

Masculinity and The Plebeian Honour Fight: Dispute Resolution in Georgian England

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Abstract

This thesis identifies and assesses a highly ritualised and multi-functional form of plebeian male fighting in England during the Georgian period which has been coined by this study as a ‘plebeian honour fight’. The fight not only embodied ideas of justice and fairness but performed an important social role, serving both as a utility for dispute resolution as well as a means of status attainment. Plebeian self-control, a quality shown to be aspired to in plebeian models of manliness, distinguished the violence from that used in intentional murder, robbery, or by mob rioters. The plebeian honour fight fulfilled an important social role and as such this research argues that its origins lie in plebeian culture. It does this by examining the originality of the plebeian honour fight in comparison to the elite duel and the professional prizefight. Aristocratic patronage and plebeian entrepreneurship were crucial to the development of the professional prizefight and an examination of this process highlights the shared martial values between elites and plebeians. In examining the practices of the honour fight and its accompanying sense of justice and fair play, a distinctive English plebeian manliness is identified and shown to be an important contributor to constructions of English national identity. The plebeian honour fight is then assessed from its initial cause or provocation through to the final stages of the fight process. The importance of the oral challenge in affirming consensus to fight is considered alongside the cultural meanings of various accompanying insults. A sophistication in the rituals and practices of these fights is outlined in revealing their multifarious meanings dependent on what stage of the fight they were enacted. It is not only seen that alehouses and alcohol played a significant role in the location and causes of disputes, but that they were also important in post-fight reconciliatory rituals that were fundamental to the process of reintegrating fighters back into plebeian society. The plebeian fighter is also examined in detail: fighter’s occupations, age, and marital status are collected in a data set and per capita comparisons made with the census. Evolving attitudes of non-combatants involved in the fight process, such as crowds, watchmen, constables, and those of the court are also examined. The behaviour of crowds reveals their important social role as regulators of the fair fight, while a resistance to an increase in authority’s regulation of public spaces is also noted. Court attitudes are shown to sympathise with plebeian honour fighters but not with those who fought unfairly or those non-combatants who were seen to prolong fights to death. In examining the Georgian plebeian honour fight this study advances not only the historiography of masculinity, but also that of violence, criminology, and national identity.

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Chapter 1: Introduction

The following case is an example of a plebeian honour fight that resulted in an unintended fatality. In 1798, the Old Bailey heard of a fight between Henry Niblett, a publican, and William Turner, a baker, that resulted in the latter's death. Witnesses testified how a challenge was given and accepted and how the fight was arranged to take place later 'in a field behind a public house called *The Ben Johnson*' on the 4th March that year. The fighters used fist-blows and throws and during the fight and were assisted by plebeian 'seconds'. One witness described the second as a 'bottle-holder' and how Turner between rounds 'sat down upon his [bottle-holder's] knee.' Witnesses attested to the good conduct of the fight: 'I saw no foul blows struck'. After 'fighting from twenty minutes to half an hour.... He [Turner] received some blows upon his head, and the last blow he fell upon his back.' Turner's second, Homan, assisted his man back into the fight who then attempted a throwing move on Niblett called a 'cross-buttock'. Unfortunately, in the process Turner 'fell upon his head...and the blood flowed from his nose and mouth very fast.' On seeing this John Paulin testified how he then stopped the fight when he 'broke into the ring after the last round, and told the second, if you set these men to fighting any more I will have you taken up.' Turner received first-hand lay medicine and then retired to bed but was to die later from his injuries. One witness described Niblett's reaction upon hearing his opponent's death:

Niblett expressed a very great contrition indeed, and I believe it was sincere, he said, when I told him of it, 'good God, I shall never be happy again,' and then shed a flood of tears.

Just before the fight one witness, an auctioneer, tried to talk Niblett out of the fight.

I thought I saw in the publican, Niblett, a disinclination to fight; I took him aside and told him I hoped he would consider well before he went to fight; I told him it would let him down very much; he thanked me for my advice, but said he had gone so far, that it must be finished in that way.¹

Henry Niblett, the landlord of *The Angel*, felt honour bound to respond to an insult directed at him from William Turner, a baker. The deponent Paulin, an auctioneer, felt compelled to dissuade the publican from engaging in a public fight that 'would let him down very much.' From Niblett's reply, 'it must be finished in that way' there is a sense of the inevitability of

¹ *OBP*, 4 Jul., 1798, Henry Niblett (t17980704-49).

confrontation. This dispute had quickly achieved a level where violence was the only alternative and to pull back from it would be unthinkable. One witness testified ‘... that the fear of being called a coward was the only thing that induced him to fight.’ Niblett felt obliged to accept this challenge in the face of public humiliation because a refusal to fight would be deemed unmanly by his plebeian peers.

