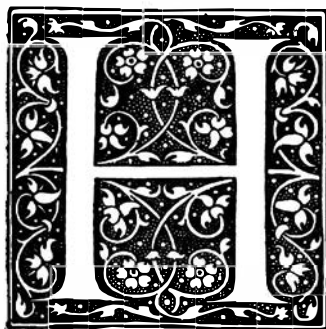


(XIV) IN RETROSPECT



HUMAN experience would be falsified if the dreadful suffering which the six Tolpuddle Martyrs bore with such amazing fortitude had produced no result. Their conduct under trial was a challenge to the conscience of the nation. Their fidelity to principles that were in themselves the expression of elementary rights of citizenship rang like a clarion call to the workers of their own generation. They were certainly not the founders of Trades Unionism, whose origins go back many decades earlier than 1800. Nor were they the first Trades Unionists to be transported, but their example was an inspiration which has lost none of its power in the course of a century.

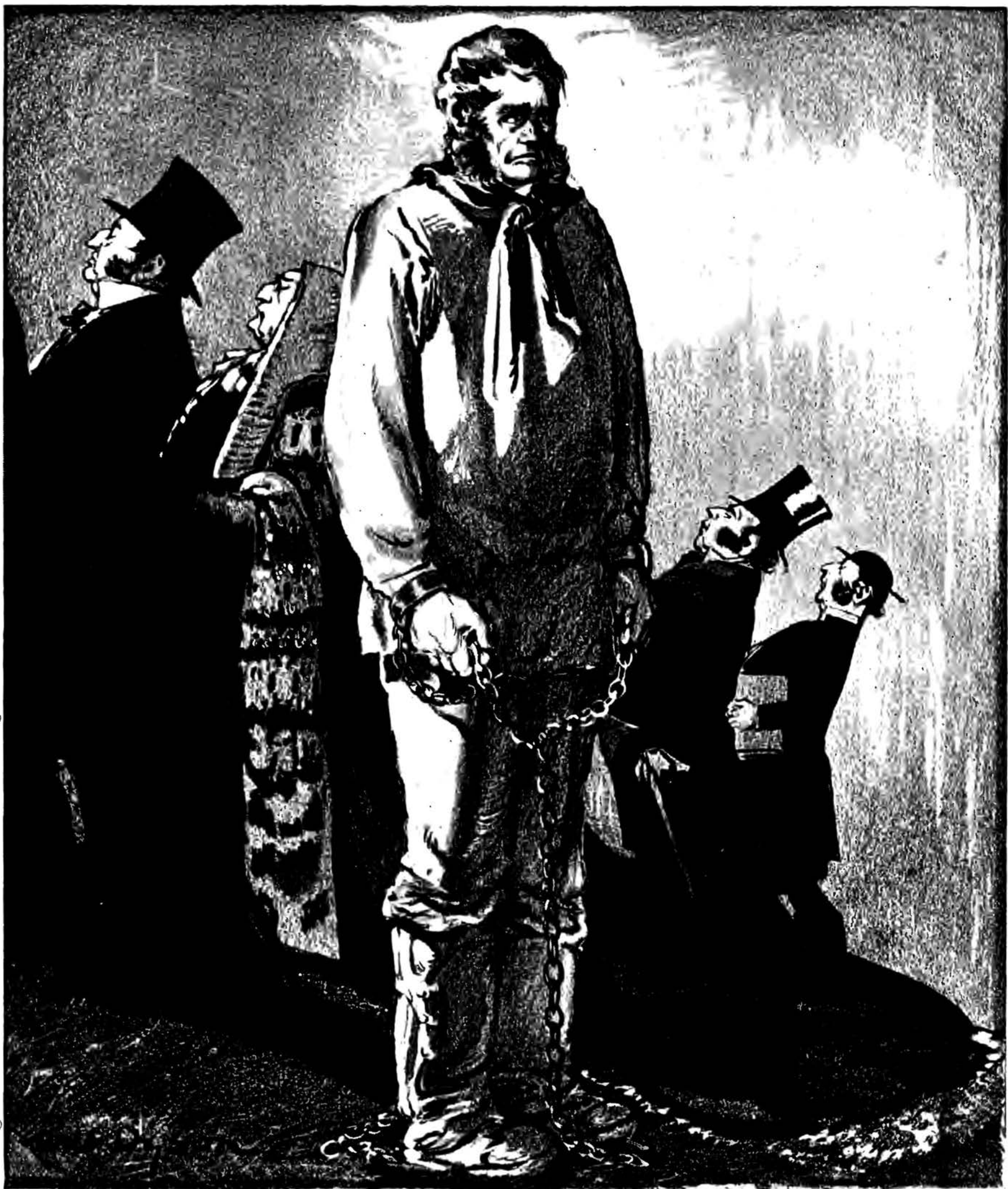
The martyrdom
an inspiration

The period immediately following the return of the Dorsetshire labourers was one full of difficulty for the Unions. The latter had been foremost in the agitation for a Parliamentary inquiry into their status and operation, and in an effort to meet the criticism levelled against them many had removed the oath from their initiation ceremonies. A series of embittered industrial disputes had begun in 1834, notably that of the lockout of the silk workers at Derby, the strike of the gas workers in London and the lockout of the London building operatives. The Grand National Consolidated Trades Union crashed in the strain thrown upon its funds, and for a time it appeared that reaction had gained its way.

Many of the skilled trades, however, maintained their organisation intact and gradually developed from local organisation into national Unions exerting a considerable influence. It was a period demanding the utmost loyalty to the principles of Trade Unionism. But always the tribulations borne so bravely by the Dorsetshire labourers served to inspirit and fortify Trade Unionists whilst their organisations were under attack. When one reads the contemporary records of strikes and lockouts in that period, and the stirring manifestos issued during the various disputes that took place, one can realise the potency of this appeal. It formed one of the strongest arguments for working-class solidarity. It explains the deepening sense of unity which brought the Unions together, first in the National Association of United Trades in 1845, and later in the largely personal association of individual leaders, such as Robert Applegarth, William Allan, Daniel Guile, Edwin Coulson and George Odger, who constituted the Junta of the early 'sixties. It explains something, too, of the formation of the Trades Councils, and finally of the Trades Union Congress itself, formed in 1868.

Unifying the
movement

