

THE SANITARY BATTLE OF HASTINGS: THE 1848 PUBLIC HEALTH ACT AND LOCAL GOVERNMENT REFORM

by Margaret Whittick

This article discusses the events which occurred during the attempt to introduce the 1848 Public Health Act into the borough of Hastings. The Act's supporters believed that failure to adopt it would jeopardize the town's reputation as a high-class resort but its opponents, led by Alfred Burton, strove to exempt the township of St. Leonards from the measure on the grounds of expense and of loss of local autonomy. The paper considers the motives of the opposing parties in the struggle and the networks, local and national, which were exploited to prosecute it.

THE PUBLIC HEALTH ACT

In August 1849 at the height of the cholera outbreak which had swept through the country, Hastings Corporation was castigated for its inactivity by Stephen Putland, one of its long-serving members. It was contemptible, he said, for the Council to leave the improvement of the borough's public health to an unpaid committee of the poor law authority, the Guardians' Nuisances Removal Committee, of which he was surveyor, 'instead of laying hold on a law by which they might make the borough what it ought to be – one of the healthiest and pleasantest in the country'.¹

Putland referred to the Public Health Act, 1848,² the creation of Edwin Chadwick, the indefatigable advocate of sanitary reform. The Act was a response to unprecedented growth in the industrial regions of Britain, where increases in population were not matched by the provision of proper roads, drainage and water supply, and the consequent effects on public health could no longer be ignored. Though the upper-class seaside resort of Hastings was worlds away from the manufacturing towns in terms both of size and of economic and social structure, its percentage growth rate during the

early decades of the century, as J.K. Walton has pointed out, had been more rapid than those of Manchester or Liverpool, owing to the influx of tourists and to the increase in the resident population whose income depended upon them.³ Like those of the northern towns, its public works were inadequate and its health-seeking visitors, confronted by polluted beaches, had no need to look to the fishermen's dwellings of the Old Town for evidence of insalubrity. The 1830s and 1840s brought an increasing realization that towns of different sizes in different localities might share sanitary problems for which similar solutions were appropriate. And as individual local improvement Acts were found wanting they were replaced first by a series of model clauses Acts which might be quarried for effective remedies to difficulties of town improvement and town government and then by the Act of 1848, which communities were invited to adopt wholesale. Embodying 'a principle of legislation entirely novel',⁴ although its progress through Parliament had both complicated and weakened Chadwick's conception, it still enabled local communities to carry out improvements cheaply.

The Act established a central body, the General Board of Health, to co-ordinate preventive measures during epidemics and to superintend local boards of health. The First Commissioner of Woods and Forests sat as President and there were two other members, one paid; the Chief Medical Inspector also had a seat. The Board's approval was required for the appointment of local board officers and for the planning and financing of schemes of permanent improvement. Local boards, which were elective, met monthly. They were given responsibility for roads and drains in their districts and their building regulation powers included the supervision of private sanitation and the connection of houses to main sewers. They were also charged with the removal of nuisances, street cleaning and refuse collection and with the registration and inspection of common lodging-houses. A board might lay on a constant-pressure water supply and might compel occupiers of houses in its district to avail themselves of it if it cost 2*d.* a week or less. The Act's compulsory powers – of nuisance removal, provision of privies, drain connection, paving and contribution to street works – were mainly enforceable by a summary fine and those aggrieved might appeal to the General Board. For permanent works local boards were empowered to borrow sums equivalent to the total rateable value of the area to benefit from the works. Repayment of the capital and interest would then be made from special district rates levied only on the area benefiting and might be spread over 30 years – a contrast to the practice of existing local commissions, with their piecemeal borrowing and pious intentions of capital repayment from sinking funds. General district rates, levied on the whole district, covered the costs of introducing and implementing the Act, while private improvement rates, raised on individual properties, paid for the expense of sewer connection or paving, for example.

Though the Act's principles are familiar to

us now, they must have struck contemporaries as outlandish, in an age when living conditions were regarded as a private matter and certainly no concern of the government, central or local. Moreover the statute, as a permissive measure, invited local ratepayers to *choose* to spend money on public health. On the petition of at least a tenth of the inhabitants of a town, a superintending inspector of the General Board would report, after investigation and a public inquiry, on whether the Act should be put into force. If so, the Board would determine the local board district boundaries, having regard to the disposition of the built-up areas, the administrative boundaries and the natural drainage basin. Parliament was reluctant for local legislation to be set aside without its knowledge and, where a local Act was in force, the Public Health Act was applied by Provisional Order. Subject to confirmation by a short general Act whose schedule listed the towns involved, the Order would give the district boundaries, the composition of the board and details of local legislation to be repealed or incorporated. In a health district which was a corporate borough, the Corporation was the local board. There was provision for compulsory application of the statute to towns where the death rate from disease was high. Despite its apparent complexity, the Act's adoption was much cheaper than the promotion of a tailor-made improvement Act. The General Board quoted an average cost of £2,000 for obtaining a local Act in 1849–50; the comparable figure for adoption of the 1848 statute was only £120.⁵

THE CONDITION OF THE BOROUGH

In 1850 Hastings enjoyed an apparently healthy situation, aired by sea breezes, sunny, easily drained and with a plentiful water supply from springs on its northerly slopes. It had no manufacturing industry but though its population was relatively small, the town's growth had

been rapid – from a fishing community of barely 3,000 inhabitants at the turn of the century to the fashionable resort of the 1830s. The population in 1851 had reached 17,621. This development had widened Hastings's occupational diversity while increasing the reliance of the resident population on the vagaries of the tourist trade; this is clear both from the report of the General Board's superintending inspector and from trade directories, where providers of food, lodgings, clothes and medical attention rub shoulders with such specialists as riding and drawing masters, portrait painters, lapidaries and dealers in shells.⁶ The coming of the railway in 1851 provided both an index of the town's increasing popularity and an impetus to further growth. Expansion took place simultaneously at either end of the borough with the built-up areas advancing towards one another along the sea front. Fig. 1 shows the extent of development in 1850. The Old Town, in the east, originally contained substantial houses set in large gardens. But by 1850 many of them were in multiple occupation, often as lodging-houses, and cottages grouped round narrow courtyards had been built in their gardens, to be occupied by the poor, particularly fishermen. Three miles away at the opposite end of the borough was James Burton's St. Leonards, designed in the 1820s to be 'the residence of what the political economists are pleased to call the unproductive classes',⁷ adorned with public buildings such as assembly rooms, a spa and baths, and approached from the east through the ornamental St. Leonards archway. After the construction of Pelham Terrace and Eversfield Parade the development of the vacant seafront sites between was sure to follow and many residents looked forward to the day when the towns would join to become one.⁸

The distinct identities of the two towns owed much to their local government arrangements, which derived from two local Acts, both passed in 1832.⁹ The Hastings Improvement Commissioners had jurisdiction over the parishes of All Saints, St. Clement and St. Mary

in the Castle and those for St. Leonards over St. Leonards township, which occupied parts of the parishes of St. Leonard and St. Mary Magdalen. In 1832 these districts had constituted the borough's built-up area but by 1850 a large urban area lay beyond their perimeters. Although the constitutions and financial powers of the two bodies of commissioners were very different, their functions were broadly similar. They had power to maintain, clean, pave and light principal streets and to construct new ones. They might construct and maintain sewers, though both Acts imposed a fine for the unauthorized connection of private drains.¹⁰ The commissioners supplied water, constructed sea defence works, employed night watchmen, ran markets and regulated sea bathing and the licensing of pleasure-boats and cabs. They undertook nuisance removal and scavenging and might close down offensive slaughter-houses.

The Borough Council administered an area which included the local Act districts and more. It had declined to exploit the permissive powers of lighting and nuisance removal offered by the Municipal Corporations Act, 1835, and exercised a narrow range of functions: the provision of a gaol and of a police force and the regulation of the Stade, the beach where boats were moored. The minor role exercised by the Corporation in town government even after the 1835 reforms must be borne in mind if we are to appreciate the novelty of the 1848 Act and the controlling position which it accorded to councillors in local affairs.

Outside the area of the local Acts, control of roads, drainage and sea defence works rested with the parish highway surveyors.¹¹ The two and a half miles of turnpike roads in the borough went unrepaired since the trustees, although they continued to collect tolls, were insolvent. It was pointed out that to travel from east to west through the borough was to pass through eight highway jurisdictions.¹² The difficulties were apparent: 'We are now working under four Acts of Parliament and there is a great deficiency of power still wanting'.¹³

Moreover local officials exercised concurrent powers: the surveyor to the St. Leonards Commissioners and the surveyor to the parish of St. Mary Magdalen both had jurisdiction over roads in part of St. Leonards township, while a single drain might belong to several different administrations throughout its course. This fragmentation and overlap of functions extended to water supply and sewerage, which the General Board, by contrast, regarded as interdependent parts of any sanitary scheme, with high-pressure water power used to flush the drains and sewage recycled into manure. As the General Board's superintending inspector discovered, overflowing cesspools abounded in the borough while main drains, where they existed, served single groups of houses rather than forming a network; all – and there were seven between Wellington Square and the Archway – discharged on to the beach, either above or below high water mark. Water was laid on only to a third of the houses in Hastings.¹⁴

Active powers of cleansing and nuisance removal were available during epidemics to guardians of the poor under the direction of the General Board of Health. The cholera outbreak of 1848–9 led in Hastings to the formation, under the chairmanship of Lord Waldegrave, of the Nuisances Removal Committee referred to by Putland, with which the Borough Council collaborated. The committee appointed a surveyor and an inspector of nuisances and its members personally conducted the house-to-house visitations recommended by the Board, distributing precautionary leaflets and invoking summary nuisance removal powers.¹⁵ Those who served on the committee in many cases started out with a middle-class ignorance of the living conditions of the poor and the images of inadequate sanitation, sickness, bad housing and ill-drained streets which they encountered remained with them to make them pioneers of sanitary reform. One of its members, Thomas Ross, a lodging-house keeper and publisher of a fashionable guidebook, told a meeting of the Borough Council that no one 'who witnessed

the many filthy scenes which came under our notice' could withhold support for the introduction of the Public Health Act.¹⁶