This thesis coins the term ‘plebeian honour fight’ to describe such fights as above during the Georgian period. This research aims to distinguish the violence used in plebeian honour fights from that of intentional murder, robbery, or that seen in mobs during riots. It will demonstrate that it was the particular application of measured violence that played an essential role in successfully resolving the dispute as well as allowing both plebeians to exit the fight process with honour. In some ways, the plebeian honour fight was similar to the elite duel as both confrontations followed certain rituals and practices. Challenges were issued, seconds sometimes appointed, and the fight could either start immediately or be arranged for another time and place. However, (as chapter 2 will detail) it differed markedly from the duel in its purpose and practice. Unlike elites who fought duels plebeian honour fighters were unarmed and only certain blows and holds that were deemed ‘fair play’ were allowed. In contrast to the duel the purpose of a plebeian honour fight was not to kill or seriously injure a combatant as an honour fight ended when either a fighter was knocked unconscious or one submitted. Furthermore, the plebeian honour fight, unlike the more clandestine duel, was by its nature a public event. Crowds would often gather in areas where fights took place, such as the street, courtyard or field where onlookers usually judged the fairness of the fight and censured any transgressions against popular notions of fair play. Plebeian honour fights, like early modern brawls, often evolved out of obligations and betrayals of trust, where men felt they had the right to pursue justice through a fight.² Causes of plebeian honour fights included attacks on male sexual honour, insults, disputes over money and property and other perceived injuries which all can be viewed as a betrayal of trust. As such, these insulted plebeian ‘honour’ which was often defended through measured physical violence. Importantly, a plebeian honour fight had to be consensual between both fighters to be used successfully as a utility for dispute resolution or as a contest of manliness. Men who consented to fight each other usually accepted the outcome of the fight, if fought fairly, thereby

² Susan Dwyer Amussen, ‘Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England,’ *Journal of British Studies*, 34 (1995), pp. 24–26.

resolving the dispute or matter of status attainment. This served an important social function in that it allowed disputes to be resolved in a way that both fighters could reintegrate back into society with honour intact. Consequently, this thesis uses the term 'plebeian honour fight' to describe certain consensual fights that will be shown to be highly ritualised and multi-functional, being not only violent performances of masculinity but also enactments of fairness and justice.

This introduction will illustrate that in examining the Georgian plebeian honour fight four areas of historiography are advanced; those of masculinity, violence, criminology, and national identity. In brief, it will investigate how important both the plebeian body and discipline of the mind was to plebeian manliness. It will further reveal how self-control and a sense of fair play were essential to the application of violence during fights and that in this sense violence played an important positive role in plebeian culture. Plebeian honour fights settled disputes independently from and were rarely interrupted by authorities. Importantly, fatalities were unintentional and when they occurred, usually from bad falls or pre-existing or internal injuries, fighters who had adhered to the strictures of the fight by fighting fairly were, if convicted at all, usually dismissed with a one shilling fine. To that extent, the violence of the plebeian honour fight can be viewed as being both accepted in plebeian culture and tolerated by authorities and the courts. It will also be shown that this plebeian martial masculinity shared values across the classes, especially with those of elites. Such shared values are mapped in an examination of the commercialisation of the prize fight. It is argued that the development of the prizefight was a result of plebeian entrepreneurship and aristocratic patronage and that the fighting style was an amalgamation of both plebeian honour fighting practices and certain elite fighting rituals. Thus, it will be shown that important ideals of plebeian masculinity, that were influential in boxing, also contributed to ideals of national identity in the Georgian period.

To date there is little work on Georgian plebeian violence to resolve plebeian disputes or that which has identified the close relationship between plebeian manliness, violence, and the fair fight. There are, to some extent, various historians whose focus on the early modern and Victorian period have identified certain facets of the English plebeian honour fight defined by this thesis. This study aims to not only bridge the chronological gap between both sets of historiographies but also intends to deepen the understanding on the relationship between plebeian fighting, violence, and masculinity. Historians of early modern gender have noted

the relationship between dispute resolution, status attainment, honour, and violence in lower order male confrontations although such confrontations have tended to be assessed less positively than this thesis. Elizabeth Foster links ideas about the early modern male self and violence which were vital to constructions of masculinity to the extent that the ‘testing of manliness by youthful displays of aggression was so deeply ingrained in popular culture, that it could establish a pattern of behavior for later life which was difficult to counter.’³

Similarly, Susan Amussen notes the tendency for those of the lower orders in the early modern period to defend their honour in public places, particularly outside alehouses, while Alexandra Shepard has examined how males who could not attain full patriarchal status used disruptive violence to enforce alternative ideals of manliness.⁴ However, this research of the plebeian honour fight will reveal a more positive view of the violence enacted arguing that the relationship between violence and masculinity was more complex and multi-functional. This thesis argues that a plebeian honour fight was not a lesson in fighting but a lesson in masculinity. Although this study notes youthful displays of aggression in plebeian honour fights, similar to the episodes Foster recounts, they are differentiated by the measure of self-control apparent during the plebeian honour fight. It was this quality that is shown to be such an important aspiration of plebeian manliness. As such, the controlled violence of the plebeian honour fight was still an acceptable option for men of all ages in plebeian culture. This premise is supported by the frequent plebeian honour fights recounted here involving men in their prime and even those into their sixties and seventies.

