

'The Owslebury Lads'

Alun Howkins

On 23 November 1830 in the Hampshire village of Owslebury a 'large crowd' of men broke agricultural machinery on several different farms. They also demanded a raise in wages; that farmers' rents and tithes be reduced; bread, beer, and payment for their work in breaking the machines.

Nearly seventy years later, in March 1906, the folk song collector George B. Gardiner took down a song called 'The Mob Song' or 'The Owslebury Lads' from a 68 year old man called James Stagg in Winchester. Shortly after this his collaborator H.E.D. Hammond noted the same song from the same singer.¹ This song is unique in that it is the only one about Swing which has survived in the oral tradition.² Unknown to Hammond or Gardiner the song (without a tune) had already been noted down by the Rev. T.E. Roach, Vicar of Twyford about 4 miles from Owslebury, and published in a local antiquarian journal.³

The version common to Hammond and to Gardiner runs as follows:

- 1 There are two versions of the song in the Vaughan Williams Memorial Library, Cecil Sharp House, London [hereafter VWML]. They are identical. The one collected by Gardiner is in VWML, George B. Gardiner MSS, H204. It was also collected from what seems to be the same man by H.E.D. Hammond, VWML, Hammond MSS, H333.
- 2 The Round Index shows none in any of the major collections. More interestingly, and perhaps surprisingly, there appear to be no printed broadsides. The only references I can find to 'Swing' are in three 'topical catalogue songs' in the Harding collection in the Bodleian Library, Oxford. One, with no printer, 'Odds and Ends of the Year 1830', (Harding B25 (1390)) contains the verse : What do you think of bold Captain Swing/I think through the country he has done a wicked thing/He has caused great destruction in England and France/If justice overtakes him on nothing he'll dance'. The same verse occurs in 'The Odds and Ends of the Present Date, 1831' printed by J.V. Quick in Clerkenwell. (Harding B 13 (293)). A third ballad printed by Catnach at Seven Dials, 'Something or other Starts New Everyday' contains the lines: 'It would be something to lay hold of great Captain Swing/In summer, or autumn or winter, or spring....' (Firth c. 16 (34)). My thanks to Vic Gammon for guiding me to these.
- 3 [Rev.] T.E.Roach, 'The Riots of 1830', *Hampshire Notes and Queries* 8 (1896), 98.

The thirtieth of November last eighteen hundred and thirty,
 Our Owslebury lads they did prepare all for the machinery,
 And when they did get there, my eye, how they let fly
 The machinery flew to pieces in the twinkling of an eye.

Chorus: The mob, such a mob you never had seen before.
 And if you live for a hundred years you never will no more.

Oh, then to Winchester we were sent our trial for to take,
 And if we do having nothing said our counsel we shall keep,
 When the judges did begin, I'm sorry for to say,
 So many there were transported for life and some was cast to die.

Sometimes our parents they comes in for to see us all,
 Sometimes they bring us 'bacco or a loaf that is so small,
 Then we goes into the kitchen and sits all round about,
 There is so many of us that we are very soon smoked out.

At six o'clock in the morning our turnkey he comes in,
 With a bunch of keys all in his hand tied up all in a ring,
 And we can't get any further than back and forward the yard,
 A pound and a half of bread a day and don't you think it hard.

A six o'clock in the evening the turnkey he comes round,
 The locks and bolts they rattle like the sounding of a drum,
 And we are all locked up all in the cells so high,
 And there we stay till morning whether we lives or dies.

And now to conclude and to finish my new song,
 I hope you gentlemen round me will think that I'm not wrong,
 For all the poor of Hampshire for the rising of their wages
 I hope that none of our enemies will know for the want of places.⁴

This is a triumphant song – a fact emphasised by its up beat tune and the repetition of the phrase ‘the mob’ as a chorus. It has little in the way of sorrow, regret or repentance which so often characterise crime/confession ballads,⁵ or other materials associated with Swing. For example the simple titles of the ‘True Account of the Life and Death of Swing the Rick Burner’, which also contained the ‘Confession of Thomas

⁴ VWML, H.E.D.Hammond MSS, H33, George B.Gardiner MSS, H204

⁵ For a discussion of these in an earlier period see J.A. Sharpe, “Last Dying Speeches” Religion, Ideology and Public Execution in Seventeenth-Century England’, *Past & Present* 107 (1985).

Goodman' speak volumes for their tone.⁶ In contrast the very title given to Hammond's version 'Mob-Song', like its chorus is an evocative assertion of the power of the crowd. The last verse, in common with many popular ballads of the period ends with the hope of better times (the raising of wages) and obscure wish that our enemies might 'know' for the want of places (Roach's version has 'live'). It also identifies both the singer via the first person narrative and the listener via the inclusive 'our' with the cause of the mob.

Even in all this the song is unusual, but it becomes more so. There are hundreds of nineteenth-century songs about 'real' events, and many of those are about radical moments, for example Peterloo and most notably 'General Ludd'.⁷ These were mostly printed as broadsides in urban areas either by radical printers or by the ordinary traders simply seeking to make a few shillings. They were normally written by 'wordsmiths' for a penny a line or less. However the 'Owslebury Lads' is not like that at all. The song has never been found in printed form anywhere, nor does it appear, despite Gardiner's wish to link it to 'The Lancashire Boys', as a local variant of a different text from elsewhere in Britain. This suggests it is a very local product. Unfortunately we cannot ask James Stagg, and Hammond and Gardiner, like most early folk song collectors, had little interest in their informants and he was no exception. Gardiner gives Stagg's age as 68. This means it is likely that he was James Stagg born in Morestead, about three miles from Owslebury, in 1841. He lived all his life within a few miles of Owslebury, starting his working life as a living-in farm servant aged ten and ending it as a farm labourer and lodger. He never married. Having been born 10 years after Swing, and in an area where there were a number of riots in November 1830, he must have known the song's significance – the text after all is hardly ambiguous – and been able to relate it to his community's history.

