds remained an essential character of loyalist activity, the extent of destruction had provided a lesson to the authorities that violence in support of Government was as dangerous as violence against it.

In Birmingham, the consequences were felt most strongly by the towns Unitarians, the primary victims of the rioters. The outbreak of violence might be seen as bringing the golden age of the 1780s to a sudden and dramatic end. This provides some explanation as to why those historians who have focused on the Unitarian congregations in the aftermath of the riots have tended to exaggerate their wider impact. The riots undoubtedly changed Birmingham, but the extent of that change was not as profound as previously thought. There were high profile casualties, not least the loss of leading personalities such as Priestley and Russell, and the beginning of the end of the Lunar Society.²⁹ The riots also arguably prevented Birmingham from occupying a more prominent place in the reform movement of the 1790s. If the riots are considered in the context of Birmingham's history then demonstrable change beyond those factors mentioned remains difficult to find. Before the Priestley Riots Birmingham was a growing industrial town with a diverse religious culture. This encompassed not only a strong Anglican and establishment presence but also a boisterous minority of Dissenters. Very much the same could be said of the town after July 1791.

²⁹ Uglow, *The Lunar Men*, p. 450.

Appendix 1

List of toasts at the Bastille dinner, Birmingham 14th July 1791

1. The King and Constitution
2. The National Assembly and Patriots of France, whose virtue and wisdom have raised twenty-six millions from the mean condition of subjects of despotism, to the dignity and happiness of freemen.
3. The majesty of the people.
4. May the New Constitution of France be rendered perfect and perpetual.
5. May Great Britain, Ireland and France unite in perpetual friendship, and may their only rivalry be the extension of Peace and Liberty, Wisdom and Virtue.
6. The Rights of Man. May all nations have the wisdom to understand, and the courage to assert and defend them.
7. The true Friends of the Constitution of this Country, who wish to preserve its spirit, by correcting its abuses.
8. May the people of England never cease to remonstrate, till their Parliament becomes a true National Representation.
9. The Prince of Wales.
10. The United States of America. May they for ever enjoy the Liberty which they have so honorably acquired.
11. May the late Revolution in Poland prove the harbinger of a more perfect system of Liberty extending to that great Kingdom.

12. May the Nations of Europe become so enlightened as never more to be deluged into savage wars, by the mad ambition of their rulers.
13. May the sword be never unsheathed, but for the defence and liberty of our country, and then, may every man cast away the scabbard until the people are safe and free.
14. To the glorious memory of Hampden and Sydney, and other heroes of all ages and nations, who have fought and bled for liberty.
15. To the memory of Dr Price, and of all those illustrious sages who have enlightened mankind on the true principles of civil society.
16. Peace and good will to all mankind.
17. Propriety to the town of Birmingham.
18. A happy meeting to all the friends of liberty on the 14th July 1792.

Source: William Russell's letter to the Editor of the Morning Chronicle, 20th July 1791.

Appendix 2

Copy of a handbill circulated in Birmingham, a few days before the riots

My Countrymen,

The second year of Gallic liberty is nearly expired. At the commencement of the third, it is devoutly to be wished, that every enemy to civil and religious despotism would give his sanction to the *majestic common cause*, by a public celebration of the anniversary. Remember that on the 14th of July the Bastille, that “High Altar and Cause of Despotism” fell. Remember the enthusiasm *peculiar* to the cause of Liberty, with which it was attacked. Remember that generous humanity that taught the oppressed, groaning under the weight of insulted rights, to save the lives of oppressors! Extinguish the mean prejudices of nations; and let your numbers be collected, and sent as a free-will offering to the National Assembly.

But is it possible to forget your own Parliament is venal? Your Minister hypocritical? Your Clergy legal oppressors? The reigning family extravagant? The Crown of a certain great Personage becoming every day too weighty for the head that wears it? Too weighty for the people who *gave* it? Your taxes partial and excessive? Your representation a cruel *insult* upon the sacred rights of property, religion and freedom?

But on the 14th of this month, prove to the political sycophants of the day, that Your reverence of the Olive Branch; that You will sacrifice to public tranquility, till the

majority shall exclaim, *The Peace of Slavery is worse than the War of Freedom*. Of that moment let tyrants beware.

Appendix 3

An account of the origins of the riots in Birmingham, from the *The Times* newspaper.

Tuesday July 19 1791

By every account which has arrived from Birmingham and from authenticated facts in corroboration of what we have already asserted, it is an indisputable truth, that the motives which occasioned the havoc already made among the Dissenters at Birmingham, and which is still in continuance, solely sprung from the loyalty of the people, and the utter abhorrence in which the principles of a republican system of government are held by people at large.