Outbreaks of cholera, that terrifying and unaccountable disease, reinforced public awareness of the connection between dirt and sickness, although its causes were misunderstood. We now know that the cholera vibrio enters the victim's body through his mouth and that the illness is usually contracted by drinking water contaminated by sewage. But in the 1850s many people, including Chadwick and his followers, espoused the competing 'miasmatic theory' of infection through polluted air. Hence the fear of smells in so much Victorian writing on public health. The superintending inspector's report spoke of overflowing drains ('Their fetid odour no doubt produced the illness so general in this locality')¹⁷ while an undertaker complained of a neighbour's malfunctioning water closet: 'the smell is most awfull – worst than any puterfied Corps. . . . The smell is just like one who dys of collara – we must leave if something is not soon done'.¹⁸ Once the epidemic had subsided, however, the Guardians' powers ceased and their committee's final report could only exhort both bodies of commissioners to give their attention to scavenging and to the cleansing and repair of sewers.¹⁹ In December, at the request of the Guardians, the Borough Council investigated the possibility of appointing a permanent inspector of nuisances but found that 'it does not appear there is any statutable power to appoint such an officer or to define his duties'.²⁰

But Stephen Putland's strictures were ignored by the Council and neither it nor the Hastings Improvement Commissioners petitioned for the Act. The Commissioners, worried that it would confer too much power on paid officers, deferred consideration of the measure for six months while they tried to introduce their own drainage scheme.²¹ With this in view, in October 1849 a sub-committee recommended the recruitment as Surveyor of a young London graduate from the Metropolitan

Board of Sewers, but he was turned down in favour of a local candidate, the kind of 'plodding industrious man' favoured by the majority.²² It remained to Alexander Paine, bookseller and stationer and the chief voice for reform among the Commissioners, to organize a petition for the introduction of the Act to the borough of Hastings.²³ It bore the signatures of 309 of the most respectable inhabitants, considerably more than the minimum requirement. Dr. James Mackness, a councillor and the author of a book on the town's advantages as a health resort, believed that most of the signatories were anxious for improvement but reported to the General Board that some 'simply wish for *enquiry*', assessing the petition as a non-committal gesture by narrow-minded people with little stake in the town who hoped to be able to avoid the expense which systematic sanitary improvement might involve.²⁴

The inquiry was opened on 15 February 1850 by Edward Cresy, one of the Board's original officers, an experienced civil engineer and architect and an expert on hydraulics and house drainage. His investigation occupied 11 days, part spent in public session and part in visits throughout the borough, in the company of the Mayor, the Town Clerk, the Clerk to the Hastings Commissioners and representatives of the Corporation and the Board of Guardians. The proceedings were fully covered in the local newspapers, both *Liberal*,²⁵ which were to show themselves supporters of public health improvements over the following months. The *Hastings and St. Leonards Chronicle* gave its readers a preview of the report's disturbing findings, linking bad drainage with the prolonged ill-health of the inhabitants of the Old Town,²⁶ while the *Hastings and St. Leonards News* held that apparently the report could not fail to introduce the Act.²⁷

THE ACT AS A VEHICLE FOR LOCAL GOVERNMENT REFORM

In drawing attention to sanitary evils which

were exacerbated by inadequate local administration, the framers of public health legislation had hit upon the means of interesting local communities in their improvement: the prospect of more effective local government. This feature of the measure had been a hindrance in Parliament where the integrity and capability of local politicians were doubted but in Hastings it was seen as an asset, a challenge to electorate and candidates alike. An article in the *Chronicle* before the municipal elections of November 1851 reminds its readers of the greater power which the men elected would exercise:

It therefore behoves those possessing the municipal franchise to cast off old influences, to make the Health of Towns Act the battle field of improvement, and elect those men who are able, from intellectual and industrial capacities, and who will, from honest convictions, carry into working an important portion of local machinery.²⁸

In both towns the improvement Acts had created governing bodies of long-serving commissioners with little accountability to their electors and ratepayers. Both local Acts listed the names of 'permanent' commissioners, 97 in the case of Hastings and 75 for St. Leonards. In Hastings a further 21 commissioners were to be elected and in both towns vacancies were to be filled by election. In Hastings occupiers of property with an annual rateable value of £5 might vote, while in St. Leonards the qualifying assessment was £20. Eligibility to serve on the commission depended both on local residence and on property qualification: £20 in Hastings but £50 in St. Leonards. The Hastings Commissioners' meetings, which were reported in the press, were habitually attended by between 30 and 50 members. In St. Leonards, on the other hand, the property qualification debarred many local residents from becoming commissioners and George Greenough, one of the original members of the commission and a debenture bondholder, lamented that the active commis-

sioners were 'comprised in great measure of tradesmen' and that even so meetings were often inquorate.²⁹ It was a matter of some notoriety that William Chamberlin who, as occupier of the Victoria hotel, was reputedly the largest ratepayer in the township, was ineligible for the commission by virtue of section 5 which excluded licensed victuallers.³⁰

The result was that St. Leonards was run by private meetings of seven or eight men, several of them bondholders who lived in London.³¹ The Clerk, it was said, was in his office only 15 days a year.³² Indeed, such was the reputation of the St. Leonards Commissioners for remoteness and exclusivity that many borough residents believed them to be self-elected, as was the case under some local Acts.³³ The Public Health Act, with a franchise which extended to all ratepayers, would make the Town Council answerable for its actions – as a flysheet addressed to the ratepayers put it:

you must all be conversant with the fact that your *Town Councillors* come before you every three years, to give an account of their stewardship, by this Act they acknowledge themselves to be *Public Servants*, and consequently do govern through you, this then is *Bona-Fide Self Government*.³⁴

The introduction of the Public Health Act to the borough not only offered the best opportunity of securing power for positive and comprehensive improvement to a locally elected body, but it also provided a more stable financial and administrative base for the conduct of affairs. The Hastings Commissioners might borrow up to £12,000 (plus £4,000 for waterworks) on the security of their income and might raise a rate of up to 8*d.* in the pound on occupiers. Their funds were to be applied to the purposes of the Act and to a sinking fund for the repayment of loans. In St. Leonards, where the borrowing limit was £16,000 and the maximum rate 2*s.* per annum, the calls on the Commissioners' income were more various. It was to be

spent first on the costs of obtaining the Act, second on the repayment to James Burton of the capital and interest expended on building roads, drains, esplanades, sea defences and lamp-posts, third on interest repayment on loans, fourth on the purposes of the Act and fifth on the repayment of principal sums. For each of the three years 1848–50 the St. Leonards Commissioners had raised a rate of 2*s.*, while the Hastings Commissioners levied 6*d.* or 7*d.*³⁵ Yet there was no serious attempt to balance the books and in 1850 the Hastings Commissioners' debt stood at £10,800, according to Cresy, while their St. Leonards counterparts, without ever having established a sinking fund, had borrowed £13,300, applied in roughly equal shares to repayments to the Burton estate and to town improvement.³⁶ The 1848 Act offered the prospect of borrowing larger sums at lower interest with repayments spread over a longer period; moreover the larger area to be administered made economies of scale possible.

The supporters of sanitary improvement and of effective local government anxiously awaited the appearance of Cresy's report but in the interim opposition from the west end of the borough began to manifest itself. A petition signed by 50 St. Leonards ratepayers, sent to the General Board of Health in March 1850, upheld the adequacy of the Commissioners' sanitary administration and judged the introduction of the Act to St. Leonards quite unnecessary.³⁷ W. W. Burton, the Clerk to the St. Leonards Commissioners, then paid a visit to the Board's offices at Gwydyr House, Whitehall, where he understood from Cresy that the Act would be applied 'to the Town of Hastings only' and that improvements to the St. Leonards Act might be made in the Provisional Order.³⁸

THE LOCAL RECEPTION OF THE SUPERINTENDING INSPECTOR'S REPORT

At the beginning of July Cresy's report

'tumbled into the borough like a hissing bombshell', spreading confusion and dismay among the opponents of the Act.³⁹ The report was an idiosyncratic document. Introduced by a 'general description' in which its author indulged his antiquarian tastes by a derivation of the word 'rape' and a long quotation from a 16th-century Corporation record on the rebuilding of the pier, the report continued with sections on climate, geology, government, lighting, water supply, mortality, poor relief, occupations, housing, public buildings, tramp lodging-houses, the state of the drainage and burial grounds; it concluded with proposals for 'remedial measures'. The environment which Cresy described left little room for complacency. His investigations had revealed inefficient drains or no drains at all and damp, unventilated, overcrowded houses without privies or water supply; the report's findings were illustrated with plans and sections. He identified the streets where sickness was most common and traced the effect of disease and mortality on the expenditure on poor relief. Tramp lodging-houses, in the Old Town, provided the most dispiriting evidence of crowded and insanitary conditions. Yet the report was particularly shocking in its confirmation that unhealthy conditions were not confined to the poorer areas of the town. Newly built cottages had overflowing cesspools and no surface water drainage and even the grand houses on the Parade discharged their sewage into large cesspools which in turn emptied their contents on the beach.