Oddly the Rev. Roach is more interesting. His version of the song, which differs in slight but unimportant ways from that collected by Hammond and Gardiner, he says he took down 'from the lips of an old man, now bedridden, who, as a lad of seventeen was present on the occasion referred to in the first line'. This kind of statement, used to give credibility to the song and singer, is commonly made about singers of songs of 'real' events. However, the old man who gave his initials (M.H.) but not his name to Roach gives a very accurate account of the 23 November, and its aftermath. He also claimed his brother, who had also

6 Reproduced in I. Dyck, *William Cobbett and Rural Popular Culture* (Cambridge, 1992), pp. 172–73.

7 On Ludd, see K. Binfield, *The Writings of the Luddites* (Baltimore, 2004).

been present, wrote the song. M.H. said that in later years that he 'has had many a pot of beer from singing it'.⁸

I

I want to take the song as the starting point for a wander across Owslebury's 'Downs' and still unenclosed Commons, and to follow the 'Owslebury Lads' down some rather odd and unlikely lanes and bye ways. To call this a study in micro history is a bit grand but I do think in this one case, albeit a very unusual one, we can see some of the bigger 'problems' of 'Swing' and popular disturbance which a new generation of scholars, well represented in this collection, are addressing in such innovative ways.⁹ As we shall see the 'case' of some of those involved at Owslebury has attracted some notice from historians in that the events in the village have been singled out as ones in which farmers were especially involved. That is certainly the case, but even that is much more complex than we have hitherto thought. To an extent this is a function of the sources we rely on for 'Swing' which, as we shall see, tend to refer to most 'rioters' as 'clowns' or 'the mob'. However, the song – for all its limitations as a source – suggests some of the motives for the behaviour of those whose voices are seldom heard in the standard sources.

The events which took place in Owslebury were part of a series of outbreaks in that area of Hampshire over 22 and 23 November 1830, the two most disturbed days in the county. The village sits on high ground more or less in the middle of a kind of Swing epicentre bordered by the modern A272 to the North, the A31 to the East, the A27 to the South and the M3 to the West. In this area, between 19 and 28 November, there were ten outbreaks of various kinds which came to the notice of the authorities. It is possible there were outbreaks in Owslebury on two days, the 22 and 23 November, but I can find no direct evidence of this at present. Certainly there were 'problems' on 23 November. The spark was probably a wage riot and demand for tithe and rent reductions at Corhampton about 5 miles away on the 22nd, as a labourer Nicolas Freemantle was charged for offences at both Corhampton and Owslebury.

The 'Owslebury Lads' began their work early on the 23 November. Between 9 or 10 in the morning of 23 November Richard Rest was 'at plough', when he saw 'a mob of 20 persons coming towards him ... they

8 Roach, 'The Riots of 1830', 96.

9 In addition to pieces in this collection I think the work of Katrina Navickas on Luddism is especially interesting: see her 'The Search for General Ludd: the Mythology of Luddism', *Social History* 30 (2005) and 'Moors, Fields, and Popular Protest in South Lancashire and the West Riding of Yorkshire, 1800–1848', *Northern History* 46 (2009).

took his horses from the plough, and ... said that he should go along with them'.¹⁰ However, by that time it seems likely they had already broken machines at Farmer Young's, who was a substantial farmer of 200 acres employing eight men, Mr Deacle's, at Marwell Farm, Mr Smith's at Hurst Farm and a Mr Lownde's farm. At some point James Knight at Baybridge was 'robbed,' presumably the victim of a demand for money and or food. Between 11 and 11.30 they arrived at the most substantial house in the parish, Marwell Hall. This belonged to Lady Mary Long and although she was in the house their demands for 'money and victuals' were dealt with by her butler. By now the mob had grown to 'more than 100 persons'. These included significantly two farmers. Mr Deacle, who farmed Marwell Farm as a tenant, and John Boyes who was a copyholder of 50 acres on Colden Common to the north west of Owslebury. They left Marwell and went to Mr Debenalls (this is probably Mr Dipnall described in 1841 as a yeoman) at then to Longwood House where they arrived at about 3 o'clock.

Longwood House was the Hampshire seat of Lord Northesk. He had been third in command to Nelson at Trafalgar, but in 1830 he was in London where he was to die in May 1831. Here the mob was met by Moses Stanbrook, the fifty-year old steward of Lord Northesk. Stanbrook told the Special Assizes at Winchester, 'he heard a great noise, and going up stairs, he saw a mob of men, amongst whom were Adams and Freemantle ... Adams said, "Have you any machinery?"'¹¹ They were told that there was only an old winnowing machine which was 'no use', but they still insisted on destroying it. They then asked for payment for their work – five sovereigns. Stanbrook told them that Lord Northesk was not at home so any money paid would be his, and that he did not have that amount in cash. After some arguments they agreed to take a £5 note. Stanbrook said he had paid the men because he was afraid that if he did not 'damage would be done to the property'. This view was supported by a servant, Grace Nott, who told the court that 'they declared they if they had not got the money they would break all our windows'.¹² It was for the events at Longwood that most of the 'Owslebury Lads' were initially charged.

After collecting their money the mob left Longwood and went to Owslebury Downs. Here they met with 'a party of men from Upham and Waltham (nearby villages) all of whom declared their intention of sharing the money'.¹³ They were then drawn up 'by the score' over 100 in

¹⁰ *The Times*, 30 December 1830.

¹¹ *Hampshire Telegraph and Sussex Chronicle*, 3 January 1831.

¹² *The Times*, 30 December 1830.

¹³ *Hampshire Telegraph*, 3 January 1831.

all, and the money was shared out – 2s. for each. They then dispersed with many of them going to a public house remembered in 1897 as ‘an old posting house on the road between Winchester and Bishops Waltham, now the farm of White Flood’, which still stands.¹⁴

II

In all 17 men and one woman were charged as a result of Captain Swing’s visit to Owslebury, mostly for the breaking of the winnowing machine, ‘robbery’ and an assault on Moses Stanbrook at Longwood House. We can reconstruct something about most of those charged and their ‘victims’, and that basic material is presented here in tabular form.