Progress towards this goal was slow and hazardous. The greatest immediate advantage following the sacrifice of the Tolpuddle Martyrs was felt not on the industrial field, but in the workers' political movement. The tremendous gathering at Birmingham in 1838, which launched the Chartist Movement sang, with a fresh intensity, the verses written out



TOLPUDDLE 1934
"WHO WAS THEN THE GENTLEMAN?"

at his trial by George Loveless. It was felt that he and his companions lately returned from exile had been the victims of Whiggery. Loveless's pamphlet under that title was effectively used in the Chartist propaganda, during which references were constantly made to the Tolpuddle Martyrs and aroused militant enthusiasm at meetings all over the country.

The political agitation which produced the later Reform Act, the Ballot Act, the wider democratic franchise and the modern political parties, was but one aspect of the movement towards fuller liberty which broke the power of hereditary privilege to oppress the people.

Historians are prone to speak of the enlargement of political liberties, the attainment of freedom of the press, freedom of opinion, and the right of public assembly, as the most characteristic expression of the liberating spirit of the 19th Century. Not less important, however, was the rise and progress of the great voluntary organisations of the working people, and the removal by successive stages of the legal shackles which hampered them in the first half of the century. The most notable expansion of the principle of freedom of association so clearly and firmly asserted by the Tolpuddle Martyrs at the terrible cost to themselves, was seen in Trade Unionism and the Co-operative Movement.

Freedom of
association

In the case of the Trade Unions, legislation was promoted in more or less unwilling parliaments, now conscious of the rising political power of the workers, to rid them of the most vexatious disabilities attaching to their position as corporate bodies without a legal identity. The series of Acts of Parliament from 1871 to 1876, the Trades Dispute Act of 1906, the Trade Union Act of 1913, were all directed to the removal of restrictions and anomalies inherent in the legal status of the Unions.

That process went on until the passage of the Trades Disputes and Trade Union Act in 1927, attempted to reverse the process. During the whole of this period, steady progress was being made in the organisation of the workers, on both the industrial and political fields. The formation of the Labour Party by the Trades Union Congress in 1900, was the consummation of a sustained period of political activity. Within the next thirty years, that Party twice formed the Government of the country.