The solutions which Cresy propounded were the orthodox Chadwickian ones advocated by the Board's engineers, some of them in 1850 still not accepted either by civil engineers or laymen. A constant water supply could be secured from larger reservoirs fed from the springs above the town; water closets should be installed and cesspools replaced by a system of back-drainage through small-bore, tubular earthenware pipes; main drains should be six-inch- or twelve-inch-bore pipe drains, small

enough to be scoured clean regularly. This network should drain into a single outfall either at the extreme east or the extreme west of the town, where, by the aid of engine power, the sewage could be used as manure. Cresy estimated that a water supply would cost £5,000 and a drainage scheme £6,000.⁴⁰

Unfortunately it was soon discovered that the Superintending Inspector had assembled his information in 'a sort of hop-skip-and-jump way'⁴¹ and that his report contained errors. The figure he quoted as the annual amount of poor relief was three years' total and in giving the number of houses rated at less than £5 a year as 795, he had mistakenly adopted the total for houses rated at under £10. In overlooking the temporary influx of 1,500 railway workers he had implied, the Hastings Commissioners felt, 'that Hastings was a town full of small houses, highly pauperized and exceedingly unhealthy'. Relying on information from Frederick Ticehurst, the Union Medical Officer, he had added 25 cholera deaths to the registered total of 40 and using the 1849 records of the Nuisances Removal Committee he condemned a large cesspool which had already been removed. By assuming that all roads would require annual resurfacing, he had overestimated the cost of their repair. These errors, which presumably arose from careless drafting and over-reliance on second-hand information, tended to prejudice the public mind against Cresy's conclusions. The Mayor, George Scrivens, regarded a scheme for collecting sewage for manure at Bulverhythe as 'chimerical' and the proposal for a four-storey lodging-house for 200 tramps, to be built at a cost of £5,000, was seen as quite impracticable, if only because it would act as a magnet for undesirables. Cresy's estimates for drainage and water supply were regarded as far too low and his belief that water could be supplied without engine power was questioned.⁴² What his critics did not remark upon was Cresy's tendency throughout the report to treat Hastings and St. Leonards as two distinct towns. Though this was perhaps an

inevitable consequence of using statistics supplied by the two bodies of improvement commissioners, it weakened the case for the interdependence of the two towns' sanitary futures; nor did he stress the topographical arguments for comprehensive drainage and water supply. The superintending inspectors were accustomed to be on their guard against attempts by the prosperous and fashionable to have their districts exempted from the operation of the Act; Cresy's failure to anticipate such attempts was both surprising and ultimately prejudicial to the Act's success in the borough.

The Mayor, at the request of the Hastings Commissioners, called a public meeting to consider the report at 2 p.m. on Wednesday 17 July and an anonymous handbill appeared in the borough urging working men to attend this inconveniently timed meeting:

Choose, working men, rentpayers, ratepayers, choose between the new Bill and the old parentage of disease and death and pauperism. Look into the matter for yourselves and speak out for the well-being of the town. Do not be cajoled by any representation of the expenses of the proposed Bill. In matters affecting life and health that is really *cheapest* which is best.⁴³

It is an isolated example of an attempt by the middle-class reformers to involve the working class in the improvement of their surroundings. Though a study based mainly on official records and newspapers can scarcely hope to uncover evidence of proletarian action, it is perhaps reasonable to assume that agitation was mainly left to the town's tradesmen. The largest working-class group consisted of those involved in fishing,⁴⁴ an occupation undertaken in small family parties and not conducive to organized political activity. The other large group of sufferers from poor conditions, the navvies, were similarly unorganized and, moreover, temporary residents. Indeed working-class

indifference, if not antagonism, to Chadwick's measure would not be surprising in view of the hatred inspired by the new poor law, with which he was still identified.

The handbill's theme was developed by Horatio Nelson Williams, a Town Councillor and Commissioner and a recent convert to support for the Act, who addressed the large gathering for three quarters of an hour. Drawing on the contemporary view that good health was the poor man's capital, he urged the right of the working classes to derive benefit from the wealth which they had helped create. He pointed out too that 'one great intention of the Health of Towns Act on its being introduced into the borough was the union of the two towns', while Stephen Putland added that to improve the sanitary condition of the poor was to improve their morality. The meeting resolved to deplore the errors and misstatements in the report, while supporting the introduction of the Act.⁴⁵ The Corporation, briefed by the views of the meeting and the thorough report of the committee of the Hastings Commissioners, met on 26 July to formulate its response to Cresy's report. Though the Mayor felt certain that the Council's work would be doubled or quadrupled by the introduction of the Act and some councillors had reservations about its cost, the meeting voted *nem. con.* (though with one or two abstentions) in favour of its application, with Thomas Hickes maintaining that the Council could be trusted to act as carefully and responsibly as any other body.⁴⁶

At this stage, the Act's adoption in the borough was generally regarded as inevitable. The town was so heavily dependent upon tourism that once Cresy's findings, accurate or not, had been published, the town's reputation with its visiting public was likely to fall and, as the Mayor said, unless the Council reacted quickly to the report 'they must expect that the town will receive a very heavy blow from the statements it set forth'.⁴⁷ As the *Chronicle* was to put it:

It is come to that, that a watering-place now-a-days, in these times of sharp noses, sanitary reform, and railway travelling, must not only be without actual taint, but, like Caesar's wife, beyond suspicion.⁴⁸

In St. Leonards on the other hand, after a cursory investigation of the merits of Cresy's recommendations,⁴⁹ the tactic of shifting the blame on to its eastern neighbour was rapidly adopted and while the Borough Council waited for the draft Provisional Order Alfred Burton, son of the founder and trustee of his estate, was mobilizing support for the exclusion of the township from the Act. Dismayed that the report advocated its application to the whole borough, he considered holding a meeting of St. Leonards ratepayers but, as he wrote to George Greenough, 'as there are a few (Chamberlin &c) who are in favor of the Act, it seemed questionable whether it would not do more harm than good'. Instead he urged the submission of written statements to the General Board 'and if you can help to pick him to pieces – pray do!'⁵⁰ This letter introduces us to three men who remained at the centre of the public health controversy for the next year. George Bellas Greenough was a bondholder and one of the original Commissioners and derived an income of almost £400 a year from property in the town.⁵¹ As a former Liberal M.P., founder of the Geological Society of London and owner of Dripsey Castle, Cork, he was eminently well connected in many spheres. Alfred Burton, who lived in St. Leonards and represented the west ward on the Borough Council, held in trust, by his own admission, almost half the rental value of the town.⁵² T. B. Brett, who knew him, describes him as a reserved man, motivated by a great veneration for his famous father and his works. The same writer provides a description of William Chamberlin junior, another west ward councillor and son of the occupier of the Victoria hotel. Energetic where Burton was lethargic, he was 'an educationist, a philanthropist, a mesmerist, a phrenologist and

a Liberal politician', the prime mover in the St. Leonards Mechanics Institution and, from the evidence of his speeches, one of those with a disinterested concern for the welfare of the poor of the borough.⁵³

Greenough's papers include, in draft, Burton's memorial to the General Board, alleging injurious affection of his estate by the report and claiming that the town of St. Leonards 'is not one that was contemplated by the legislature to be subjected to the Public Health Act'. His notes on it testify to his unsentimental view of the management of public affairs:

Henry 4 of France wanted every peasant in his dominions to have a chicken daily for his dinner, and a very wholesome dinner too – but salubrity is not the only thing to be attended to – some regard must also be had to economy.

The frugality exercised by the Commissioners would not be forthcoming, he suggested, from a body such as the Corporation with no pecuniary stake in the township.⁵⁴ Greenough's own memorial to the Board stresses the superior nature of St. Leonards, 'one of the cleanest, best-ventilated towns in the kingdom'. On the other hand, he admits, its drainage is 'more or less defective' and, moving on to the offensive, he suggests extension rather than abolition of the Commissioners' powers to allow the levy of an additional sanitary rate to be spent under the Board's direction on the works necessary 'for the effectual and permanent cleansing of St. Leonards'.⁵⁵ This proposal is the only attempt at a compromise by the St. Leonards camp which has been found; it was presumably discarded by the General Board as impertinent and highly irregular and the issue was never raised again by either side, remaining no doubt as another cause of resentment to Burton and his associates. The official memorial of the St. Leonards Commission on Cresy's report objected to the inadequate representation of

the interests of the township which government by the Corporation would bring⁵⁶ and complained of the danger to health from the proposed collection of sewage manure at Bulverhythe, upwind of the town.⁵⁷ The memorial, though acknowledged by the General Board on 2 August,⁵⁸ was neither reported nor approved before transmission and was confirmed only on 27 December.⁵⁹ It seems clear that the Commissioners, though they might individually have worked against the Act's introduction, undertook no corporate scrutiny of the report as their Hastings counterparts did and it is difficult to resist the conclusion that their name was used to voice the opposition of the Burton family.

Meanwhile the Town Clerk, John Shorter, pressed the General Board to issue the draft Provisional Order. The summer which, with its high risk of epidemics, was always a tense time for sanitary reformers passed into autumn drought. In October the General Board tactlessly explained that, since Parliament was in recess, the matter was not regarded as urgent.⁶⁰

In December Shorter called attention to the 'undesirable state of suspense and excitement' prevailing in the borough, thanks to ignorance of the Board's intentions. In the 12 months since the petition for the enquiry, he said, this uncertainty had brought to a halt even routine work of improvement and maintenance: the breach in the parade wall went unrepaired and the Hastings Commissioners refused to spend their funds on laying the drains which a survey the previous year had shown were needed.⁶¹ Indeed, having taken the lead in discussing public health matters during the first half of 1850, the Commissioners had retired from the sanitary debate and though individual members participated no collective voice was heard.