Looking at Table I, there are ways in which the ‘Owslebury Lads’ fit closely with what we know of Swing rioters, but there are others in which they differ radically. Holland *et al* estimate 61 per cent of Swing offenders were agricultural labourers which is the exact figure at Owslebury if we assume all the ‘unknowns’ were labourers which seems likely. However then it goes wrong. We have also one tradesman, a carpenter, a shepherd, three farmers and a farmer’s wife. Since Holland *et al* have only five farmers and no farmers’ wives, and only three shepherds in their national sample, Owslebury starts to look very odd indeed. This is compounded by the age range. The national sample very clearly shows a clustering of offenders aged between 19 and 25. At Owslebury only five were in that age range, while seven were over thirty.¹⁵

It seems likely that these unusual features did not go unnoticed by the authorities. Although timing is a bit unclear, it seems probable that the three farmers Boyes, Deacle and Smith were all arrested on 24 or 25 of November, and eventually bailed. Of the seven who appeared in the first case only James Fussell and John Hoare were under 30. Also included in that group were the carpenter, William Barnes, who was also Parish Clerk of Owslebury and the shepherd William Adams. All this suggests a fairly selective initial policy of arrest directed at parish ‘leaders’. Indeed Mr Sergeant Wilde, who prosecuted Boyes, said he ‘believed (him) to have been mainly instrumental in fomenting much of the riot and disorder which had occurred in the county’.¹⁶ Only later it seems were more ‘ordinary’ Swing offenders taken.

We can see this even more clearly in the case of the two farmers John Boyes and Thomas Deacle. John Boyes already has more than a footnote

¹⁴ Roach, ‘The Riots of 1830’, 98.

¹⁵ See M. Holland (ed.), *Swing Unmasked. The Agricultural Riots of 1830–1832 and their Wider Implications* (Milton Keynes, 2005).

¹⁶ *House of Commons Debates*, 21 July 1831, vol. 5, cc. 158–59.

to history. In the Hammonds' *Village Labourer* he appears as an independent small farmer who stands up for the labourers against parson and squire – and there is a good deal of truth in that judgement.¹⁷ In November 1830, he was nearly 50 years old, and a farmer of 50 acres at Colden Common in the north west of Owslebury parish. However, his land was held by copyhold, an ancient form of tenure, which gave many of the rights of freehold but could be taken back in certain circumstances by the lord of the manor. Such tenures were rapidly being extinguished during the eighteenth and nineteenth centuries as part of the rationalisation of capitalist agriculture. His copyhold, with its sense of an older world, as well as his small farm on the edge of the still unenclosed common, gives Boyes the aura of the independent yeoman so beloved of Cobbett, and reproduced in the Hammonds' account.

In 1831, Boyes was married to Faith, who had been born in London, and had 10 children, the youngest aged six. He also had some standing in his community. The three character witnesses at his trial were all farmers. Thomas White of Bishop Stoke, Caleb Howton of South Stoneham and Charles White, a farmer and innkeeper of Owslebury who was one of the 'victims' of the 23 November. All had known Boyes for many years and testified to his honesty and industry, as well as stressing that he owned his own land.¹⁸ He was also a member of Owslebury vestry.

Boyes joined the 'Owslebury Lads' at Farmer Smith's. He was, he said 'going (along the Marwell Road) with some sacks to be mended, when he heard a great noise being made by the mob, who were breaking a machine at Mrs Smiths'.¹⁹ When Boyes arrived Mrs Smith asked him to come to the house and explained that she was frightened that the mob would 'do more injury than they already effected unless something was done'. Thomas Deacle (called Diggles in *The Times* and Dagle in the *Hampshire Telegraph*) was already in 'Mrs Smith's parlour'. He, Boyes and Mrs Smith then drew up 'a piece of paper' which they all signed.

¹⁷ J.L. and Barbara Hammond, *The Village Labourer* (London, 1966) pp. 282–83. The Hammonds call him Boys as do some other contemporary accounts. Others refer to him as Boyce, see Cobbett's *Political Register* (90 vols, London, 1802–36), 24 September 1831.

¹⁸ *The Times*, 30 Dec 1830; *Hampshire Telegraph*, 3 January 1831

¹⁹ *Hampshire Telegraph*, 3 January 1831. There is some confusion here. *The Times* reports refer to 'Farmer Smith' and a substantially similar account to the one used above changes everything to 'he' and 'Mr'. There is a Smith on the 1841 Census described as Yeoman – 65 year old John Smith of Hurst Farm who has a wife Phoebe aged 60. I am assuming because the *Hampshire Telegraph* material is more detailed that it is correct in referring to Mrs Smith. It also makes more sense of the appeal to Boyes as a man as well as somebody known to the labourers

Table 1: The 'Owslebury Lads'.

Name	Age	Occupation	Address	Offence	Sentence	Other details
Adams, Wm.	35	Shepherd	Whites Cottage Owslebury Down	Robbery/assault/ riot	Death recorded. Transportation for life.	Wife alone in 1841. 7 children?
Barnes, Wm.	42	Carpenter	Pitcroft(?) Lane	Robbery	Acquitted	Parish Clerk Prosecution witness
Batchelor Benj.	32	Agricultural Labourer	Fish Pond Golden Common	Robbery assault/theft	Acquitted	
Batchelor John				Conspiracy to raise wages	Not apprehended 7 years	Tried with Deacle, Lent 1831 'copyholder'
Boyce, John	49?	Farmer	Colden Common/ Henshing	Robbery/assault/ Riot	transportation Acquitted	Signed paper tried twice Tried twice
Boyce, Wm.	24	Agricultural Labourer	Droxford?	Robbery/assault	Acquitted	
Churcher, Chas.	29	Agricultural Labourer		Riot/conspiracy/ Robbery/assault	Acquitted	
Deacle, Thos.	31?	Farmer		As above but charge dropped before court	No bill	
Deacle, Caroline		Farmer's wife				
Freemantle, Nicolas	30	Agricultural Labourer?	Roughhay Lane	Robbery/assault	Death recorded. Transported for life	Also active at Corhampton
Fussell, James	29	Unemployed				7 year Robbery

Hayter, Benj.	19		Machine breaking	acquitted
Hayter, John	24		Machine breaking	Acquitted
Hillier, George	25		Machine breaking	Acquitted
Hoare, John	19	Agricultural Labourer	Demanding money	Acquitted
James, Orton			Not apprehended	Tried with Deacle Lent 1831
Smith, Robert	55	Farmer	Conspiracy to lower rents and tithes	Tried with Deacle Lent 1831 signed paper