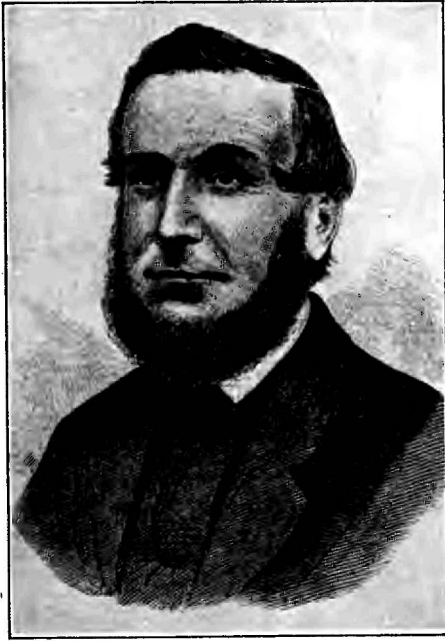
Trade Unionism amongst the agricultural workers, which suffered most as an immediate consequence of the destruction of the Tolpuddle Society, gained much in the long run from the example of the six brave men of Dorset. For more than a score of years after the savage onslaught upon the Tolpuddle workers, village Trade Unionism languished. Tyranny on the countryside was an omnipresent reality in the lives of the labourers. Against the oppression of the landowners and farmers, the village population had none of the remedies available to the industrial workers. They lacked contact with other bodies of workers which fortified the Trade Union spirit in towns. Communication was difficult, and news travelled slowly.

Tyranny on the
countryside

When the revival of village Trade Unionism came, through the efforts of Joseph Arch nearly a generation later, it was still localised.

Joseph Arch
forms a National
Union

The revival began in the middle 'sixties. Here and there in the southern counties Unions were formed in isolated districts, mainly in the effort to improve wage standards. None of these lasted very long, and it was a movement started by Joseph Arch in



JOSEPH ARCH

February, 1872, which launched a genuinely national organisation of agricultural labourers. Joseph Arch, like George Loveless, was a farm labourer and a Methodist local preacher. He had the energy, sagacity and gifts of leadership required for the task he undertook. Under the flickering light of torches on the village green at Wellsbourne, Warwickshire, over 1,000 labourers gathered to listen to him, and then and there decided that a Trade Union should be formed.

The rapid spread of Arch's organisation aroused again the strongest opposition from the farmers and landowners, many of whom discharged the labourers who had joined the Union. Despite this, the Union flourished, and by the end of 1872, it had attained a membership of nearly 100,000. It suffered a severe setback in 1874, when, by the weapon of the lockout and evictions, the farmers destroyed Branch after Branch. By 1889, the

membership had declined to a few thousands. Arch lost contact with the Union, and it gradually withered away.

It was not until the opening years of the present century that a renewed effort was made to form a National Union for Agricultural Labourers. It began in the eastern counties in 1906, and the following year, the Union activities were launched on a wider scale. To-day 30,000 members are enrolled in the National Union of Agricultural Workers alone, and considerable numbers are also enrolled in other Unions, such as the Transport and General Workers' Union.

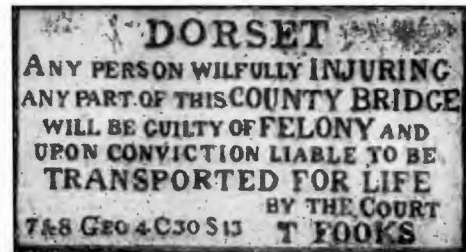
Conditions
to-day in
agriculture

Trade Unionism amongst the farm workers to-day is a strong and vital growth, which the vicissitudes of the agricultural industry have failed to undermine. The work of the Unions in constantly endeavouring to raise the standard of life of the workers in the countryside has met with a very considerable measure of success. Through the mechanism of the Agricultural Wages' Board standards of wages and hours, although still lamentably out of proportion to the essential needs of a full and complete life, are beyond anything which could have been conceived by the Tolpuddle Martyrs. A wages'

standard of 30s. per week now exists in Dorset, where the Union and its members play an important and highly respected part in the communal life of the county.

The characters in the drama which has been unfolded in these pages have passed from the stage. Some of them lie at rest in graves far away from the land of their birth. James Hammett sleeps in the quiet churchyard of his native village. The two chief protagonists, separated so widely in life, are now gathered together in eternity.

An interesting reminder of this bitter period may be seen on several Dorsetshire bridges still threatening all and sundry with transportation for injury to these structures.