THE WEST HASTINGS IMPROVEMENT BILL

The 'excitement' in Hastings (the pejorative sense of the word at this period, with its

overtones of popular unrest, is significant) was aggravated by the appearance, in early November, of the statutory notice, appearing over the names of Fearon and Clabon, solicitors, of the West Hastings Improvement Bill. Covering part of the borough outside the jurisdiction of the two 1832 Acts, the Bill conferred the powers usual in local legislation at this period. It also added powers for improving the sanitary condition of the district and, more significant, allowed for the reimbursement of those who had paid for roads, drainage and sea defences.⁶² The Bill was seen as a clear challenge to the Public Health Act and the controversy which it aroused filled the columns of both local newspapers, as meetings in the parishes principally affected – St. Michael, St. Mary Magdalen and Holy Trinity – passed resolutions in opposition.⁶³ These parishes also memorialized the General Board, stating the ratepayers' belief that the Act's adoption would increase property values and confer public benefit. (The order in which these statements are placed seems to reflect the inhabitants' priorities.)⁶⁴ There was resentment that the Bill had been promoted without consultation and that no one knew who its promoters were ('I am fighting a shadow', said the Revd. George Stonestreet, who had seen service at Waterloo as Chaplain to the Guards and whose Hastings residence was Halton House).⁶⁵ Those who stood to benefit from the reimbursement clause were Philip E. Barnes, Patrick F. Robertson and Robert Mace, who were building Carlisle Parade and Robertson Street on Crown Estate land held on long lease, and Charles Eversfield and Robert Deudney, whose freehold estates were contiguous to St. Leonards. The Bill's similarities to the St. Leonards local Act did not escape its critics: it was pointed out that Eversfield and the other promoters, who by spending money on public works had gained enhanced prices for their houses, would be recompensed 'a second time, for imperfect Sea Walls, inefficient Groins, bad Roads and ignoble Water Works'.⁶⁶ Those in favour of withholding

opposition until the arrival of the Provisional Order were silenced by those who dreaded the prospect both of a further fragmentation of powers and functions and of the heavy expenses of the Bill's promotion and the developers' costs. The 1848 Act's supporters were fortunate in the advocacy of W. P. Beecham, a local solicitor with a masterly grasp of the statute, who welcomed 'one of the noblest and proudest creations of a paternal, a liberal and an enlightened government'.⁶⁷

It is not clear whether the promotion of the local Bill represented a serious attempt to provide an administrative structure for the newly developed central area of the borough or whether it served only as a device employed by the Burton faction to keep the Public Health Act out of Hastings altogether. Certainly Deudney and Alfred Burton, fellow Commissioners, were old allies who voted together on the Borough Council and J. P. Fearon, as Burton's brother-in-law, was a bondholder, the firm of Fearon and Clabon acting for the Burton estate. The introduction of private improvement Bills to pre-empt the public Act's adoption was not unusual in 1850 but the cost of legislation was sufficient to deter the frivolous promotion of a measure which had no chance of success.⁶⁸ It is likely that the promoters assented in Burton's opportunism if the Bill succeeded, they would profit, and even if not, public confidence in the Act, already wavering as a result of the General Board's delays, would be undermined.

The draft Provisional Order was finally despatched by the General Board on 6 January 1851 and the Corporation and the Hastings Commissioners began to identify the provisions of existing legislation which should be perpetuated in it.⁶⁹ The Council meeting of 24 January on the draft marks a turning point in the debate on the Act's introduction. The councillors, by now more united in favour, were less inclined to tolerate dissension and arguments became more personal and more vindictive.⁷⁰ For the first time accusations of deviousness and

misrepresentation arose, which were to recur during the ensuing months. Alfred Burton, stung by the *Chronicle's* claim that the St. Leonards Commissioners' accounts had been withheld from Cresy,⁷¹ reiterated his resistance to the introduction of the Act to his superior district. Stephen Putland who, with Burton, sat on the committee which had met four times that week to discuss the order, remonstrated that this was the first time he had heard anyone object to a single clause. William Chamberlin junior stated that the 'St. Leonards Commissioners appeared to be in a great mess', alleging that their incompetent sea defence works had flooded basements with sea water. Moreover 'some parties had been going about privately luring the ratepayers into giving their signatures' to a memorial opposing the Act's introduction to St. Leonards. It remained to Putland, a Wesleyan philanthropist who made a living as a coal merchant, ship agent and lodging-house keeper, to restore calm by recalling the councillors to their duty to 'act like men for the sake of their children and of future visitors to the borough' and the committee's report was confirmed, with Burton voting against and Deudney abstaining.⁷²

Then began what the *News* referred to as 'the paper war on the sanitary question', waged through printed flysheets by the opposing factions.⁷³ First came an anonymous statement described in the *News* as originating in the metropolis but purporting to be from a St. Leonards ratepayer. It objected to the Act on four counts: the under-representation of the west ward, the continued liability of St. Leonards ratepayers for the 2s. rate, the imposition of four additional rates – special district, general district, private improvement and water – and the excessive cost of a general drainage scheme.⁷⁴ William Chamberlin junior issued his own rejoinder, which corrected the misleading implication that all ratepayers would be liable for each of these rates and claimed that the St. Leonards ratepayers could hardly be worse represented than by their Commission-

ers. He alluded to the double payment to the Burton estate sanctioned by the local Act and pointed out the possibility of a reduction in the St. Leonards debt charges by the local board's borrowing at lower interest. He concluded:

Are you prepared then to run the fearful risk of ruining the Township for the sake of saving an increase in your present Rating? Consider this matter over calmly, and do not allow yourselves to be influenced by those who may have interests of their own, distinct in some degree from those of the Ratepayers at large and who, not looking forward enough to see the danger to which they are hurrying themselves, would pull you along and bind you up with them in their short-sighted policy.⁷⁵

Burton responded to this implicit attack in a sheet which refuted the charge of double payment and pointed out the necessity of the 2s. rate for the creation of a sinking fund. He believed that no town in England had experienced a reduction in charges as a result of the Act's introduction.⁷⁶ The *Chronicle* voiced the growing belief that Alfred Burton, in orchestrating opposition to the 1848 Act, was unscrupulously pursuing his own advantage. Damning with faint praise, it urged indulgence for the representative of the founder of that beautiful watering place since his opposition was a natural result of his control over the town: 'He has, no doubt, wielded it to the best of his ability and with as little abuse, perhaps, as it is within the nature of a comparatively irresponsible power to yield to'.⁷⁷

A second notice of the West Hastings Improvement Bill provoked a further salvo in the paper war; it listed the names of 14 permanent commissioners (a further 16 were to be elected by the ratepayers). The five developers were of course included, with other principal inhabitants of the district. But the issue of the *News* which contained the notice also printed a letter from Drs. William Duke and Peyton

Blakiston, consistent supporters of the 1848 Act's introduction, who protested that their names had been added to the list without their knowledge or consent.⁷⁸ Then appeared an anonymous flysheet addressed to the ratepayers of the central district,⁷⁹ which asked:

Are you content to let the majority of 18 tax you for improving the Old Town of Hastings? If so, remain quiet – and see, without a struggle, the Net of the Town Council thrown over you.⁸⁰

Samuel A. Bacon, chairman of the public meeting on the Bill in St. Mary Magdalen parish the previous month, issued his own address to the ratepayers, begging them not to sign petitions in favour of the local Bill or of restricting the application of the 1848 Act to the Old Town. He questioned the claim that the Bill contained all the sanitary clauses of the general Act (if it did, he asked, why oppose that Act?) and welcomed the control of affairs by an elective body from which there was a right of appeal to the General Board.⁸¹

This intensity of local activity was more than matched during the next few months in Parliament and at Gwydyr House, as Hastings men took advantage of the newly opened railway to lobby M.P.s and civil servants in their cause. Upon news of the local Bill's second reading, a deputation from the central parishes visited London on 17 February. Its members went first to Gwydyr House to hasten the preparation of the Provisional Order,⁸² then to the House of Commons to petition the Sussex and Hastings Members. After 'considerable argument' with Fearon, Barnes and W. W. Burton, who were also present, they left, having, as they thought, secured from their Members a month's postponement in order to oppose the West Hastings Bill. However they had not reckoned with Francis Piggott, Eversfield's brother-in-law, who moved the second reading later in the day; Charles Hay Frewen, one of the Conservative M.P.s for Sussex, was

obliged to introduce the Bill the next day. The Borough representatives, Robert Hollond (Liberal) and Musgrave Brisco (Conservative), gained the postponement by an amendment, whereupon Frewen pronounced the Bill 'an arrant job', opposed by everyone in the parishes affected.⁸³ To speak against a private Bill on its second reading was extremely unusual and Frewen's candour indicates the disapproval provoked as much by the attempt to jeopardize a general measure of Parliament for the sake of a local Bill, as by the tactics employed to do so.

THE GENERAL BOARD OF HEALTH

While all four local Members, irrespective of party, worked in concert with local politicians over the next four months to achieve the Act's introduction to the whole borough, the same cannot be said of the members of the General Board of Health, whose loyalties and antagonisms repeatedly hindered attempts to bring health and local government to Hastings and other towns. With the Liberal government of Lord John Russell in power, Lord Seymour, as First Commissioner of Woods and Forests, was the Board's President, with Lord Ashley (who succeeded his father as Lord Shaftesbury in June 1851) as an unpaid and Edwin Chadwick as a paid member and Dr. Southwood Smith as Chief Medical Inspector. Lord Seymour did not share his colleagues' enthusiasm for public health and believed that his role on the Board was as agent of Government – and particularly Treasury – control. He attended only three meetings in two years, ostensibly out of a distaste for being outvoted, but nevertheless chafed at his ignorance of the Board's activities.⁸⁴ By the spring of 1851 relations between the President and his fellow members had all but broken down: his support, in and out of Parliament, could not be counted on. Moreover the paid members and their staff were overworked and disheartened; Chadwick, himself preoccupied with the implementation of his Metropolitan Interments Act, 1850, wrote

to Lord Ashley in February asking him to draw Lord John's attention to the 'jars and interruptions and shortcomings' in the Board's dealing with the implementation of the Act throughout the country and their probable influence on 'the future local regard to the Government itself'.⁸⁵ The proceedings of the Board provide ample evidence of such jars and interruptions through minutes of petitions, counter-petitions, further public inquiries, competing local Bills and delayed Provisional Orders throughout the country.⁸⁶

Unfortunately for Hastings, 'by March 1851 the Board had everywhere lost the initiative':⁸⁷ the deputation of 17 February was told that the Provisional Order would proceed as soon as the Board could get Lord Seymour's attention to it; later in the day his Lordship 'declined to interfere'.⁸⁸ Almost a month later the Board's Secretary sent the amended draft, saying that he was anxious to have the Order ready in time for the second reading of the local Bill on 18 March; it was not in fact printed until two days afterwards although the Board had approved it on 13 March.⁸⁹