Table II: The Owslebury Victims

Name	Age	Occupation	Address	Crime	Other
Deacle, Thos.		Tenant farmer	Marwell Farm Owslebury	Machine Broken	Urged its destruction. Signed paper
Debenhall or Dippall?		Farmer	Greenhill	Machine broken	
Knight, James		Independent means	Baybridge? Greenhill	Assault/robbery	
Long, Lady Mary		Independent means / rentier	Marwell Hall	Robbery	Signed paper
Lownde				Machine broken?	Signed paper
Smith (Mrs)		Farmer		Machine broken	Signed paper
Stradbrook Moses	50	Steward	Longwood House	Machine broken/ robbery/assault	Signed paper
White, Charles		Farmer/innkeeper			Signed paper
Young, Henry	64	Farmer 206 acres	Owslebury Street	Machine broken	

The piece of paper was an agreement to be signed by all farmers and landowners in the parish. It read: 'We, the undersigned, are willing to give 2s. per day for able bodied married men, and 9s. per week for single men, on consideration of our rents and tithes being abated in proportion'.²⁰ All farmers who were visited by the mob after Mrs Smith were asked to sign the paper, and landlords were asked to sign it 'on the other side to lower (their) rents'. Boyes was asked by Deacle and Mrs Smith if he would go with the mob and present the letter to farmers asking them to sign. This they argued would control the mob's violence and help to resolve what they appeared to believe were legitimate grievances. Boyes agreed and went with the crowd to Marwell Hall and to Rosehill (Longwood House) and possibly elsewhere. This, Boyes said at his trial, was the only role he had taken in the events; above all he insisted he had had no part in demanding money. Furthermore, he argued that his presence had controlled the group and prevented real violence on their part. At the end of the day at the Old Posting House he told the court that:

The mob came there. After staying there some time, one of them said "We'll meet again tomorrow morning, and get some more". I said, "you have got too much, I am afraid already". Many of them said, "we have; I'll go to my work to-morrow".²¹

As a result of this intervention Boyes claimed the 'mob' did not meet the following day, and there were no further incidents in Owslebury.

Like many of those tried he was, we assume, arrested later, possibly the next day, after somebody had named him. Deacle claimed that those who gave evidence against him were actually rioters:

(William) Barnes, a carpenter ... stated that during the trials under the Special Commission, ... the jailor (sic) Beckett called him out, and took him to a room where there were Walter Long, a magistrate, and another person who he believed to be Bingham Baring, who told him that he should not be put upon his trial if he would come and swear against Deacle.²²

Certainly most evidence against Boyes, apart from that given by the 'victims', came from John Smoker, who although a 'rioter' was not

²⁰ *The Times*, 30 December 1830.

²¹ *The Times*, 30 December 1830.

²² Hampshire Record Office (hereafter HRO) 92 M95/F2/10/1 'To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled - The Humble Petition of Thomas and Caroline Deacle of Marwell farm, in the Parish of Owselbury (sic), in the County of Hants...'

charged, so we assume had been given immunity or was actually acquitted.

Whatever happened around the arrest and initial interrogation of Boyes he was given bail, probably because of his status as a small farmer. However, his bail did not stop him pushing the cause of wages. Following the same beliefs which had led him to go with the mob on 23 November, on 9 December he attended the vestry meeting in Owslebury and, with other farmers, he agreed that the wages in Owslebury should be 10s. a week over the age of 20, 7s. per week for 17–20 year olds and between 4s. and 5s. a week for 13–17 year olds. In addition married men with more than three children were to be given 6d and a gallon loaf a week for each child. However the vestry saw this settlement as final and said that 'they will not yield to threat or intimidation on the part of any of the men, but will prosecute to the utmost extent of the law, such base conduct'.²³

While the involvement of farmers in Swing riots has frequently been noticed, trials and convictions of farmers are very unusual and so the involvement, and prosecution of two, Thomas Deacle as well as John Boyes is unique. Deacle is (and was) something of an enigma.²⁴ In 1831 he was about 30 years old, married to Caroline Deacle and living at Marwell Farm, Owslebury, and since he had a machine destroyed one assumes he was farming it. This is supported by a letter to *The Times* in 1831.²⁵ In 1851 Marwell Farm consisted of 500 acres and employed 10 full time workers – a substantial holding by any measure.²⁶ Deacle, in common with most Hampshire farmers, was a tenant.

However, his background was not that of most ordinary farmers. His father, he claimed, was the Rector of Uphill in Somerset, and there certainly was a Thomas Deacle who held that living in the 1820s, while

²³ HRO, Top 248/3/10. For a discussion of this kind of action by farmers and others, see A. Randall, *Riotous Assemblies: Popular Protest in Hanoverian England*, (Oxford, 2006), chapters 4, 7, and especially 12.

²⁴ Deacle occurs in the Hammonds who call him both 'a well to do gentleman farmer' (correct) and 'a small farmer' (incorrect). Hammonds, *The Village Labourer*, pp. 278, 287. Ian Dyck gives him more coverage but still appears to believe he was a small farmer, *William Cobbett and Rural Popular Culture*, pp. 178, 181. He occurs more substantially in A.M. Coulson, 'The Revolt of the Hampshire Agricultural Labourer and its Causes, 1812–1831', unpublished University of London thesis (1934), pp. 236–54. Roger Wells in an unpublished paper also refers to him as a 'small farmer' and accepts Baring's assertion in a letter that he was linked to Sutton Scotney, the well known hive of village radicalism. He does not occur in Hobsbawm and Rudé, *Captain Swing or Holland* (ed.), *Swing Unmasked*.

²⁵ *The Times*, 19 July 1831.