In outlining similar nuances of the plebeian honour fight this thesis further illustrates how plebeian honour fights were much more than early modern ‘punch ups’. It will show that conducting oneself fairly during the fight was as, if not more, important than winning the fight itself. Stripping before a fight and handshakes were rituals that signposted the honour fight having different meanings depending upon what stage of the fight they were offered. Such rituals were not only embodiments of plebeian masculinity but in their use reveal a sophistication in plebeian fighting rituals and culture that hitherto remains unremarked upon. In this way, the plebeian body and the ability to control the violence applied by it was the cornerstone of plebeian masculinity. This was an alternative construction of masculinity that

³ Elizabeth A Foyster, “‘Boys Will Be Boys?’ Manhood and Aggression, 1660-1800”, in Tim Hitchcock and Michèle Cohen (eds), *English Masculinities 1660-1800* (Harlow, 1999), pp. 37–39, 166.

⁴ Amussen, ‘Punishment, Discipline, and Power’, pp. 24–26; Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2006), pp. 127–51.

unlike the defiant and disruptive construction of masculinity Shepard identifies was not antagonistic to authority while at the same time retaining an independence in its dispute resolution needs.

Nineteenth-century historiography concerned with plebeian or working-class fighting has also centered less on the positive attributes of violence and ritual within plebeian or working-class constructions of masculinities. Historian's focus on nineteenth-century working-class fights tends to associate such confrontations closely with boxing and the professional prizefight. In examining male on male interpersonal violence in the nineteenth-century Martin Wiener has identified two types of ritualised plebeian fights, one that was fought for money and the other for entertainment.⁵ Similarly, J.C. Woods identifies ritualised fights between working class men but argues that Victorian street fighting emulated boxing.⁶ While this thesis notes similarities between plebeian fighting, prizefighting and boxing it does argue that Georgian plebeian honour fights were much more than just imitations of them. In contrast, this study argues that the plebeian honour fight predated the professional prizefight. Moreover, it is argued that the prizefight and boxing more likely emulated plebeian honour fighting practices as the early eighteenth century witnessed an aristocratic patronage of an existing plebeian social utility that fused plebeian and elite fighting rituals. This cross-class amalgamation of ritual and fighting practices was to evolve into the professional prizefight that was hugely successful by the 1780s. Thus, many of the positive characteristics attributed to boxing at the time were already important components of plebeian manliness.

In showing that many of the values between plebeian honour fights and boxing were shared, this thesis also contributes towards the historiography of national identity. Historians argue that during the long eighteenth century Britain's national character was very much a martial one influenced by war and confrontation with the 'other'. Linda Colley shows that Britain defined itself in opposition to Catholic France, while Kathleen Wilson identifies qualities such as courage, daring and fortitude as the 'manly' qualities honed through war that contributed towards a martial British character.⁷ However, there is little mention of how

⁵ Martin J. Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge, 2006), pp. 46,47.

⁶ J. Carter Wood, *Violence and Crime in Nineteenth-Century England the Shadow of Our Refinement* (New York, 2004), p. 30.

⁷ Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven, 1992); Kathleen Wilson. 'Nelson and the people: Manliness, Patriotism and Body Politics', in (ed.) David Cannadine, *Admiral Lord Nelson: Context and Legacy* (Hampshire, 2005).

plebeian ideals of manliness also played a role in such constructions. This thesis will show through accounts of plebeian honour fights, images and various texts on boxing how plebeian honour fighting was considered distinctly English. In particular, the concept of fair play prevalent in depictions of boxing and accounts of plebeian honour fight are especially identified as typical English traits. As such, these English traits were regularly depicted in contemporary prints of John Bull, Jack Tar, or champion prizefighters 'boxing' Napoleon or other representations of England's enemies. In illustrating that boxing was a development of plebeian honour fighting this thesis thus argues that aspects of plebeian manliness also played an important role in constructions of national identity.

Defining masculinities and alternative models

The sociologist John Beynon argues that the term 'masculinity' should not be understood as denoting uniformity because it is composed of many 'masculinities'. Beynon defines masculinities as constructed social codes of behavior that evolve within cultural frameworks and, as such, 'many masculinities' may co-exist together at the same time.⁸ The notion of the coexistence of multiple masculinities in sociological circles was first highlighted in 1982 by R. W. Connell's coining of the term 'hegemonic masculinity'. Connell applied Antonio Gramsci's theory of cultural hegemony to explain class struggle in pre-war Italy as a framework to highlight the diversity of masculinities under the primacy of one. Connell summarized hegemonic masculinity 'as the configuration of gender practice which embodies the currently accepted answer to the problem of the legitimacy of patriarchy, which guarantees, (or is taken to guarantee) the dominant position of men and the subordination of women.'⁹ The original work on 'hegemonic masculinity' fueled such extensive research and interdisciplinary debate that the concept was revisited in an article by the sociologists Connell and James Messerschmidt over two decades later.¹⁰ 'Hegemonic Masculinity: Rethinking the Concept' reviewed the findings of research since 1982 and also responded to numerous critiques. Connell's early assumptions that gender orders construct multiple masculinities have since garnered support from a variety of research from South America to the Far East.