The Order had been amended to retain features of the Hastings Improvement Act and the General Board had inserted a provision that two 'assessors' from the west ward should be added to the Council to form the local board. This, they hoped, would answer criticisms of under-representation from St. Leonards, which had been forcibly expressed in a petition to the Board signed by two thirds of the ratepayers.⁹⁰ A letter from W. W. Burton to Greenough expressed the hope that it would have 'due weight' with the Board but in case it failed to arrest the Order's parliamentary progress printed copies were enclosed to influence Members.⁹¹ In addition a deputation of supporters of the local Act set off to London on 17 March to try to postpone confirmation. But when they joined the 8.40 train at Bo-peep they found that it carried five Public Health Act advocates, who had learnt of their appointment and had also arranged to wait on Hollond and

Fuller, the other Sussex M.P., in the Commons.⁹² As a result of their arguments, Holland secured a six-month postponement of the local Bill to allow the Public Health Act's adoption.⁹³

But the rejoicing in Hastings was not to last for long. On 28 March Alexander Paine, a member of the recent deputation, wrote to Lord Ashley that Alfred Burton had that day met Lord Seymour and had 'industriously circulated that the result of that interview is to be the non-application of the Health of Towns Act to this Borough'. Ashley's draft reply reads: 'there is no truth whatever in the report to which you allude', but this has been scored through and annotated 'Provisional order not retained in Bill'.⁹⁴ In a letter to Greenough, Alfred Burton describes the activities of the St. Leonards deputation, timed to coincide with the introduction of the confirming Bill. His members first went to the General Board, where Chadwick disarmingly informed them that since St. Leonards was part of the municipal borough it was unreasonable to object to its being placed under the government of the Corporation.⁹⁵ Refusing to be appeased by Chadwick's offer of a third west ward assessor they visited Lord Seymour, who agreed to omit Hastings from the Bill's schedule, though he would not undertake not to introduce it later in the session.

So far then we have gained our point (wrote Burton) – but we shall have to exert ourselves to maintain the victory we have gained, by *convincing* honourable members of the injustice that St. Leonards would suffer if put under the Public Health Act – we have anyhow luckily a little more time for effecting this.⁹⁶

HASTINGS DELETED FROM THE ORDER

From this point the progress of sanitary reform in Hastings was intimately linked with the elusive and often arbitrary processes of the

exercise of influence. These processes are often difficult to evaluate at a distance of 130 years: when does legitimate assistance to a friend or associate become that Victorian bugbear, jobbery? Hastings's position as 'an isolated suburb of London',⁹⁷ the haunt of the fashionable and powerful, made possible many kinds of influence, which are now discernible obliquely or not at all. The potent influence by which Alfred Burton induced Lord Seymour to override the General Board, without informing either the other members or the local M.P.s, was ascribed to two sources. T. B. Brett put it down to the position of the local Bill's promoters as lessees of Crown lands from the Office of Woods and Forests⁹⁸ but Thomas Ross, in his guidebook, maintained that

people hereabouts are inclined to suppose that Mr. D. Burton's influence in connection with the removal of the Marble Arch to the vicinity of the Duke of Somerset's mansion had considerable influence on Lord Seymour's conduct on this occasion.⁹⁹

In Hastings the facts of the deletion were immediately investigated. The General Board had no hesitation in admitting ignorance of their President's action.¹⁰⁰ In the House his Lordship replied to Augustus Elliott Fuller, Conservative M.P. for Sussex, that he was unable to decide between the conflicting claims of the deputations he had received.¹⁰¹ In treating events in Hastings as a petty local squabble and refusing to acknowledge the ability of the Act's machinery to ensure fair play, Seymour was once more showing his contempt for the Board over which he presided. His explanation to John G. Shorter was more detailed:

His Lordship has admitted that he promised 'some one' to wait a week that a statement might be got up against the Public Health Act being applied to the whole of the Borough.¹⁰²

The rage of the Borough Council was expressed, particularly by the Liberal members, at a meeting of 11 April.¹⁰³ Alderman Charles Clift felt that Lord Seymour 'had disgraced himself and was utterly unworthy to hold the high position he did under Her Majesty', while Thomas Ross maintained that 'it appeared that Lord Seymour ruled the Board of Health, and Mr. Burton ruled Lord Seymour'. In Burton's absence, Seymour's only defender was Robert Deudney, who felt that his Lordship had attached due weight to the request of a deputation representing so much property. For fear of prejudicing its case the meeting finally drew back from demanding a parliamentary enquiry into Lord Seymour's conduct and resolved to petition the Commons for the Act's introduction¹⁰⁴ and to memorialize the General Board. The memorial expressed 'regret and anger' at the omission, which had produced much 'acrimony of feeling' and had 'tended to continue that excitement on the subject of the Public Health Act' which the Council had hoped would be allayed.¹⁰⁵

During the Council debate Stephen Putland gave examples of misrepresentations used by the Act's opponents to gain signatures to their petitions. In St. Leonards people believed that the Act would cause rates to rise to 5s., 7s. 6d. or even 10s. in the pound and that the borough would be governed by officials from London, on salaries of £800 a year.¹⁰⁶ The relative complexity of the Act and its unfamiliarity to the public allowed misconceptions of this sort, innocent and contrived, to take hold. The evidence of corruption, coupled with anxieties about the approach of epidemics and the possibility of a dissolution of Parliament,¹⁰⁷ caused the Act's local supporters to exploit all networks available to them to gain their object. Dr. Blakiston forwarded to Lord Seymour the unanimous resolution of the medical practitioners in the borough calling for the early confirmation of the Order.¹⁰⁸ The General Board's papers also contain a letter addressed from Wellington Square, Hastings, by Samuel Phillips to Joseph

Parkes. Phillips, a novelist and writer of literary reviews for the *Times*, wrote to enlist the help of a fellow journalist, former Secretary to the Royal Commission on Municipal Corporations and associate of Bentham, Place and Chadwick: 'I want you to do an act of public good. We are stinking . . .; last autumn the stinks gave us fever and nearly killed two of my children'. He tells how the agencies of local government are at a standstill and refers to the tactics of the 'jobbers' in St Leonards: 'if the Government won't let us be clean, we must needs ask the press to help us to our washing'. He begged Parkes to speak to Lord Seymour ('I do not know his Lordship or I would write to him') to secure the gratitude of thousands.¹⁰⁹

This letter provides a salutary reminder of the human dimension of a contest which too often seems confined within the political sphere. Throughout April and May Shorter corresponded with the local M.P.s, learning of delays to the General Board of Health Bill, in which in any case his borough did not figure. Lord Ashley, when approached about its reinsertion, replied that the Board did not consider it had anything to do with the schedule once it had been placed in its President's hands and 'declined to take any part in the discussion'. It seemed to Hollond that Lord Seymour had 'a power which, whether right or wrong, the House is not likely to interfere with' and he tried to prepare the Corporation for disappointment.¹¹⁰

The Burton faction, scenting victory, held the first public meeting in St. Leonards on the Act on 24 April. The chair was taken by the perpetual curate, the Revd. G. D. St. Quintin, a St. Leonards Commissioner who, though he urged concord, firmly disallowed Chamberlin's motion for an adjournment to allow the attendance of medical men with the statement that 'he never knew 2015 persons living, under God's blessing, in such a state of animal and physical health'. The Chamberlins, father and son, and Putland argued for the Act's application to the borough but their views were

rejected by a large majority and Alfred Burton closed the meeting by reading a petition for presentation to the Commons.¹¹¹

An interesting sidelight on this petition, illustrating the pitch which the sanitary 'excitement' had reached, is thrown by a Petty Sessions case brought in May and transferred to Quarter Sessions two months later.¹¹² Laurence Glyde was charged with the theft of the petition (described as having 300 signatures) from William Payne of St. Leonards in the Royal Oak public house. Payne was being 'very annoying' in soliciting the signature of Benjamin Moor and while they were drinking Glyde allegedly made off with the petition. Payne, giving chase and much the worse for liquor, mistook the house in Russell Street to which Glyde had gone and was pushed smartly out into the gutter by an old woman. He retreated wet and dirty, another victim of bad drains. Glyde was acquitted, since a felony could not be proved, after the judge had made the jury aware that the confirming Bill had passed.¹¹³ Since at this date the accused had no right to give evidence our knowledge of this episode is tantalizingly incomplete as to both motives and facts but from it we gain a glimpse both of the strength of feeling in the town on the sanitary contest and of the irregular tactics which, if not used, were believed to be used to further it. The petition, when presented, proved to be signed by 158 owners and 152 occupiers of property in St. Leonards. Though from the signatories' viewpoint these figures provided a reliable indication of the *weight* of local opposition they give a misleading impression of its numerical strength: Alfred Burton admitted in evidence to the Lords Select Committee that he had signed 75 times, once for each of his properties; other investors had acted similarly.¹¹⁴

THE CONFIRMING BILL IN PARLIAMENT

The General Board of Health Bill at last appeared on the orders of the day in mid June.

Hollond, who doubted even so whether it would be introduced, recommended a deputation to Lord Seymour to make sure that Hastings appeared in a confirming Bill before the session was over.¹¹⁵ But Alexander Paine, having canvassed opinion, said that many people did not 'feel inclined again to encounter without some definite understanding the almost insulting behaviour of Lord Seymour'.¹¹⁶ In the event, the Bill was introduced unexpectedly in the early hours of 21 June. Fuller and Brisco were absent, Seymour having told them that it would not come on that evening.¹¹⁷ Hollond moved the insertion of Hastings in the schedule, however, with Frewen as seconder. As irregular parliamentary practice, this ranked with opposing a private Bill on its second reading and the motion was defeated by 82 votes to 43.¹¹⁸ Another attempt was made at the second reading on 23 June, once more late at night, with Brisco and Fuller moving the amendment. Lord Hotham, briefed by Burton, supported the status quo,¹¹⁹ but Lord Ebrington, a veteran public health reformer, reminded the House of the Act's intention to give the Queen in Council powers to introduce sanitary measures in a place even when they were not requested by its inhabitants. The defeat this time was by only two votes.¹²⁰ The final attempt at amendment was made by Fuller and Sir William Verner on the third reading, when Lord Seymour pronounced Hastings 'one of the dirtiest towns in England',¹²¹ and said that St. Leonards could not be justly laden with the expense of its cleansing. Viscount Ebrington retorted that

if the noble Lord had made himself as well acquainted with the provisions of the Board of Health Act as with the operation of the Woods and Forests Department, he would have known that there was a power in that Act to charge special districts for any benefits which might be conferred upon them.