The public were determined before they proceeded to violence, to have some further proof of the intention of those commemoration men. The hand-bill might be a forgery, or might be an insidious scheme to raise a mob for the purpose of plunder; they therefore waited until they heard what was said at table, how the political complexion of the company would manifest itself and whether anything more than a mere scene of commemoration conviviality was intended.

They had indeed their suspicions, and those suspicions after the first course were realised, by the following toast being drank :-

‘DESTRUCTION TO THE PRESENT GOVERNMENT – AND THE KING’S
HEAD UPON A CHARGER

The inhabitants, and they were almost to a man respectable housekeepers and manufacturers, who waited outside the hotel to watch the motions of the

Revolutionists within, no sooner had this treasonable toast made known to them, than LOYALTY swift as lightning shot through their minds, and a kind of electrical patriotism animated them to instant vengeance. They rushed this conventicle of treason, and before the second course was well laid upon the table, broke the windows and glasses, pelted and insulted these modern reformers, and obliged them to seek for safety in immediate flight.

An inflammatory handbill in Dr Priestley's hand writing was found among his papers, and has been transmitted to the Secretary of State...The Doctor is at Kidderminster, to which place it is said the populace mean to follow him. His doctrines, they avow, were meant to subvert the Constitution.

Mr Parker, a very eminent attorney, is the person who sent up the inflammatory and treasonable paper found in Priestley's house, and in the Doctor's own hand, which is thought is full ground for a prosecution.

Appendix 4

Chronology of Events: France and Britain 1789-93

France	Britain
1789	1789
14 July – Fall of the Bastille	May – Dissenters' second attempt to repeal the Test and Corporation Acts
20 July – 6 August – The Great Fear	4 November – Dr Richard Price preaches 'On the Love of our Country'
4 August – Constituent Assembly abolishes feudalism	
26 August – Assembly Votes the Declaration of the Rights of Man	
5 – 6 October – Women of Paris march to Versailles	1790
2 November – Church lands nationalized	February – Priestley advocates the disestablishment of the Anglican Church in his <i>Familiar Letters Addressed to the Inhabitants of the Town of Birmingham</i>
1790	March – Dissenters' third attempt to repeal the Test and Corporation Acts, Church and King clubs established across Britain
January to February – First municipal elections	November – Publication of Edmund Burke's <i>Reflections on the Revolution in France</i>
12 July – Assembly votes the Civil Constitution of the Clergy	
25 November – Slave uprising in Saint Domingue	
November – Enforcement of the Clerical oath.	
1791	1791
20 – 21 June – Louis XVI's flight to Varennes	March – Publication of first part of Tom Paine's <i>The Rights of Man</i>
17 July – Champ de Mars massacre	August – Burke publishes <i>An Appeal from the New to the Old Whigs</i>
30 September – Legislative Assembly convenes	14 – 17 July – Priestley Riots in Birmingham
1792	August – September – Prosecutions of Birmingham rioters
20 April – France declares war on Austria	November – Founding of Sheffield Society for Constitutional Information
20 June – Failed assault on Tuileries Palace	
10 August – Invasion of Tuileries/ Fall of the monarchy	

21 August – First use of the guillotine; beginning of the ‘First Terror’

2 – 6 September – Massacre of Paris prisoners

22 September – National convention declares the Republic, beginning of first year of the republic.

11 December – Trial of Louis XVI begins

1793

21 January – Execution of Louis XVI

1 February – France declares war on Great Britain and Holland

7 March – France declares war on Spain

10 March – Vendée rebellion begins

5 April – Committee of Public Safety established

4 May – Grain maximum decreed

31 May – 2 June – Parisian uprising ousts Girondin deputies

June – August – Federalist revolts

13 July – Assassination of Marat

September – Beginning of second year of the republic

16 October – Execution of Marie-Antionette

31 October – Execution of the Girondin deputies

October – November – De-Christianization campaign

1792

January – London Corresponding Society (LCS) founded

February – Publication of second part of Paine’s *Rights of Man*

March – April – Victims of Birmingham riots bring compensation suits against Hundreds of Halfshire and Hemlingford.

April – Establishment of the Association of the Friends of the People

29 April – Charles Grey brings reform motion before Parliament

21 May – Parliament votes against holding an enquiry into the Birmingham riots

21 May – Government issue Royal Proclamation on Seditious Writings

November – John Reeves establishes loyalist Association for Preserving

Liberty and Property against Republicans and Levellers, Church and King club established in Birmingham

1 December – Second Royal Proclamation on Seditious Writings

December – Establishment of Loyal True Blues in Birmingham, Rioters attack Thomas Walker’s house in Manchester, British government begins campaign against seditious authors.

1793

1 February – Outbreak of war with France

May – Traitorous Correspondence Act

August – Government successfully prosecutes Scottish radical Thomas Muir for treason

December – Edinburgh convention of reformers.

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