⁸ John Beynon, *Masculinities and Culture* (Philadelphia, 2002), p. 2.

⁹ R. W. Connell, *Masculinities* (Cambridge, 2005), p. 77.

¹⁰ R. W. Connell and James W. Messerschmidt, 'Hegemonic Masculinity: Rethinking the Concept', *Gender and Society*, 19 (2005), pp. 829–59.

Such research demonstrates that even within culturally homogenous countries like Chile and Japan divergent masculinities vary by class and generation.¹¹ Connell's term 'hegemonic masculinity' is also critiqued by Demetriou who argues that the theory is better defined in two parts; the first 'external hegemony', being the dominance of men over women and the second 'internal hegemony', as the ascendancy of one group of men over another.¹² Thus the model for co-existing constructions of masculinities, from a sociological perspective at least, is a convincing one.

The model of patriarchal masculinity was the dominant one during the early modern period, and there is a consensus among historians that violence and honour played an integral role in that hegemonic construction.¹³ Early modern authority was reinforced with violence through the application of corporal discipline applied by patriarchal heads of households equivalent to those of the state such as whipping, pillorying, branding and executions.¹⁴ Conduct books, sermons, handbooks and periodicals were on hand to advise where it was socially acceptable and to what degree aggression, violence, and pain could be applied or endured in a 'manly' way.¹⁵ However, violence as a social tool was not exclusive to the privileged. Supporting the sociologist Demetriou's idea of 'external hegemony', the early modern patriarchal model of masculinity was not homogenous as not all males attained patriarchal status.¹⁶ Other constructions of masculinity, such as those embraced by disenfranchised and young males were also enforced by structured violence that was not uncommon to alehouses.¹⁷

Yet, it is Demetriou's argument regarding internal hegemony that is of most interest throughout this thesis and in particular in the examination of differing constructions of masculinities between Georgian elites, middling sorts, and plebeians (assessed in chapters 2 and 3). Early modern historians of gender have made use of these models. Elizabeth Foyster

¹¹ See T. Valdes and J Olivarria. 'Ser hombre en Santiago de Chile: A pesar de todo, un mismo modelo' in T. Valdes and J Olivarria (eds), *Masculinidades y equidad de genero en America Latina*, (Santiago, 1998) and M Ishii-Kuntz, 'Balancing fatherhood and work: Emergence of diverse masculinities in contemporary Japan', in (ed.) J. E. Roberson and N. Suzuki, *Men and masculinities in contemporary Japan* (London, 2003), cited in Connell, *Masculinities*, p. 835.

¹² Demetrakis Z. Demetriou, 'Connell's Concept of Hegemonic Masculinity: A Critique', *Theory and Society*, 30 (2001), pp. 337-61, cited in Connell, *Masculinities*, p. 843.

¹³ J. S. Cockburn, 'Patterns of Violence in English Society: Homicide in Kent 1560-1985', *Past & Present*, 130 (1991), p. 55; J. M. Beattie, *Crime and the Courts in England, 1660-1800* (Princeton, 2008), p. 75.

¹⁴ Amussen, 'Punishment, Discipline, and Power', p. 4.

¹⁵ Foyster, 'Boys Will Be Boys', p. 152.

¹⁶ Demetriou, 'Connell's Concept of Hegemonic Masculinity', pp. 337-61.

¹⁷ Shepard, *Meanings of Manhood in Early Modern England*, pp. 127-51.

has examined the concept of external hegemony by showing how seventeenth-century patriarchal honour hinged upon a man's successful 'control' of the women around him. This definition clearly outlines 'patriarchy's' intention to subordinate women, although not all men could be 'patriarchs.' It is the development of alternative masculinities in their various constructions that are of interest here. Indeed, one can see such alternative constructions of masculinities revealed in Alexandra Shepard's examination of young, property-less, unmarried men in the early modern period who were denied the full privileges of patriarchy because of their status.¹⁸ In particular, young, unmarried males might adopt a set of values defined by sexual promiscuity, heavy drinking, and violence. Shepard notes that such action resulted in episodes where these young men would hurl insults, smash windows and make themselves generally obnoxious. Such cases could be said to reveal the 'subordinate' nature of Shepard's young men's alternative masculinities as by their disruption they challenged the existing hegemonic masculinity. However, it is important to assess whether plebeian masculinity was complicit or subordinate to Georgian hegemonic masculinity. Performances of plebeian masculinity through the plebeian honour fight were predicated not only on violence but, importantly, the successful self-control of violence governed by the parameters of fair play. Performances such as these did not allow for the escalation of violence to levels of intentional lethal violence or that of the use of weapons. Indeed, as will be shown later in chapter 7, the courts usually treated the surviving plebeian of a fatal plebeian honour fight with leniency as long as the fatality was unintended and the rituals and practices of fair play had been observed. In this way, Georgian plebeian masculinity did not challenge authority or the hegemonic masculinity, but it did settle disputes and attain status independent of it.