²⁶ The National Archives, London, Census Enumerators Books, HO 107.1675 Owslebury.

his brother was also a clergyman with an income of £2000 a year. 'He himself', he told the court was 'of independent circumstances, and has graduated in the University of Oxford'.²⁷ Again this seems to have been true. Throughout his trial and subsequently he was referred to as a 'gentleman' or even 'country gentleman' and his wife as a 'lady', and a Thomas Deacle, son of the Vicar of Uphill, was at Lincoln College, Oxford from 1818 to 1821.²⁸

He also had at least one very interesting friend – Gideon Mantell, one of the founders of modern geology and a key figure in the early study of fossil remains.²⁹ Mantell's support for the Deacles, when the latter was brought to court, prompted comments from his friend Charles Lyell in a letter of September 1831: 'Pray let me hear what you had been doing besides writing letters about the Deacles to the great scandal of my tory friends'. The Deacles also attracted further support among Mantell's circle. In a letter to Mantell dated 5 September 1831, the geologist Robert Bakewell commented: 'I was greatly rejoiced to see your hand lifted in the cause of the Deacle's. A more violent outrage was scarcely ever committed & yet they were to be born down by the character of the Barings against direct evidence'. According to the footnotes to the University of Sydney manuscript edition of the Mantell/Lyell correspondence, 'there are several references in Mantell's *Private Journal* during the period 1830–32 indicating that he was on friendly terms with a Mr Deacle who lived in the Lewes neighbourhood'.³⁰ All this suggests the Deacle moved well outside the local circle of the ordinary farmers and the county hunt.

What is at first striking is that Deacle's role, and what is more interesting, that of his wife, seems to have been much greater than that of John Boyes. Deacle had his machine broken quite early in the morning of the 23 November, and whether forced or not Deacle then joined the mob. According to a witness he 'gave two sovereigns to the men. A boy in his service was blowing a horn or trumpet along with the crowd, and Deacle called on him to blow up'.³¹ Certainly several of the defendants from 23 November named Deacle as their leader. William Adams, said 'Mr

²⁷ *The Times*, 7 March 1831.

²⁸ J. Foster, *Alumni Oxonienses: The Members of the University of Oxford, 1715–1886* (Oxford, 1888).

²⁹ See letter to *The Times*, 19 July 1831

³⁰ Charles Lyell and Gideon Mantell, 1821 – 1852: Their Quest for Elite Status in English Geology, ed. A.J. Wennerbom, No. 87. University of Sydney Library, <http://ses.library.usyd.edu.au/bitstream/2123/380/2/adt-NU1999.001whole.pdf>. Accessed 23 Nov 2009.

³¹ *The Times*, 22 July 1831.

Diggles (sic) the farmer, was the man who gave all the orders' and Nicolas Freemantle said 'Diggles ordered me to go to Mrs. Long and demand £10 from them'.³² Even more unusual was the fact that it was suggested that Deacle's wife Caroline was involved, although the charges against her were withdrawn before their trial. Freemantle said she was present on horseback at another farm where, it was alleged, he had threatened the farmer that if he did not pay and send his men with the mob, 'we shall have a fire'. The 'housekeeper' of the earl of Northesk, recalling the events at Longwood House, claimed that 'a lady on horseback, whom she understood to be Mrs Deacle, accompanied a crowd of peasantry, when they broke a winnowing machine the property of his Lordship'. It was also alleged (by the informer John Smoker) that Mrs Deacle stayed with the mob all day and was present at the dividing up of the money.³³

There are problems with this evidence, not least that it was never tested in court, but the old man who sang 'The Owlesbury Lads' to the Rev. Roach, and had been with the mob, remembered the person he called 'Mrs D.' who had been out that day and in the evening was at the Old Post House. As they drank their beer she 'was riding up and down and exhorting the men to break their cups if they were not full measure'.³⁴ Against this Deacle asserted that he, like Boyes, 'was far from giving any encouragement to the mob (and) that he had exerted himself a good deal to prevent the destruction which they had committed'.³⁵

The Deacles were arrested on the afternoon of 24 November by two constables and six magistrates in circumstances which, as we shall see below, were to become a national *cause célèbre*, and were bailed on 27 November. However they were not to stand trial with the first lot of the Owslebury men at the Special Commission. Instead they would be tried at the Lent Assizes in 1831.

We know, or can work out quite a lot about Boyes and the Deacles – but what of the rest of the 'mob', those described at Boyes' trial as 'clowns'.³⁶ All, with the exception of William Adams and William Barnes were described as agricultural labourers. Barnes was a carpenter and parish clerk of Owslebury and spent a great deal of his case insisting he had been 'pressed' by the mob and seeking support from others for his innocence during the trial.³⁷ He also gave damning evidence against several of his fellows. During the course of the trial many claimed that they were either

³² Ibid

³³ Ibid

³⁴ Roach, 'The Riots of 1830', 97

³⁵ *The Times*, 7 March 1831.

³⁶ *The Times*, 30 November 1830.

³⁷ Ibid.

forced by threats or appeals to communal solidarity to join the growing mob – a defence frequently used through out the Swing hearings. For example, William Adams said he was ‘at work when I was called away by the mob’. Adams does not say where he was at work but by the time the ‘mob’ had got to him, they were 100 strong, and were breaking a machine in the field belonging to Mr Deacle. William Boyes said that ‘a man came and told me I must go with the mob; if I did not go willingly, they said they would press me and it would be the worse for me’.³⁸

In summing up the case against the Owslebury rioters the Judge was at great pains to separate John Boyes from the others arrested. He was, Mr Justice Parker said, ‘in a very different station from the rest. He was not a labouring man but a farmer’, who was using the mob for his own ends – reducing rents and tithes. The implication was that Boyes was also a leader ‘moving in a higher rank of life than the clowns by whom he was surrounded’. Parker ended his summing up by saying that Boyes ‘had been sufficiently present to be guilty of robbery, provided the jury should be of the opinion that his presence was a guilty presence’. As clear a direction to find him and the others guilty as one could get.³⁹

However, the ‘Owslebury Lads’ were still being tried by a jury and the jury found Boyes not guilty. It also found the informers William Boyes and William Barnes not guilty as well as Fussell, and Hoare. Only William Adams and Nicholas Freemantle were found guilty of felony for the assault on Moses Stanbrook and the theft of a £5 note from him. They were sentenced to death.⁴⁰ Freemantle had already been convicted for offences at Corhampton on 22 November.

But it was not over. Mr Serjeant Wilde, one of the prosecutors at Winchester and later M.P. for Newark-on-Trent was outraged at Boyes acquittal, which he put down to the Jury’s ‘sympathy for the state of life in which he was placed’ He wrote that evening to the Attorney General who was sitting in the other court:

Stating in his opinion, that a man who he believed to have been mainly instrumental in fomenting much of the riot and disorder which had occurred in the county should not be allowed to escape, as there were other indictments brought against him. In this the Attorney General concurred, and by his advice Boyce (sic.) was brought before another jury in another Court.⁴¹

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ HRO, 14M50/4 Sentences of Prisoners tried at the Special Commission, Winchester, December 1830.