This time the amendment was passed by 95 votes to 77.¹²²

With the transfer of the confirming Bill to the Lords a new round of lobbying began. There Lord Waldegrave took charge of the Corporation's case and corresponded almost daily with Shorter. 'You must not canvas the peers', he wrote on 3 July, but ten days later: 'I think it will be well for you to see the Lord Warden of the Cinque Ports and the Duke of Richmond'. Once more the General Board was truculent and refused to take responsibility for the presence of Hastings in the schedule since its irregular insertion.¹²³ Meanwhile Alfred Burton was asking Greenough to persuade Lord Brougham to present a petition¹²⁴ and forwarding copies of a printed statement for him to hand to his acquaintances, Lords Brougham, Overstone, Wrottesley and Enniskillen. Parrott, he said, had gained from Lord Redesdale a promise of help.¹²⁵ The petition, which prayed for the exclusion either of St. Leonards or of the whole borough from the Act, was presented by Lord Wharncliffe on 8 July; the printed statement refers to 'the dangerous system of legislation' which, by including place names only, gave Orders the force of law without setting out their contents.¹²⁶ This allusion seems designed to reopen the controversy which surrounded the Public Health Bill during its passage through Parliament and to rebut arguments that to oppose it was to oppose the sovereignty of the legislature.

It fell to Lord Shaftesbury to introduce the Bill on its second reading on 11 July. The Board's briefing notes point out that many of the objections in the petition are those of the Burtons rather than of the inhabitants of St. Leonards, that the distinction between the general district rate and the rate for permanent works has been lost sight of and that without the Act two sets of commissioners will continue to exercise concurrent jurisdiction: 'the consolidation of local legislation is one chief object of the Public Health Act'.¹²⁷ Because of the St. Leonards opposition the Lords took the unusual step of referring the measure to a Select Committee to report on Hastings alone; it met

on 18 July 1851.¹²⁸ Tom Taylor, as Secretary, conducted the General Board's case for the inclusion of Hastings and called as witnesses Cresy, James Emary the Mayor, Shorter, Blakiston, Ticehurst, Putland, Ross and John Peerless, another councillor who had served on the Nuisances Removal Committee. He aimed to prove that the drainage of St. Leonards was inefficient and inadequate, that small houses had no water supply, that in parts of the township sickness was prevalent and that the present proliferation of local administrations was expensive. In cross-examination he succeeded in demonstrating the St. Leonards witnesses' ignorance of the Act and tried to make Alfred Burton admit to misrepresenting the feeling of the town out of concern for his investments. The St. Leonards witnesses contrast sharply with the familiar campaigners called by the General Board. They were evidently chosen for their practical or technical experience and they appear as agents of the Burton enterprise rather than as men with an independent concern for their environment: John Painter, the Commissioners' rate collector; Henry Hughes and Samuel Woodgate, the major builders in the town; Lewis Gordon, a consulting civil engineer; and Alfred Burton himself. Their evidence was that St. Leonards was well drained and healthy, cheaply administered and continually improved by the Commissioners. Talbot, counsel for St. Leonards, attempted by cross-examination to demonstrate that the evidence and the facts in Cresy's report were out-of-date and that the Board's methods were both expensive and unorthodox. After ten minutes' consideration the Committee decided in favour of the exclusion of the township of St. Leonards and the amendment was reported by Lord Redesdale on 24 July.¹²⁹

Even now all was not at an end. The Lords, it emerged, had no right to amend a taxing Bill and a three-month postponement was ordered. Lord Seymour hastily inserted Hastings (minus St. Leonards) in the General Board of Health (No. 3) Bill,¹³⁰ which passed the Commons on 2

August. Still there were fears: 'Write to Lord Waldegrave and any other peers you know to look to it', wrote the General Board,¹³¹ and Lord Waldegrave two days later pronounced that 'the bill is in great peril – not owing to you but to the board of Health'.¹³² Luckily the danger was averted and the Bill reached the statute book on 7 August. Supporters of public health reform were torn between feelings of frustration at their ultimate defeat and relief at having gained some measure of local self-definition: the more sober spirits had foreseen the difficulties of operating the Act throughout a divided borough.

THE ACT ADOPTED

Perhaps the last word should go to Thomas Ross who devotes a page and a half in the 1851 edition of his *Guide* to the introduction of the Act:

The proceedings in this case, and the jobbing influence apparent in all its stages at one of the great influential boards of the nation, deserve perhaps a record in this simple history of the town [St. Leonards] now stands forth as the only part of the borough, which private interests compel it to be proclaimed is *not subject to proper sanitary control*. It may be here remarked that the impudence of Mr. Burton in trying to prevent Hastings from having a clean Bill of Health because he objected to St. Leonards having one, is only paralleled by that of Lord Seymour, who set the law of the land at defiance at the instance of the same family.¹³³

It is significant that the bitter sentiments of this report issued from a lodging-house keeper. No sanitary history of the borough of Hastings can ignore its position as a seaside resort, which, in its influence on the train of events, distinguished it from towns with more diverse economic and social foundations. First of all,

concern for the sick and poor was not always the overriding motive of the reformers. Although many people were conscious of the link between the environment and disease, most were concerned with the threat to their livelihood of unhealthy conditions, agreeing with Dr. Mackness that in five years no-one would visit watering places which were not subject to the Act.¹³⁴ Its role as a resort was responsible for the town's social and occupational structure and those of its local rulers. While its visitors, at least until the expansion of the railway excursion trade, belonged largely to the upper strata of society,¹³⁵ the indigenous population was composed mainly of tradesmen and those engaged in service industries. Unlike the manufacturing towns whose conditions gave rise to the 1848 Act, Hastings was without a large organized working class and the impetus for reform came from local administrative bodies whose members, though prosperous, were predominantly mercantile rather than professional. The Hastings Corporation in 1851 contained one gentleman (Burton), a solicitor, a doctor, a surgeon, a pharmacist, a superintendent registrar, four grocers, four hotel or lodging-house keepers, two farmers, two coal merchants, a brewer, a draper, a baker, an ironmonger, a tea merchant, a glass and china dealer and an innkeeper.¹³⁶ The active members of the Hastings Commission seem to have been men of the same type rather than of the superior caste traditionally associated with improvement commissioners and this presumably accounts for the unusually harmonious collaboration with the Corporation during the campaign for the Act. Moreover the overlapping composition of the two bodies – with 14 of the 25 councillors on the Commission, several in an active capacity – presumably boosted public confidence in the Corporation's competence to undertake its expanded administrative role.¹³⁷

Because of their fears for the borough's reputation, those active in local government in Hastings did not resolve themselves into a 'clean party' and a 'dirty party' as happened

elsewhere: those on the Council and the Hastings Commission who opposed the measure on the grounds of expense were on the whole won over at an early stage by the advocacy of their colleagues or by study of the Act's provisions. Nor did they split along party lines; though the pioneers of reform on the Council were Liberals – Chamberlin, Putland, Ross and Mackness – they were supported by Conservatives such as Charles Jeudwine and Thomas Hickes who had served a formative apprenticeship on the Nuisances Removal Committee.¹³⁸ Moreover the Liberal government's treachery and indifference made a party line difficult to sustain either locally or nationally.

The devastating division which did occur seems to arise from two different reactions to the superintending inspector's report on the seaside resort; it was deepened, perhaps, by local rivalry. While eastern Hastings determined that it could not turn its back on Cresy's findings and welcomed the chance, through improved local government, to enhance the town's attractiveness and prosperity, the ruling elite of St. Leonards chose to deflect criticism of the township by distinguishing it as sharply as possible from its neighbour. That the conflict was pursued so long and so bitterly was in itself a result of the position of Hastings and St. Leonards as resorts, dependent (particularly in the case of St. Leonards) on metropolitan capital and metropolitan visitors and with access to influential networks for the pursuit of their aims. The vigour with which Alfred Burton exploited these networks, legitimate or not, seems to confirm the belief current in eastern Hastings that he was not the spokesman of a spontaneous and united party of opposition, though it is not clear whether fear of loss of income or loss of power over his father's creation weighed more heavily with him. Although Brett defends Burton against Chamberlin's charges of autocracy, his local influ-

ence, exerted among a highly rated community apprehensive of loss of income, is easily comprehensible.¹³⁹

In opposing the measure Burton was helped by the attitude of the General Board of Health which, secure in its belief in the efficacy of the Act which it implemented, constantly failed to evaluate and to accommodate the strength of feeling which the measure provoked locally. Delays caused by shortage of staff were compounded by checks in the parliamentary process, enabling the Burton faction to capitalize on the antagonism between President and Board. The introduction of the Public Health Act, 1848, to the greater part of the borough, a process which took almost two years, brought into play local and national influences and involved the opportunistic use of errors, weaknesses and chances which had little to do with public health or sanitary science. The irony of the contrast between the wretchedness to be found in the borough and the affluence of the exalted figures who obstructed its improvement was not lost on the town's middle-class reformers. But in the end they could only take comfort from the exclusion of St. Leonards, invoking, with the *News* reporter, the image of the Archway, engraved on its eastern side with the words of Dante: "All those who enter here, leave hope behind!"¹⁴⁰

Acknowledgements

My thanks are due to John Lowerson, who kindly read this paper and offered helpful advice, and to the staff of Hastings Museum and of the Hastings branch of East Sussex County Library, who encouraged my perverse desire to carry out research elsewhere than in the East Sussex Record Office. Most of all I am grateful to my husband, Christopher Whittick, for practical and moral support throughout the preparation of this paper and for constructive criticism of the text.