Toleration of diminishing violence

After the excesses of the Restoration, historians note a shift in attitudes away from public displays of violence, at least for elites. According to Bob Shoemaker, 'the hunting, drinking, gaming, womanizing gentleman of the Restoration period was expected to reform his manners'.¹⁹ Likewise, Karen Harvey, argues that the post restoration period saw a reaction to

¹⁸ Shepard, *Meanings of Manhood*, pp. 127-51

¹⁹ Robert Shoemaker, 'Male Honour and the Decline of Public Violence in Eighteenth-Century London', *Social History*, 26 (2001), p. 526.

the 'libertine' as gentlemen were encouraged to strive for restraint.²⁰ Also bringing pressure to bear on behavioral excesses were religious campaigns such as The Reformation of Manners movement that had gathered momentum by the end of the seventeenth century. However, elites were not singled out by this movement as all levels of society were targeted by their promotion of respectability and condemnation of 'vice.' Similarly, 'politeness,' a form of studied behaviour and ritual closely associated with the Gallic royal court, made increasing gains in England from the mid-seventeenth century to be arguably the most influential code on eighteenth-century hegemonic masculinity.²¹ At its inception politeness originally fused together what Lawrence Klein terms as a developing 'upper class' empowering those, as identified by Paul Langford, who were already relatively well placed in society.²² In these circles politeness was the code for social interaction espousing etiquette and good manners as well favouring the art of conversation as the preferred method to diffuse elite disagreements. Similarly, Shoemaker argues for a new model that facilitated eighteenth-century resolution of disputes as elites increasingly favoured litigation over displays of public violence such as the duel,²³ However, this does not mean that politeness and violence were mutually exclusive or that it was a simple dichotomy of rough and polite masculinity. Both British army officers and those elites who continued to take part in duels exercised a control of violence while practicing 'politeness'. Matthew McCormack and Catriona Kennedy note the polite accomplishments of drawing, dancing and flute playing as an important part of an officer's identity.²⁴ Gavin Daly also notes the military prowess of Wellington's forces in the Peninsular War and their appreciation of Madrid's 'polite society' where British 'soldiers, especially officers, effortlessly slipped into other guises, including those of the gentleman traveller and connoisseur.'²⁵ Although there seems less tolerance for violence in the eighteenth century than the early modern period, influenced in no small part by politeness,

²⁰ Karen Harvey, 'The History of Masculinity, circa 1650-1800', *Journal of British Studies*, 44 (2005), p. 301.

²¹ Lawrence Klein, 'Liberty, Manners, and Politeness in Early Eighteenth-Century England', *The Historical Journal*, 32 (1989), p. 583.

²² Klein, 'Politeness for Plebes: Consumption and Social Identity in Early Eighteenth-Century England', p. 366; Paul Langford, 'The Uses of Eighteenth-Century Politeness', *Transactions of the Royal Historical Society*, 12 (2002), p. 312.

²³ Shoemaker, 'Male Honour and the Decline of Public Violence', pp. 523-36.

²⁴ Matthew McCormack, 'Dance and Drill: Polite Accomplishments and Military Masculinities in Eighteenth-Century Britain', *Cultural and Social History*, 8:3 (2011), pp. 315-30; Catriona Kennedy, 'John Bull into Battle: Military Masculinity and the British Army Officer during the Napoleonic Wars' in Karen Hagerman, Gisela Mettele and Jane Rendall (eds), *Gender, War, and Politics: Transatlantic Perspectives, 1775-1830*, (Basingstoke, 2010), pp. 127-46, cited in Catriona Kennedy and Matthew McCormack (eds), *Soldiering in Britain and Ireland, 1750- 1850: Men at Arms*, (London, 2013), p. 11.

²⁵ Gavin Daly, 'Liberators and Tourists: British Soldiers in Madrid during the Peninsular War', in Catriona Kennedy and Matthew McCormack (eds), *Soldiering in Britain and Ireland, 1750- 1850: Men at Arms*, (London, 2013).

there were areas such as the duel and in military service where violence played an important role in performances of polite masculinity.