⁴¹ House of Commons Debates, 21 July 1831, vol. 5, cc.158–59.

Boyes was tried a second time the following day along with James Fussell, who had also been acquitted earlier. On this occasion Boyes and Fussell were charged with robbing Lady Mary Long at Marwell Hall. Even after the near 200 years since that day at Winchester one has a sense of the desperation of the two men hidden in the single line in the press report, 'the prisoners made no defence',⁴² and indeed, one might ask, what would have been the point?

Boyes and Fussell were sentenced to seven years transportation. Fussell, however, had his sentence commuted to imprisonment almost immediately, but, as if to further mark out Boyes, he was swiftly sent to Southampton and put on board the convict ship the 'Eliza'. He arrived in Van Diemen's Land on 28 May 1831.⁴³

Thomas Deacle was brought to trial at the Lent Assizes in March 1831.⁴⁴ It is not clear why the case was delayed but it gave the judiciary a chance to retry, at the same time, two more of those found innocent by the jury at the Special Commissions – William Boyes and John Hoare. It also brought to the bar the 'respectable farmer' Mr Smith, presumably the farmer in whose parlour the 'piece of paper' had been drawn up on the 23 November and so we can only assume this was an attempt to punish the last of the farmers involved in Owslebury. However, no bill was found against him and he was acquitted. There was also no bill found against Caroline Deacle. But it was to go even more badly wrong in court. William Boyes turned king's evidence and was acquitted, leaving only Deacle and Hoare. However, during the examination of witnesses the 'Counsel for the prosecution said he did not wish to press the case further, the evidence not being in his opinion sufficient to support the indictment'. The reasons here are complex, but in July 1831, under the protection of Parliamentary privilege, Wilde spoke about Deacle as he had about Boyes:

Looking at the informations against Deacle, at his station in life, and the part he was described to have taken in these proceedings, he thought that he ought to be prosecuted, and in this the Attorney General concurred; ...that the prosecution had not been gone into, he could only attribute to the speedy pacification of the county which followed the first steps taken to bring the guilty parties to justice.⁴⁵

⁴² *Morning Chronicle*, 3 January 1831

⁴³ Archives Office of Tasmania, Convict Records Online: Conduct Books, Con 31-1-4/116. <http://search.archives.tas.gov.au/default.aspx?detail=1&type=l&id=CON31/1/4>

⁴⁴ For what follows, see *Hampshire Telegraph*, March 1831

⁴⁵ *House of Commons Debates*, 21 July 1831, vol. 5 c. 159.

It is also possible, indeed likely that the authorities were no longer happy with proceeding in a case (the one against Deacle at least) which was already causing 'discussion' in Hampshire, and which, in the next few months, was to blow up into a national *cause célèbre*.

In July 1831, Deacle brought a private prosecution against four magistrates and an attorney-at-law for wrongful, aggravated and violent arrest as well as trespass. Among those summoned by Deacle were two members of the Baring family, Francis M.P. for Portsmouth and his cousin Bingham Baring, whose tireless and vengeful pursuit of Swing rioters had made him notorious at least in radical circles. This is not the place to go into the Deacle case in any detail. Very briefly he won but was only awarded £50 damages which were widely regarded as at best an outrage and at worst (and probably correctly) an example of the ruling class looking after its own.⁴⁶ Deacle then petitioned Parliament for a Select Committee to examine his treatment and his charges of 'magisterial oppression'. He lost but the debates on his petition in July and September –October 1831 give a fascinating insight into attitudes to Swing, the rioters and the state of the countryside in late 1830.

What is clear is that many, including Serjeant Wilde, the Attorney General and the Barings regarded Boyes and Deacle as ring leaders who had planned the events at Owslebury. However, as Cobbett pointed out,⁴⁷ they were only willing to say so publically under Parliamentary privilege. For example, Sergeant Wilde said of Boyes:

In the course of those investigations, he found, that a certain number of farmers had met together and drawn up a paper addressed to landlords and clergymen, for the purpose of inducing them to lower their rents and tithes. At this meeting there were several whose names were stated, and amongst others this Mr. Deacle, and a man named Boyce. Soon after this, some of the same parties met again, attended by a considerable number of labourers, who pressed others to join; so that, at last, they became formidable in numbers, and proceeded to the houses of several gentlemen in the neighbourhood, at first insisting that the paper for lowering rents and tithes should be signed, then demanding money, and also destroying machinery.⁴⁸

⁴⁶ For a cogent argument on these lines see Cobbett's *Weekly Political Register*, 23 July 1831. For an account of the case see *The Times* 15 July 1831; Cobbett's *Political Register*, 23 July 1831. See also Deacle's Petition to the House of Commons. There is a copy in HRO 92 M95/F2/10/1

⁴⁷ Cobbett's *Political Register*, 30 July 1831.

⁴⁸ *House of Commons Debates*, 21 July 1831, vol. 5, c. 158.

Francis Baring, one of those sued by Deacle and, like Bingham Baring, an indefatigable hunter of peasants, spoke at length on Deacle under the same privilege:

A good deal had been said of the station of the Deacles. He was willing to allow, that they were much above the ordinary condition of the farmers in that part of the country; he was quite willing to admit, that their station was much above the class of those who had been charged with the proceedings which were unhappily, at that time, going on in this part of the county; but that only made their conduct the more reprehensible. He had seen, with pain, and with sorrow, the ignorant and deluded labourer guilty of acts which required the immediate interposition of the strong arm of the law; but when he found a person like Mr. Deacle, a man above the common rank of farmers, employing his influence to encourage the commission of the offences of which the poor labourers had been guilty – inciting them to frame-breaking, encouraging them to demand the reduction of rent and tithes, and accompanying them to demand money, ... when he saw all this, he thought, that such a person was deserving of the immediate attention of the Magistracy, ... It was with that view the arrest took place, under the circumstances which had been described; and he was bound to say, that after the execution of the warrant against the Deacles, they heard no more of any outrages in that part of the country.⁴⁹

We are now a long way from Owslebury Moor – but we will go further yet. Immediately following that debate Deacle and then Boyes gained a new ally – William Cobbett. On 23 July the *Political Register* published a lengthy account of the Deacle case and the subsequent debate in the Commons written by Cobbett.⁵⁰ In the following week Cobbett continued his fight for Deacle but now he had heard of 'Farmer Boyes' and 'the infamous libel' which had been published against him.⁵¹ But Cobbett's involvement was more than simply support through the pages of the *Political Register*. As Ian Dyck has shown Cobbett was in touch with Deacle certainly from July to October 1831. He had a hand in drawing up the Deacles' petition to Parliament of 29 July 1831, helped with public statements and arranged for their legal support.⁵² It is also likely that he had a hand in the 20 petitions which were sent to the Commons asking for a Select Committee to investigate the Deacle affair between July and October 1831.⁵³

⁴⁹ *House of Commons Debates*, 21 July 1831, vol. 5, cc. 151–52.