The reminder
on the Bridge

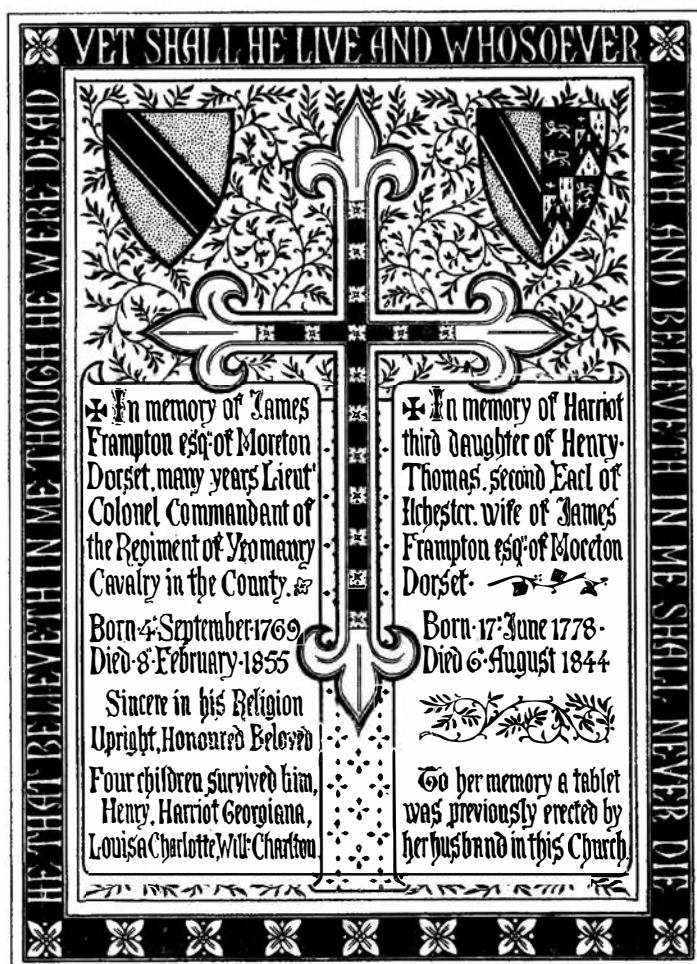
BRIDGE OVER RIVER FROME, NEAR MORETON

The memorial which marks the vault of James Frampton at Moreton and the simple stone covering the grave of George Loveless, 3,000 miles away, tell nothing of the story of suffering and sorrow in which they were engaged. Each, according to his lights, displayed a standard of behaviour and character which showed them both to be men of great

determination and strong personality. James Frampton, arrogant and prejudiced as he was, apparently was oblivious of the grievous harm he did to the six men he so remorselessly persecuted.

That part of the story of the Tolpuddle Martyrs one can be willing to forget. What can never be forgotten is the faith and courage of George Loveless and his companions.

An epic
story



THE MEMORIAL IN MORETON CHURCH

when George Loveless and his heroic companions so steadfastly fought for its principles.

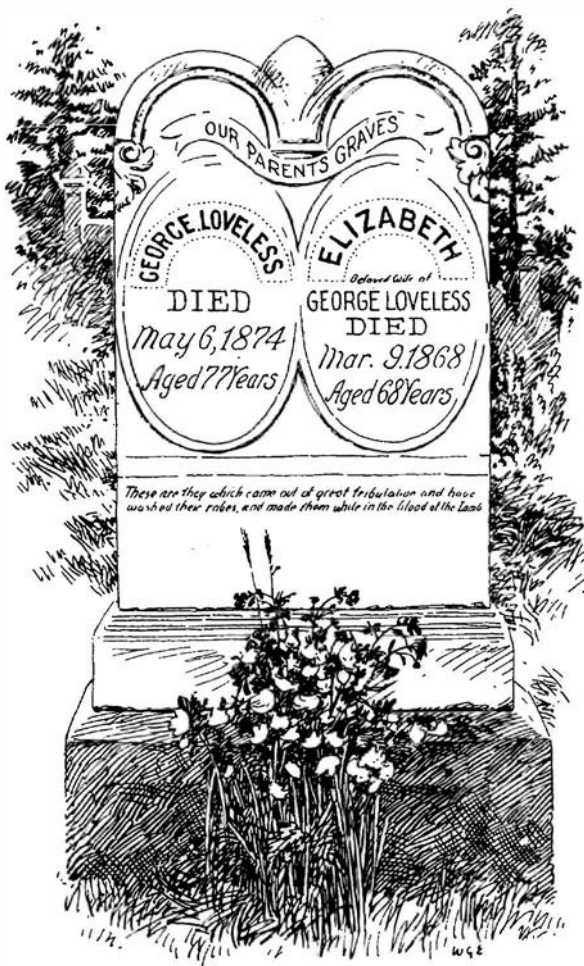
The last few years have witnessed the emergence of movements plainly aimed at the destruction of the workers' organised power, not only on the industrial but also on the economic and political fields. It requires all the sacrifice and devotion which the present generation of Trade Unionists can exercise, to preserve the liberties handed down to them by the pioneers of Trade Unionism. Unhonoured and unsung, countless