Alongside the general withdrawal by eighteenth-century elites from public displays of violence, historians argue for a 'politeness' that permeated to varying degrees throughout all social strata. Jefferson Looney notes that 'politeness was seized upon by a newly prosperous and numerous class of civil servants, army and navy officers, bourgeois and clergymen, even shopkeepers and craftsmen, all anxious to carve out and defend an appropriately respectable niche in the social pecking order.'²⁶ Klein argues for the trickle-down effect for politeness citing those who would regularly come into contact with elites such as 'shopkeepers, servants, tailors who would need to converse favourably.'²⁷ However, transcripts from the Old Bailey Proceedings concerned with plebeian fights or any other prosecution do not evidence the argument for a plebeian affectation of politeness. Shoemaker demonstrates that out of 45,000 trial accounts, that regularly include plebeian testimony from the Old Bailey Proceedings, plebeian language associated with politeness is scarce. On average only 4 cases out of every 1000 contain words associated with the code of politeness, and the vast majority of those originate from elites or those associated with the emerging middle classes.²⁸ The emulation of politeness from the plebeian class is thus difficult to substantiate.

Equally, there is little evidence that an elite withdrawal from violence 'trickled down' to affect rates of plebeian fights. As noted earlier, Shoemaker argues that it was litigation rather than violence that elites increasingly turned to for the resolution of disputes. Thus, elite violence decreased being increasingly replaced by litigation. Although it is accepted that local JPs sorted many plebeian disputes outside of court, plebeian participation in legal processes declined through the eighteenth century due to costs. Although Shoemaker goes on to say that 'Londoners of all classes became less willing to conduct their disputes in public,' and evidences his argument for a decline in 'mob violence', it is not explained how plebeians resolved disputes without litigation or customary use of violence.²⁹ Thus, this study argues

²⁶ J. Jefferson Looney, 'Cultural life in the provinces: Leeds and York, 1720-1820', in A.L. Beir, David Cannadine and James M. Rosenheim (eds), *The first modern society: essays in English history in honour of Lawrence Stone* (Cambridge, 1989), p. 485.

²⁷ Klein, 'Politeness for Plebes', p. 364.

²⁸ Robert Shoemaker, 'The Taming of the Duel: Masculinity, Honour and Ritual Violence in London, 1660-1800', *The Historical Journal*, 45 (2002), p. 526.

²⁹ See: Shoemaker, *The London Mob*.

that the plebeian honour fight was a viable utility to resolve plebeian disputes being as relevant at the end of the Georgian period as it was at the beginning of it.

Although occurrences of plebeian honour fights increased through the Georgian period there is a consensus among historians that supports overall long-term decreases in violence.

Homicide records have been used to estimate murder rates per capita to gauge levels of violence across societies. However, the validity of such data to assess levels of violence within western societies is debatable. Pieter Spierenburg has shown, from Dutch court records from the fifteenth to the twentieth centuries that as in England violence had been declining at least up to the early decades of the nineteenth century.³⁰ James Beattie's seminal work on court records from the home counties of Sussex and Surrey has outlined a substantial decline in murder rates depicting an annual average of early modern Surrey's murders of 5.3 in 100,000 to less than 1 in 100,000 by the 20th century.³¹ Collating research into European historical murder rates from various historians, Manuel Eisner has shown that this long-term historical downward trend applies not just to England and Holland but to the rest of Western Europe also.³² Although the idea of a downward trend in homicide is accepted, there is contention in the interpretation of such figures. While Spierenburg praises homicide records as the only indicators of violence in some societies, other historians like Sharpe and James Cockburn challenge the assumption that murder rates reflect levels of general violence in society. Cockburn highlights both the 'demographic uncertainty' upon which such murder rates are calculated as well as the effect of improved medical techniques on rates of fatalities. The chances for injuries like broken limbs, stabbings, and open wounds to result in fatalities diminished from the early modern period and Cockburn argues for a framework where similar levels of violence would result in fewer fatalities.³³ As such, decreases in murder rates per capita argued by historians may reflect less a general decrease in violence, supporting the prevalence of the plebeian honour fight, and more the improvements in medical practice.

Murder records are also statistically homogenous and conclusions drawn from an accumulation of such data to represent levels of violence across society is problematic.

³⁰Please see Pieter Spierenburg, 'Long-Term Trends in Homicide: Theoretical Reflections and Dutch Evidence, Fifteenth to Twentieth Centuries', in Johnson, Eric A and Monkkonen, Eric (eds), *The Civilization of Crime: Violence in Town and Country Since the Middle Ages*, (Illinois, 1996).

³¹J. M. Beattie, 'The Pattern of Crime in England 1660-1800', *Past & Present*, 62 (1974), pp. 47-95.

³²Manuel Eisner, 'Long-Term Historical Trends in Violent Crime', *Crime and Justice: A Review of Research* 30 (2003), pp. 83-142.

³³Cockburn, 'Patterns of Violence in English Society', pp. 102-3.