⁵⁰ Cobbett's *Political Register*, 23 July 1831.

⁵¹ *Ibid.*, 30 July 1831.

⁵² Dyck, *William Cobbett and Rural Popular Culture*, p. 181, see also fns. 100, 101.

⁵³ These can be traced through the *House of Commons Journal*.

The Deacles' petition was finally debated in the House of Commons at the end of September 1831.⁵⁴ Despite some support it was clear that the Government was against a Select Committee and the motion to set one up was defeated by 78 votes to 31. Following this defeat the petitions for the Deacles came to an end, but Cobbett continued to press their case until at least July 1832 as part of his continued struggle with the Barings. However, Deacle seems to have had enough. Cobbett suggested in 1832 that Deacle was considering going to America, a course already hinted at by Mantell, and a possibility which Cobbett declared would be a disaster, not only for Deacle but for justice and liberty.

The ending, if that is what it is, is bizarre. In 1835 Thomas Deacle appeared before the magistrates in Taunton charged with challenging to fight the rector of his parish over the alleged seduction of his wife Caroline. The bench ordered him to keep the peace and he was fined one shilling.⁵⁵ Stranger still was the career of Caroline Deacle. In April 1836 the *Manchester Times* carried the following report from a Bristol paper:

The young lady who recently made her début at our theatre is the Mrs Deacle whose case with the Barings, about four years since, excited so much interest throughout the kingdom in the House of Commons.⁵⁶

During the next 5 to 6 years, Caroline Deacle made regular appearances as an actor in melodrama throughout the English provinces, and briefly in London. In 1844 *The Era* reported that she was in India where she had recently married Captain Andrews of the 52nd Regiment of Native Infantry and continued that 'they were going to Bombay to undertake the management of the theatre there'.⁵⁷

What then of Thomas? It is possible he went to America, and Caroline claimed he was dead in order to marry Captain Andrews. However, given she was sufficiently well known in the theatre to be regularly reviewed that seems unlikely. More likely is that Thomas is the Tomas Deacle who died in or possibly before 1843 in Newton Abbott, Devon. His death and her move to India might account for why neither appears on the 1841 census.

The subsequent history of John Boyes was less colourful if more harrowing. As at his trial, the local elite continued to hunt him down. He was, as we saw above, a copyholder. This meant that in certain circumstances the lord of the manor could have the copyhold refused and the holder evicted. At the manorial court at the end of 1831, the lord of

⁵⁴ *House of Commons Debates*, 27 September 1831, vol. 7, cc. 678–701.

⁵⁵ *Hampshire Telegraph*, 3 April 1835.

⁵⁶ *Manchester Times*, 2 April 1836.

⁵⁷ *The Era*, 1 September 1844.

manor, Lady Caroline Mildmay argued that since Boyes' was a felon his property was 'escheated and forfeited' to the manor – that was to herself. Arising from this a petition signed by 'owners and occupiers in the county of Hampshire' was presented to the King in August 1833. Interestingly this petition argued for Boyes' innocence on exactly the same grounds that had been used earlier to condemn him – that he had been misled by his 'more opulent neighbours'. It also repeated his claims at his trial that he had gone with the mob to control them. On that basis the petition 'begged' that Boyes should be pardoned and returned to the 'arms of his disconsolate wife and family ...'⁵⁸

It is unclear what happened to the petition despite the high hopes held for it, but Boyes was pardoned, along with many other Swing rioters, in October 1834 through, the *Hampshire Telegraph* claimed, the good offices of Lord Palmerstone.⁵⁹ The 1841 Census shows John Boyes living in Owslebury, while that of 1851 shows him as living in Colden Common as a farmer of 50 acres employing five men.

Of the rest of the 'Owslebury Lads', William Adams and Nicolas Freemantle were sentenced to death, and John Fussell to prison for seven years. According to the available evidence, it seems that John Bachelor and James Orton was never caught. The rest were acquitted. The sentences against Adams and Freemantle were commuted to transportation for life. Here, for now at least, we lose sight of Freemantle. It is a common name in the area, but he is not on any of the convict registers I have been able to check. Of Adams we know more as he occurs in Kent and Townsend's fine study of the men of Wessex who were transported to New South Wales after Swing.⁶⁰ Adams was sent to Portsmouth in early February 1831 and then to the convict ship the 'Eleanor' which arrived in New South Wales on the 25 June. As the judge had promised him, he remained there for the rest of his natural life. On arrival he was assigned to Thomas Bartie who had 2560 acres of virgin land on the Williams River. By 1837 he seem to have been working as a 'free' worker, which would fit the fact that many Swing rioters received pardons after 4 or 5 years. He died in 1887 far from Hampshire where he had started – but he had his own land something he could never have dreamt of in Owslebury.

⁵⁸ Morning Chronicle, 12 August 1833.

⁵⁹ Hampshire Telegraph, 20 October 1834.

⁶⁰ D. Kent and N. Townsend, *The Convicts of the Eleanor. Protest in Rural England. New Lives in Australia*, (Sydney, 2002). What follows is based on their account.