To Trade Unionists of the present generation, the story of the Tolpuddle Martyrs comes both as an inspiration and a warning. For generations the Trade Union Movement has steadily accumulated strength, until to-day its membership is numbered in millions. It plays a vast and important part in the constant struggle to maintain and improve the wages, hours and working conditions of those who toil. Its representatives are to be found taking their part in almost every phase of industrial, economic and communal life. Step by step it has established its position as the unchallenged representative of working-class opinion in the counsels of the nations. Over the century from 1834, largely as a result of its efforts, wages increased four times over, and hours diminished almost to half of what they were in the days

thousands have passed into eternity, leaving on the pages of progress tangible advantages enjoyed by all of us to-day.

That is why we are commemorating this sacrificial act of the Dorsetshire Unionists, which gave impetus to the forces of labour. That is why, in Australasia, Canada, New Zealand, South Africa, and in the United States, thousands will demonstrate their unity of purpose, and profound faith in the principles of human brotherhood, for which those brave pioneers fought and suffered. It is not only to remind ourselves of their historic service to the cause of freedom, but to keep alive amongst Trade Unionists of this generation and those still to come, the living spirit they breathed into our Movement.

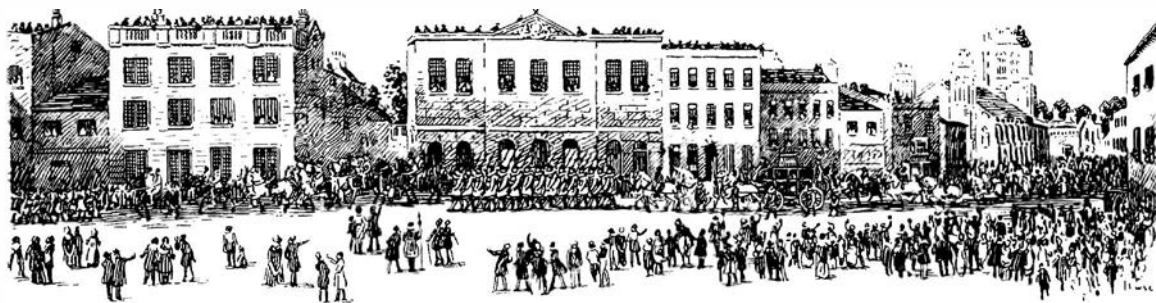
Over the welter of toil and struggle of 100 years rings the voice of George Loveless, "Let every working man come forward from east to west and from north to south; unite firmly but peaceably as the heart of one man. . . . Then no longer would the interests of the millions be sacrificed for the gain of a few, but the blessings resulting from such a change would be felt by us, and our posterity even to generations yet unborn."



The Tolpuddle Commemoration

Editorial Note

THE report that follows of the trial is taken partly from the "Times," and partly from the "Dorset County Chronicle." These are the two fullest reports available, but each contains details not found in the other. The "Dorset County Chronicle" was clearly more interested in the actual evidence given by local persons, whereas the "Times" was more interested in the Judge's observations, and in the summing-up. We have, therefore, combined the two reports to give the fullest account of all stages of the trial. No words have been added or omitted, except where indicated (ED.), nor have there been any alterations except one or two verbal corrections of what were clearly slips. In order to make the position clear to readers, the letter (T.) has been inserted at the end of each extract from the "Times," and (D.C.C.) at the end of each extract from the "Dorset County Chronicle." Acts of Parliament are, of course, quoted in the official terminology, e.g., 37 Geo. III cap. 123. This means the 123rd Act passed in the 37th year of the reign of George the Third.