Murder records cannot account for all aspects of interpersonal violence dealt with by JPs, JPs out of session, and the quarter sessions. Neither do they reflect episodes of violence that were not contested enough to be brought before a legal authority of any kind. As Beattie argues, ‘levels of recorded violence in society cannot be relied on to accurately reflect the true character and extent of violence that existed.’³⁴ The ‘true character’ of plebeian honour violence, its control and non-lethal intent, is an important theme to this thesis that statistics alone are prone to overlook. Unlike a qualitative reading of murder rates a quantitative collation of murder records do little to account for context or motive. For example, this thesis’ focus on Old Bailey trials ranging from 1780-1840 reveals that over a quarter of all murder and manslaughter trials in that period resulted from fatalities that occurred during plebeian fights. However, these fights were not random acts of violence. Neither were they intentionally lethal. As Cockburn suggests, many of these fatalities may well have been avoided by progressive medical advances and facilities suggesting a situation where levels of violence can be sustained amidst a decrease in murder rates.

To address forms of plebeian violence in the long eighteenth century it is useful to note theories of long-term change in interpersonal violence. Max Weber’s grand theory builds upon the Hobbesian ‘social contract’ where citizens give up the right to enact violence to ‘the Leviathan’ in exchange for protection. Weber’s theory of the ‘state monopoly of violence’ argues that the state appropriates the right to use violence by ensuring the legality of state violence only.³⁵ Foucault takes this one-step further by arguing that the use of physical violence by the state decreases as it transfers its focus of punishment from the body to that of the soul, such as in the case of incarceration.³⁶ Thus, there is a process whereby the state appropriates and monopolizes violence and then in turn decreasingly applies it. These theories rely on evolving power structures focusing upon a top-down process at the expense of the individual to explain decreasing levels of violence in society. Norbert Elias’s ‘civilizing process’ theory accepts the state monopolization of violence but attempts to supplement it further with two additions:³⁷ One predicated on Enlightenment ideas of functional interdependence through commerce; the other by a process whereby the individual’s capacity for empathy increases over time helping to suppress aggressive urges to

³⁴ Beattie, *Crime and the Courts in England, 1660-1800*, p. 74.

³⁵ Max Weber et al., *From Max Weber: Essays in Sociology* (London, 2009).

³⁶ Pieter Spierenburg, ‘Punishment, Power, and History’, *Social Science History*, 28 (2004), pp. 606–7.

³⁷ Norbert Elias, *The Civilizing Process* (Oxford, 1978).

violent behaviour.³⁸ Elias's theory, based much upon 'psychological' precepts can be criticized for unsafe conclusions drawn from medieval representations of violence and also because it inadequately explains decreasing levels of violence in non-European societies. Although Elias qualifies his theory with such caveats as the non-linear application of civilizing process throughout the course of history, this thesis contests Elias's argument that self-control could only diminish violence. This research shows that the plebeian characteristic of self-control functioned to suppress extreme aggressive behaviour and in doing so actually facilitated violent plebeian episodes. Indeed, it was a quality that contributed to a tacit toleration from authority allowing for plebeian honour fights to flourish as a form of dispute settlement throughout the long eighteenth century.

Defining the meaning of plebeian

As the term 'plebeian' features in the naming of this dispute resolution process it needs to be defined. Historians have noted the difficulty in defining clear social parameters in eighteenth-century England, arguing that complex relationships of dependence and service bore little demarcation.³⁹ Early modern historians make more use of the terms aristocracy, the Gentry, the middling sorts and the lower orders to define broad social categories. More modern classifications of upper, middle and working classes are only useful as categorisations from the early Victorian period in describing the social categories that developed because of increasing urbanization and industrialization within that period. However, the long eighteenth century bridges both of these chronologies. Class consciousness, if developed at all, was in its infancy thus the term the 'working classes' is not inclusive of the majority of plebeians. Similarly, the early modern term, 'the lower orders,' does not fully account for the various forms of non-elite categories. Thus, eighteenth-century historiography tends to use the terms of 'aristocracy' and 'elites' for those at the higher end of the social scale. Those categorized

³⁸ For more on this please see: Manuel Eisner, 'Long-Term Historical Trends in Violent Crime', *Crime and Justice: A Review of Research*, 30 (2003), pp. 83-142; James Sharp, 'Crime in England: Long-Term Trends and the Problem of Modernization', pp. 20-22 in Eric Johnson and Eric Monkkonen, *The Civilization of Crime: Violence in Town and Country Since the Middle Ages* (Illinois, 1996); Eisner, 'Long-Term Historical Trends in Violent Crime', pp. 124-25; Pieter Spierenburg, 'Faces of Violence: Homicide Trends and Cultural Meanings: Amsterdam, 1431-1816', *Journal of Social History*, 27 (1994), pp. 701-16.