III

This journey of five years has taken us a long way from Owslebury and its song – but I want to return to that now by way of a kind of conclusion. At the most simple level, what is the relationship between the song and what happened in Owslebury? The first answer has to be nothing at all. The song does not mention Boyes or Deacle, lowered rents or lowered tithes – it talks instead of the mob, of their experience and in the end of their hopes. It is not a song for or about Boyes or Deacle, but a song of the mob – of the young men – of those, who wanted to have a pint and toast all ‘the poor of Owslebury’, ‘the raising of their wages’ and some obscure damnation to their enemies. It is striking that in the song’s lyrics it is ‘parents’ not wives and families who visit the prisoners in Winchester. This is the voice of the ‘Owslebury Lads’, not the farmers or the old and respectable caught by desperation in a social war they didn’t want, but the young and the devil-may-care. We can still hear it there in the song – the voice of Little Devil Dout from the Mummers Play taken from house to house round the Parish every winter – raising a few pence in hard times – very like the processions of 23 November 1830.

In comes I Little Devil Dout
 With My big broom I'll sweep you out
 Money I want and money I crave
 Else I'll sweep you into your graves.

But we can also hear a different voice – the voice of the betrayal of young men sent to Winchester, transported or even hanged for something nobody had told them was even a crime. ‘M.H.’, who gave the song to the Rev. Roach, seems to say that his brother who wrote the song was caught but not transported in October 1830. So who do we have as our ‘Owslebury Lad’? Perhaps John Hoare or Benjamin Hayter, both the right age, both arrested and acquitted, although they probably spent at least some time in Winchester Gaol, but not John Boyes or Thomas Deacle.

Yet Deacle and Boyes were there, and almost certainly played some kind of leadership role – even if they were very different. Here we find another Swing, one perhaps familiar through the writing of Roger Wells, who has argued for some thirty years for the Swing rising to be seen as much more political, in a conventional and radical sense, than most of those who have written on the riots. Wells has noticed Deacle, but like the Hammonds he refers to him as a small farmer.

Intriguingly, Wells argues that Deacle was involved in petitions from the Sutton Scotney area before the Owslebury outbreaks. However the evidence for this is from Bingham Baring who sought to discredit Deacle

by tainting him with radical conspiracy on all occasions, so this should perhaps be treated with caution.⁶¹ However, Deacle's friendship with the radical Gideon Mantell, and clear contacts with Cobbett, by, at the latest in July 1831, point to a possible history of radicalism. There is also something oddly bohemian about Deacle, with his considerable wealth and his actress wife which smacks of some aspects of the libertarian London radicalism written about some years ago by Ian McCalman.⁶²

As to the role of the Deacles, Thomas and Caroline, I think there can be little doubt that while they were not instigators in any formal sense, on 23 November they played a key role in organising and marshalling the 'Owslebury Lads'. The consistency of the accounts, even if we ignore the biased testimonies of Bingham Baring and Serjeant Wilde, show Deacle giving money to the mob, going along with them, providing them with a trumpeter and helping draw up their 'demands'. Nobody denied that Caroline Deacle was with the mob all day on horseback, or that she appeared to enjoy the occasion, nor that she was present at the Old Posting House at the days end.

John Boyes was different. Again it is clear he played some leadership role, but in his case one deeply set within the tradition of the moral economy.⁶³ Boyes was a famer but one much closer to the 'Owslebury Lads'. He was a small man working bad land, he also appears from a statement of character given in the 1833 petition for his pardon, to have been a wage labourer as well as farmer, which would fit with what we know of the 'English peasantry' as well as the more tragic figure of William Wall hanged in 1830 for inciting incendiaryism.⁶⁴ His involvement in the vestry and their decision to impose wage rates in the parish fits well with a traditional and paternalist world view as does the vestry's insistence that this was the final offer and should mean the end of

61 R. Wells, '1830: The Year of Revolutions in England and the Politics of the Captain Swing Insurrection', p. 33 at <http://www.canterbury.ac.uk/arts-humanities/history-and-american-studies/history/Documents/PoliticsOfCaptainSwing.pdf> accessed 25 November 2009.

62 I. McCalman, 'Unrespectable Radicalism: Infidels and Pornography in Early Nineteenth-Century London', *Past & Present* 104 (1984). This includes an engraving of the infidel pornographer Benbow's London shop showing an advertisement for Cobbett's *Political Register*, *ibid.*, 79.

63 I am using the term here in the broad sense adopted by Randall, *Riotous Assemblies*, especially Chapter 12.

64 See A. Hawkins, 'An English Peasantry Revisited 1800–1900' in J. Broad (ed.), *A Common Agricultural Heritage. Revising French and British rural divergence*, Agricultural History Review Supplement Series 5 (2009). On William Wall see S. Poole, "A Lasting and Salutary Warning": Incendiaryism, Rural Order and England Last Scene of Crime Execution', *Rural History*, 19 (2008).

threats. In view of this it seems likely he had a key role in drawing up the demands on the paper carried by the mob, although of course none of the 'farmer's demands' were included in the vestry decision.

Boyes, unlike Deacle, returned to Owslebury and was clearly able to draw on local support in a way Deacle could not. The petition of August 1833 was described as having been 'numerous and respectably signed' and gave a version of the events of less than two years earlier which was entirely drawn from Boyes' own account.⁶⁵ The attacks by Wilde and Baring are completely ignored. In contrast the only petition to the Commons in Deacle's case which came from Hampshire was one attacking him and supporting Baring.⁶⁶ Further when Boyes was finally pardoned the *Hampshire Telegraph*, which had been extremely hostile to him in 1830 spoke of his being 'accidentally' among the rioters and continued that it was 'mainly owing to his influence and persuasion' that there was no further rioting.⁶⁷

What happened at Owslebury on 23 November 1830 was a great deal more complex than the initial accounts suggest, and indeed than I thought when I started to look at them. At work on that day were not one Captain Swing but at least three – the 'mob', probably following the traditional rituals of protest; Farmer Boyes acting the role of the local spokesman in the complex liturgy of the moral economy; and Thomas and Caroline Deacle representing an external, politicised and, perhaps even, urban radicalism. For all of those reasons I cannot believe what happened at Owslebury was typical of the course of Swing, and so therefore it perhaps has little relevance as micro-history, but it does raise a few questions about quite who the 'Owslebury Lads' and their mates all over the south of England were, and just what they thought they were doing.

65 *Morning Chronicle*, 12 August 1833.

66 *House of Commons Debates*, 27 September 1831, vol. 7, c. 678.

67 *Hampshire Telegraph*, 20 October 1834.