Notes

- ¹ *Hastings and St. Leonards Chronicle* (hereafter *Chronicle*), 7 Aug. 1849, reporting a meeting of 3 Aug.
- ² 11 & 12 Vic. c. 63.
- ³ J. K. Walton, *The English Seaside Resort* (1983), 52–4.
- ⁴ *Report of the General Board of Health on the Administration of the Public Health Act and the Nuisances Removal and Diseases Prevention Acts from 1848 to 1854*, H.C. (1854), xxxv, p. 1.
- ⁵ General Board of Health returns reported in the *Times*, 14 July 1851, and preserved among the Hastings Corporation papers: H(astings) M(useum), box A, bundle 2.
- ⁶ E. Cresy, *Report to the General Board of Health on a Preliminary Inquiry into the Sewerage, Drainage and Supply of Water, and the Sanitary Condition of the Inhabitants, of the Town and Port of Hastings, in the County of Sussex* (1850).
- ⁷ P(ublic) R(ecord) O(ffice), MH 13/87, G. B. Greenough, 29 July 1850.
- ⁸ 'Every foot of ground is sold for building and as fast as they can get money they will build': H(ouse of) L(ords) R(ecord) O(ffice), minutes of evidence of House of Lords Select Committees, vol. 8, 1851 (evidence of J.G. Shorter, 18 July 1851).
- ⁹ St. Leonards Improvement Act, 1832, 2 Wm. IV, c. 45; Hastings Improvement Act, 1832, 2 Wm. IV, c. 91.
- ¹⁰ Thomas Edwards reminded a ratepayers' meeting on 17 July 1850 that the Hastings Commissioners had no power 'to turn a brick in order to drain a private house': *Hastings and St. Leonards News* (hereafter *News*), 19 July 1850.
- ¹¹ The *Hastings and St. Leonards Chronicle* of 23 Oct. 1849 reports a long debate on the responsibility for repair of a breach in the sea wall, which was finally allocated to the parish of St. Mary Magdalen.
- ¹² H.L.R.O., minutes of evidence, vol. 8, 1851 (evidence of J. G. Shorter to committee on the General Board of Health (No. 2) Bill). The jurisdictions were those of the Hastings Commissioners, the parishes of St. Andrew, Holy Trinity, St. Michael and St. Mary Magdalen, the St. Leonards Commissioners and the parish of St. Leonard.
- ¹³ H.L.R.O., minutes of evidence, vol. 8, 1851 (evidence of Stephen Putland on the General Board of Health (No. 2) Bill).
- ¹⁴ Cresy, *Report*.
- ¹⁵ H.M., box A, minute book of Nuisances Removal Committee, 1849–50.
- ¹⁶ *Chronicle*, 16 July 1850, reporting a meeting of 10 July.
- ¹⁷ Cresy, *Report*.
- ¹⁸ H.M., box 'Hastings Improvement Acts: general papers and correspondence', letter from William Standen to Hastings Improvement Commissioners, 15 Aug. 1851.
- ¹⁹ *Chronicle*, 30 Oct. 1849. There is evidence in their minutes that both bodies heeded these exhortations: in St. Leonards a large cesspool in the market place was removed and in Hastings a committee on the cleansing of drains was appointed.
- ²⁰ H.M., Borough Council minute book 15, 1845–52, 8 March 1850.
- ²¹ *Chronicle*, 11 Sept. 1849, reporting a meeting of 10 September.
- ²² *Chronicle*, 2 Oct. 1849; H.M., Hastings Improvement Commissioners minute book, 1847–51, 1 Oct. The phrase was used by James Harman, a tailor.
- ²³ P.R.O., MH 13/87, 18 Oct. 1849. The papers have been trimmed for binding and some of the signatures from this and other petitions have been lost.
- ²⁴ P.R.O., MH 13/87, 8 Oct. 1849.
- ²⁵ The *Chronicle* and the *News*.
- ²⁶ *Chronicle*, 19 and 26 Feb. 1850.
- ²⁷ *News*, 1 March 1850.
- ²⁸ *Chronicle*, 29 Oct. 1850. The Public Health Act was often referred to as the Health of Towns Act, the name it bore during its early Bill stages.
- ²⁹ U(niversity) C(ollege) L(ondon Library), Greenough papers 28/2, notebook 'Papers relative to St. Leonards'.
- ³⁰ See *Chronicle* report of 3 Dec. 1850 of a speech by Thomas Ross.
- ³¹ Of the 13 Commissioners who attended meetings in 1850 only 8 (including a grocer, a tea dealer, an ironmonger, a cabinetmaker and a bookseller) were resident in St. Leonards. Otherwise the Burton family was prominent: the brothers Alfred (who lived in the town), Decimus and William Ford attended, while William Warwick Burton, W. F. Burton's natural son, acted as clerk.
- ³² *Chronicle*, 29 April 1851, reporting William Chamberlin junior.
- ³³ The *Chronicle* of 4 Feb. 1851 refers in a leader to 'that sure element of corruption and decay, the principle of self-election by the powers that be'.
- ³⁴ H.M., box B, flysheet issued by S. A. Bacon, 13 Feb. 1851.
- ³⁵ H.M., minute books of the Hastings Improvement Commissioners, 1847–51, and of the St. Leonards Improvement Commissioners, 1832–53.
- ³⁶ P.R.O., MH 13/87, memorial of Alfred Burton, 6 Aug. 1850; by the time of the St. Leonards public meeting in April 1851 the debt had reached £14,300.
- ³⁷ P.R.O., MH 13/87, acknowledged 6 March.
- ³⁸ H.M., St. Leonards Improvement Commissioners minute book, 25 March 1850. This apparent undertaking by the General Board coloured the Commissioners' attitude to the Act's introduction. Though they rightly suspected that the Provisional Order could alter their local Act only if St. Leonards was placed under the Public Health Act, they continued to believe that the Board had dishonoured an undertaking to exclude the town from its operation.
- ³⁹ *News*, 12 July 1850 (leading article 'The Sanitary Struggle').
- ⁴⁰ Cresy, *Report*.
- ⁴¹ *Chronicle*, 16 July 1850, reporting Thomas Harman at a meeting of the Hastings Commissioners of 10 July.
- ⁴² The fullest commentary on the report's errors is in the report of a committee of the Hastings Commissioners of 19 July: H.M., Hastings Improvement Acts box. The *Chronicle's* reports of the Borough Council meeting of 10 July and the public meeting of 17 July in the issues of 16 and 23 July 1850 also contain criticisms.
- ⁴³ H.M., box A.

- ⁴⁴ 2,000 according to Cresy.
- ⁴⁵ *Chronicle*, 23 July 1850.
- ⁴⁶ *Chronicle*, 30 July 1850.
- ⁴⁷ *Chronicle*, 16 July 1850, reporting a meeting of 10 July.
- ⁴⁸ *Chronicle*, 4 Feb. 1851.
- ⁴⁹ U.C.L., Greenough papers 28/2, W. W. Burton's letter of 15 July 1850 asking Greenough to scan the report to see whether Cresy's ideas are likely to be cheaper and beneficial to St. Leonards.
- ⁵⁰ U.C.L., Greenough papers 28/2, Alfred Burton to George Greenough, 14 July 1850.
- ⁵¹ U.C.L., Greenough papers 28/1, rental of St. Leonards property, Nov. 1851.
- ⁵² P.R.O., MH 13/87, memorial of Alfred Burton, acknowledged 6 Aug. 1850.
- ⁵³ H(astings) L(ibrary), T. B. Brett, 'History of Hastings and St. Leonards', vol. 4. Brett ascribes the animosity between Burton and Chamberlin to Burton's refusal to remove the old baths to allow improvements to the Chamberlins' hotel; he also believes Chamberlin to have been responsible for some of the errors in Cresy's report.
- ⁵⁴ U.C.L., Greenough papers 28/2, undated notes by Greenough on Alfred Burton's draft memorial to the General Board.
- ⁵⁵ P.R.O., MH 13/87, 29 July 1850.
- ⁵⁶ The Borough was divided into two wards for the election of councillors. The east or All Saints ward returned 18 councillors while the west or St. Leonards ward, which covered an area considerably greater than the township, was represented by six members.
- ⁵⁷ The assumption that the sewage works would be at Bulverhythe is made early and universally. Alexander Paine accuses Alfred Burton in June 1851 of 'taking the speculative part of Mr. Cresy's report as a confirmed reality': H.M., box A, bundle 2. The misconception, however, took root the previous year: see above.
- ⁵⁸ P.R.O., MH 13/87.
- ⁵⁹ H.M., St. Leonards Improvement Commissioners minute book.
- ⁶⁰ P.R.O., MH 13/87, draft of General Board, 17 Oct. 1850.
- ⁶¹ P.R.O., MH 13/87, 6 Dec. 1850.
- ⁶² *News*, 15 Nov. 1850, containing notices of 5 Nov.
- ⁶³ *Chronicle*, 26 Nov.; 3, 24 Dec. 1850. Portions of the parishes of St. Andrew and St. Leonard were also included.
- ⁶⁴ P.R.O., MH 13/87, memorial of ratepayers of parishes of St. Mary Magdalen, Holy Trinity and St. Michael of [Jan. 1851], misfiled among the correspondence of Jan. 1850.
- ⁶⁵ *Chronicle*, 24 Dec. 1850, reporting a meeting of property owners in St. Mary Magdalen parish.
- ⁶⁶ *Chronicle*, 3 Dec. 1850, letter from 'A Burgess, St. Leonards'.
- ⁶⁷ *Chronicle*, 24 Dec. 1850, reporting a meeting of property owners in St. Mary Magdalen parish.
- ⁶⁸ See P.R.O., MH 5/4 for examples.
- ⁶⁹ The draft and the Corporation's suggestions are in H.M., box B, 1851 bundle, those of the Commissioners in H.M., Hastings Improvement Commissioners minute book, 3 Feb. 1851.
- ⁷⁰ The situation described by James Emary to the House of Lords Select Committee in July 1851 had been reached: 21 of the town's 24 councillors were in favour of the Act. The dissenters were Alfred Burton, Robert Deudney and Thomas Mann, all members of the St. Leonards Commission.
- ⁷¹ There is no evidence to support either claim but a request from the Town Clerk for an abstract of the accounts was turned down because the Corporation was not an interested party: H.M., box B.
- ⁷² *Chronicle*, 28 Jan. 1851.
- ⁷³ *News*, 7 Feb. 1851.
- ⁷⁴ *News*, 31 Jan. 1851; no copy of this document has been found.
- ⁷⁵ H.M., box B, 25 Jan. 1851.
- ⁷⁶ H.M., box 'St. Leonards Commissioners', 31 Jan. 1851.
- ⁷⁷ *Chronicle*, 4 Feb. 1851.
- ⁷⁸ *News*, 14 Feb. 1851. Dr. Blakiston, then a physician at Birmingham General Hospital, had contributed to Chadwick's great *Report on the Sanitary Condition of the Labouring Population* (1842) and in April 1851 was to forward the unanimous resolution of Hastings medical practitioners in favour of the Act to the General Board. Brett, 'History', vol. 4, tells us that the name of Robert Ransom, surgeon-dentist, also appeared in the list against his will.
- ⁷⁹ The account of this document is based on a report in the *News* of 14 Feb. 1851, which describes it as signed by Fearon and Clabon, and on the riposte of Samuel Bacon. Fearon and Clabon had on 9 Jan. notified the General Board that they were preparing a statement of reasons why the Public Health Act should be applied only to the Old Town.
- ⁸⁰ The 'majority of 18' presumably refers to the east ward councillors, but the west ward members included three men – William Chamberlin junior, Stephen Putland and James Rock – who led the opposition to the local Bill.
- ⁸¹ H.M., box B, 13 Feb. 1851.
- ⁸² A letter from the Secretary to the Board to J. G. Shorter spoke of his anxiety to have the order ready in time for the local Bill's second reading: H.M., box B, 15 March 1851; its delay was ascribed to a technicality over the Crown leases.
- ⁸³ This account is drawn from the *Chronicle* of 18 and 25 Feb. 1851 and the *News* of 21 Feb. 1851.
- ⁸⁴ For references to this dispute see U.C.L., Chadwick papers 1785, draft statement to the General Board, 21 June [1852], and P.R.O., MH 5/4, 16 Jan. 1851.
- ⁸⁵ U.C.L., Chadwick papers 535, 25 Feb. 1851.
- ⁸⁶ P.R.O., MH 5/4.
- ⁸⁷ S. E. Finer, *The Life and Times of Sir Edwin Chadwick* (1952).
- ⁸⁸ *Chronicle*, 25 Feb. 1851. Lord Seymour's impartiality on this occasion was in any case in doubt since Clabon was present throughout the interview.
- ⁸⁹ H.M., box B, letter of 15 March 1851 and Provisional Order, 20 March 1851; P.R.O., MH 5/4, 13 March 1851.
- ⁹⁰ P.R.O., MH 13/87. The covering letter of 17 Feb. 1851 from W. W. Burton refutes the suggestion, made that morning by the deputation to the Commons, that some of the signatures had been improperly obtained.