The Trial

Friday, March 14, 1834



ON Friday afternoon the Judges, the Hon. Sir John B. Bosanquet, and the Hon. J. Williams, accompanied by Edward Doughty, Esq., the High Sheriff, and a numerous cavalcade of javelin men, arrived at Dorchester from Salisbury, and immediately proceeded to the County Hall, where the Commission was opened and read, after which the Judges attended Divine Service at St. Peter's Church. The Service was read by the Rev. John Le Gros, and an excellent sermon preached by the Rev. J. Morton Colson, M.A., the Rector,

The Judge
arrives at
Dorchester

from Romans, ch. vi., v. 21.

Saturday, March 15, 1834

The business of the Assizes commenced a little before ten o'clock on Saturday morning, when Mr. Baron Williams took his seat on the Bench in the Crown Court, and Mr. Justice Bosanquet in that of Nisi Prius. The usual Proclamations having been read the following gentlemen were sworn of the Grand Jury

The Grand
Jury is sworn
in

HON. WILLIAM FRANCIS SPENCER PONSONBY, *Foreman*

HENRY BANKES, ESQ.
WILLIAM JOHN BANKES, ESQ.
THOS. BOWYER BOWER, ESQ.
JOHN BRAGGE, ESQ.
SAMUEL COX, ESQ.
JAMES FRAMPTON, ESQ.
HENRY FRAMPTON, ESQ.
JAMES CHAMNESS FYLER, ESQ.
AUGUSTUS FOSTER, ESQ.
JOHN HUSSEY, ESQ.
WILLIAM HANHAM, ESQ.

GEORGE THOMSON JACOBS, ESQ.
BENJ-LESTER LESTER, ESQ.
GEORGE COLBY LOFTUS, ESQ.
JOHN MICHEL, ESQ.
RICHD. AUGUSTUS STEWARD, ESQ.
CHARLTON BYAM WOLLASTON, ESQ.
HUMPHREY WELD, ESQ.
THOS. HORLOCK BASTARD, ESQ.
JAMES HENNING, ESQ.
JOHN HESKETH LETHBRIDGE, ESQ.
THOMAS BANGER, ESQ.

(D.C.C.)

Judge enlarges
upon the
offence of
administering
unlawful oaths

Mr. Baron Williams proceeded to charge the Grand Jury, and in doing so, very particularly alluded to a case in the calendar where six persons are charged with combining together, and administering unlawful oaths binding the parties to secrecy. In doing so, his Lordship observed that there was one case in the calendar in which persons were charged with administering secret, or, as they were more properly called, unlawful oaths, to which they must excuse his calling their attention at some detail. He dared to say that they were aware that an Act of Parliament of the 37 Geo. III,



National Portrait Gallery

JUDGE BARON WILLIAMS

Cap. 123, on this subject, seemed to allude particularly to seditious societies or confederacies; but though it did so it had been decided that the combination or confederacy, be it which it might, need not be for seditious purposes, but that other unlawful purposes of combination were embraced within the Act of Parliament; and therefore supposing they should have evidence that some person or persons had administered an oath to bind to secrecy for a purpose described in the Act of Parliament, there was no doubt or question but that it would be within the Act, though there might not be any evidence to satisfy them that it was connected with seditious purposes.

Having said thus much, and having had his attention called to it, he could not refrain from observing on the nature and

quality of this offence, and these observations might lie on the surface for it was a question familiar to them all. In the first place, it was no light matter with respect to these obligations, to say the least of it, that they were doubtful and ambiguous, particularly if they should appear to be for an illegal purpose, as it was disparaging, and, to a certain degree, bringing into discredit the administering of oaths altogether, and thereby affecting that which was essential to the purity of the judicial oath, upon the due observance of which the proper administration of justice depended. They knew that it had been observed by moralists as an imputation upon this country, and particularly by Dr. Paley, for it had been said by him that it was a subject of regret that for so many purposes, so many oaths should be applied, on the ground that it was trifling with the sanctity of an oath; but if there was any truth in that observation, how much more was it applicable to the case where the unfortunate party to whom the oath was administered not infrequently took it by compulsion,

Trifling with
the sanctity of
an oath

when the administration of the oath placed him in such a state of doubtful morality as to make it uncertain of the line of conduct he ought to observe.

No doubt in courts of law they could not hear of his doing anything under that obligation, but how far it became his duty to disclose things against his oath was a question of doubtful morality, and was one of the painful effects which put a party under the administration of an oath in that unhappy situation. Hitherto, it had ever been deemed in this country that openness and publicity with respect to our general conduct, most generally tend to the public good.