- ⁹¹ U.C.L., Greenough papers 28/2, 27 Feb. 1851. One result of the feud at the General Board was to make the exercise of undue influence more difficult.
- ⁹² *Chronicle*, 18 March 1851.
- ⁹³ *Chronicle*, 23 March 1851.
- ⁹⁴ P.R.O., MH 13/87, letter from A. Paine, 28 March, and draft reply from Lord Ashley, 1 April 1851.
- ⁹⁵ P.R.O., MH 5/4, 20 March 1851.
- ⁹⁶ U.C.L., Greenough papers 28/2, 21 March 1851.
- ⁹⁷ A. Briggs, *Victorian Cities* (1963).
- ⁹⁸ H.L., Brett, 'History', vol. 4.
- ⁹⁹ *Ross's Hastings and St. Leonards Guide* (7th edn., 1851). The allusion is to Decimus Burton's work on the ornamental enclosure to Buckingham Palace, which necessitated the removal of Nash's Marble Arch from its original position there. The debate on its resiting was solved by moving it to the present position at Cumberland Gate, not far from Somerset House, Park Lane, the London residence of Seymour's father: *The History of the King's Works*, ed. H. M. Colvin, 6, 1782-1851 (1973).
- ¹⁰⁰ P.R.O., MH 13/87, letter to J. G. Shorter, 8 April 1851.
- ¹⁰¹ *Chronicle*, 15 April 1851. On 20 June in the Commons he elaborated by saying that he had given the inhabitants time 'to come to a better understanding among themselves'.
- ¹⁰² H.M., box B, draft letter of J. G. Shorter to Robert Hollond, M.P., 7 April 1851.
- ¹⁰³ *Chronicle*, 15 April 1851.
- ¹⁰⁴ H.M., Borough Council minute book 15, 11 April 1851.
- ¹⁰⁵ P.R.O., MH 13/87.
- ¹⁰⁶ *Chronicle*, 15 April 1851. The first Local Board Surveyor had a salary of £150 and the first Inspector of Nuisances £90. Further allegations of sharp practice in the collection of signatures were made at a meeting in May: William Chamberlin junior said that ratepayers were told that 'if the Hastings people got them under their thumb they would grind them to powder', while Stephen Putland alleged that 'those who had care of the petition' maintained that the St. Leonards debt would rise to £60,000 under the Local Board: *Chronicle*, 6 May 1851.
- ¹⁰⁷ Alluded to in the *News* of 4 April 1851.
- ¹⁰⁸ P.R.O., MH 13/87, 24 April 1851. The doctors, though presumably committed to the improvement of the public health for altruistic motives, had in some cases a professional interest in the resort's development as a haven for fashionable invalids.
- ¹⁰⁹ P.R.O., MH 13/87, 2 April 1851.
- ¹¹⁰ H.M., box B, Robert Hollond to J.G. Shorter, 19 May 1851. We know however from the Board's minute of 12 April that its President had been requested to reinsert Hastings at the committee stage: P.R.O., MH 5/4.
- ¹¹¹ *Chronicle*, 29 April 1851. Brett, 'History', vol. 4, tells that its presentation by Hollond was regarded by some as 'an unjustifiable dereliction of duty' but says that by presenting it without comment he was discharging his duty to his St. Leonards constituents without betraying the cause for which he was working.
- ¹¹² *Chronicle*, 15 May; 15 July 1851.
- ¹¹³ In fact, as will appear, it had merely passed the Commons.
- ¹¹⁴ H.L.R.O., minutes of evidence, vol. 8, 1851.
- ¹¹⁵ H.M., box B, R. Hollond to J. G. Shorter, 16 June 1851.
- ¹¹⁶ H.M., box B, A. Paine to J. G. Shorter, 18 June 1851.
- ¹¹⁷ H.M., box A, Musgrave Brisco to J. G. Shorter, 3 July 1851.
- ¹¹⁸ Hansard, *Parliamentary Debates*, 3rd series 118, Commons, 20 June 1851.
- ¹¹⁹ U.C.L., Greenough papers 28/2, contains a letter of 4 July 1851 from Alfred Burton to Greenough: 'we have been betrayed in the House of Commons (as the accompanying letter from Lord Hotham will explain)'. Lord Hotham's letter does not survive.
- ¹²⁰ 48 to 46: Hansard, *Parliamentary Debates*, 3rd series 118, Commons, 23 June 1851.
- ¹²¹ The offence which this gave is shown by a handbill printed in Hastings containing the *Daily News* report of the debate; Lord Seymour's words are italicized: H.M., box B, 1 July 1851.
- ¹²² Hansard, *Parliamentary Debates*, 3rd series 118, Commons, 30 June 1851.
- ¹²³ H.M., box A, bundle 2, letters from Lord Waldegrave to J. G. Shorter, 3, 11, 13 July 1851. A letter of 4 July reprimands Shorter for approaching the Earl of Chichester who has a Government place and never opposes his party.
- ¹²⁴ U.C.L., Greenough papers 28/2, 4 July 1851.
- ¹²⁵ U.C.L., Greenough papers 28/2, 9 July 1851. This is perhaps Edward Parrott, Clerk of the House of Lords, who was a neighbour of Burton's in Marina; the patronage of Lord Redesdale, as Chairman of Committees in the Lords, was clearly important.
- ¹²⁶ H.M., box A, statement of 7 July 1851.
- ¹²⁷ P.R.O., MH 13/87, 'as to the ground of objections to the insertion of Hastings in the Confirming Bill', 11 July 1851.
- ¹²⁸ H.L.R.O., minutes of evidence, vol. 8, 1851.
- ¹²⁹ *Journals of the House of Lords*, 83 (1851).
- ¹³⁰ H.M., box A, bundle 2, General Board of Health to J. G. Shorter, 1 Aug. 1851.
- ¹³¹ H.M., box A, bundle 2, General Board of Health to J. G. Shorter, 2 Aug. 1851.
- ¹³² H.M., box A, bundle 2, Lord Waldegrave to J. G. Shorter, 4 Aug. 1851.
- ¹³³ *Ross's Hastings and St. Leonards Guide* (1851).
- ¹³⁴ *Chronicle*, 28 Jan. 1851 (report of Council meeting of 24 Jan.).
- ¹³⁵ A scrutiny of the 1851 Census reveals members of the aristocracy, ecclesiastical dignitaries and numerous 'fundholders' and landowners.
- ¹³⁶ Several of them, like Putland, had more than one occupation. It has been remarked by E. P. Hennock, *Fit and Proper Persons* (1973), 10, that self-employed tradesmen were those who found it easiest to make time to attend meetings.
- ¹³⁷ Contrast the situation in Brighton, an unincorporated town where, fearing an erosion of their powers, the Commissioners opposed public health legislation in 1847-8 as well as the application of the 1848 Act to their

town after a report by Cresy.

¹³⁸ The local newspapers refer to political antagonism in general terms rather than through concrete examples; it is hard to know how seriously to take the claim made in the *News* of 8 Nov. 1850 that party feeling is held in

'honourable abeyance' except at municipal election time.

¹³⁹ H.L., Brett, 'History', vol. 4.

¹⁴⁰ *News*, 31 Jan. 1851.

This research was supported by a grant from the Sussex Archaeological Society's Margary Research Fund.