The evil
results of
secrecy

It was also known that if there was a respect in the minds of the people of England for the administration of justice, that greatly depended on the openness and absence of reserve in the conduct of those proceedings, and he could not help believing that much of the impropriety which was now traditional respecting instances of judicial enormity in the last century but one depended much on the privacy said to be observed in the administration of justice, and he feared it would be an evil day for this country if ever that disposition for publicity should fail, and that any set of men should prefer a private irresponsible tribunal to the open courts of the realm. To withdraw responsibility from them who, because of their publicity were accountable for any error, and remove it to such as were self-constituted, irresponsible, without control, was surely in the last degree dangerous, which struck at the foundation of society, and would bring matters into a perilous condition indeed. He presumed that none of them nor any person of virtue, would be induced to pledge himself under the highest sanction to a particular line of conduct for the remainder of his life, which no change of circumstances should alter, provided even that circumstances occurred which rendered it advisable.

The misery of these cases was this—that men subjected themselves, not to a voluntary restraint upon themselves, but to the irresponsible conduct of others, who were unknown and strangers to them in every respect, who had nothing to control them, who had no regard for the individual with respect to whom it might be said in proportion as they were without choice or means of action were the most dangerous persons to be trusted with authority, and that the unhappy people by whom, when these oaths were administered, there was this subjection, were placed in a degree of abasement as to moral agency, and under a degree of tyranny which it was almost impossible for any man to contemplate.

He believed that of all persons affected by it, the unfortunate persons themselves who were brought into any state of this kind, and had an oath of this sort administered to them were affected the most. Sure he was, that within his own experience he had known that they had been compelled by the force of an oath, to make out of their scanty means such a large and ample contribution as would not be endured by any class of men to the constituted authorities of the country, or the maintenance of the Government itself.

A tirade against
Trade Unions

That there had been instances of the grossest oppression by demands made on these persons which were unknown in this country, but above all, where men were included in societies of this kind, the common right obligation of every man of labouring as he pleases, and for whom he pleases, was taken away from him, and there was even danger of life and limb attending that person the moment he incurred the displeasure of the party to whom he had subjected himself, of the self-elected persons to whom he pledged his subjection by the oath he had taken. (T.)

[After hearing the Charge from the Judge, the Grand Jury returned a True Bill, and sent the case for trial.—ED.]

Monday, March 17, 1834

James Loveless, George Loveless, Thomas Standfield, John Standfield, James Hammet and James Brine, were indicted for administering and causing to be administered, and aiding and assisting, and being present at, and consenting to administer, a certain unlawful oath and engagement, purporting to bind the person taking the same not to inform or give evidence against any associate or other person charged with any unlawful combination and not to reveal or discover any such unlawful combination or any illegal act done or to be done, and not to discover any illegal oath which might be taken. (T.)

The following were the members of the Jury:—

WILLIAM BULLEN, of East Pulham	<i>Yeoman</i>
EDWARD BENNET, of Cerne Abbas	<i>Yeoman</i>
WILLIAM BOOBY, of GODMANSTONE	<i>Yeoman</i>
JOHN CASE, of Bathenhampton	<i>Yeoman</i>
THOMAS COX, of Corscombe	<i>Farmer</i>
ELIAS DUFFETT, of Stalbridge	<i>Yeoman</i>
MATTHEW GALPINE, of East Pulham	<i>Yeoman</i>
SAMUEL HARRIS, of Stalbridge	<i>Yeoman</i>
JOSHUA LAMBERT, of Hazelbury Bryan	<i>Yeoman</i>
JOHN MORGAN, of Fordington	<i>Yeoman</i>
JOSEPH TUCKER, of Stoke Abbott	<i>Yeoman</i>
GEORGE TULK, of Weston	<i>Yeoman</i>

(ED.)

Mr. Gambier and Mr. Barstow conducted the prosecution, and Mr. Butt appeared for the persons, John Standfield, Hammet and Brine, and Mr. Derbyshire for the persons, James and George Loveless and Thomas Standfield.

Mr. Gambier stated that the charge against the prisoners was, that on a certain day in December, they, altogether, or one of them, administered an unlawful oath to a person of the name of Legg, for the purpose of binding the party to whom it was administered not to disclose any illegal combination which had been formed, and not to inform or give evidence against any person associated with them, and not to reveal any

The trial of
the six martyrs
begins

The prosecution asserts
Act of 1797
was not limited
to mutiny and
sedition