³⁹ Roy Porter, *English Society in the Eighteenth Century* (London, 1990), p. 63; Lawrence Klein, 'Politeness for Plebes: Consumption and Social Identity in Early Eighteenth-Century England', in Ann Bermingham and John Brewer (eds), *The Consumption of Culture, 1600-1800: Image, Object, Text*, (London, 1997), pp. 364.

immediately below elites, who were not of privileged birth, were those of the ‘emerging middle-classes’ who had distinguished themselves through the accumulation of money from their occupations or businesses.⁴⁰ For the rest of the lower social strata and in particular urban areas, the term plebeian is normally used.

The term ‘plebeian’ is as ambiguous in its classification as that of the ‘emerging middle classes’. Masters, artisans and those who had their own trade or small business are only some of the examples that may bear classification in either camp. ‘Plebeian’ is also used for those below this social stratum from the skilled worker to the vagrant. When John Brown, a carpenter, described in his diary the attendants at a dance in Stepney in the 1820s, he contrasted the ‘well-dressed young people of the working class’ with a group of men who ‘generally were of a low description’ who later picked a fight with him.⁴¹ Brown’s observations highlight the broadness of the term ‘plebeian’ and its inability to encompass the various sub-classes, identities, and cultures of the varying strata of non-elite and non-middling Georgian society. While acknowledging the ambiguity of the word ‘plebeian’ and the historiographical tendency to categorise all non-elites as plebeian, this thesis endeavors not to overuse this term and takes every opportunity to determine the occupation or discern the social status of the protagonist in question. However, for a general categorisation and ease of use, the term plebeian includes all non-elites and those who by apparent wealth or occupation do not exceed the parameters of the majority of the ordinary population.

Important themes of plebeian manhood

Before continuing to analyse the plebeian honour fight in detail it is first worth outlining some of the important points this research needs to address concerning Georgian plebeian masculinity. In essence, what was distinctive in the performance of plebeian masculinity during this period? What were the important characteristics that influence constructions of plebeian masculinity and why did they exert such influence? Through the study of plebeian honour fights, this research recognises three recurring traits that shaped performances of

⁴⁰For more on social stratification see: Paul Langford, *A Polite and Commercial People: England, 1727-1783* (Oxford, 1989).

⁴¹ John Brown, *Sixty Years’ Gleanings from Life’s Harvest: A Genuine Autobiography* (New York, 1859), pp. 271–72.

plebeian masculinity: plebeian physicality and the hardness of the body; self-control; and lastly independence. Although all three are often interconnected and cannot be completely separated they do bear enough significance on their own to merit individual comment.

Physicality played an important role in the construction of plebeian masculinity in both the workplace and the social sphere. From a body of working class autobiographies, Stuart Hogarth notes that health was measured in the fitness to do work and that in turn work affected plebeian physicality in what he terms as a process of the ‘hardening of the body.’⁴² For plebeians, ‘body hardening’ included such physical manifestations such as the toughening of blistering skin, an increase in physical stamina and strength as well as mental toughening that promoted courage and stoicism in the endurance of pain.⁴³ Such a process of hardening can be found in a wide variety of plebeian occupations from the back-breaking experiences of harvester or coal-heaver, or the endurance, strength, and skill needed for pit work or building, to the muscular strength and balance essential for chairmen and other labourers. Occupations where the focus was not so much on labour but semi-skilled also had characteristics of ‘body hardening.’ Artisans’ endurance of pain extended from bruises and cuts accidentally self-inflicted through skilled occupations such as the wheelwright or woodworker to the endurance of discomfort experienced through the intricate demands on hands or fingers of tailors or shoemakers. Hogarth argues that all such trials of injuries and tests of physicality were metaphorically seen, in Paul Willis’s words, as ‘badges of masculinity.’⁴⁴ Another historian of nineteenth-century labour notes that agriculture and industry still depended ‘on the strength, skill, quickness and sureness of touch of the individual worker rather than the simultaneous and repetitive operations of the machine’.⁴⁵ For the employer, the advantages of a plebeian male to push and exert his body during work needs little elaboration. A healthy man was a productive man and thus a man’s level of production, his ability to perform at work, was a demonstration to others of the potency of his masculinity. A desire to fulfil physically demanding work commitments, under the auspices of peers, would naturally fuel the ‘hardening’ process of the plebeian body; a ‘hardening’ process that while improving the

⁴² Stuart Hogarth, ‘Reluctant Patients: Health, Sickness and the Embodiment of Plebeian Masculinity in Nineteenth-Century Britain. Evidence from Working Men’s Autobiographies’ (London Metropolitan University, 2010), p. 33.

⁴³ *Ibid.*, 40.

⁴⁴ P. Willis, *Learning to Labor: How Working Class Kids Get Working Class Jobs*, (New York, 1981), pp. 52, 158; Hogarth, ‘Reluctant Patients’, pp. 47.

⁴⁵ R. Samuel, ‘Mechanisation and hand labour in industrializing Britain’ in Lenard R. Berlanstein, (ed.), *The Industrial Revolution and Work in Nineteenth-Century Europe*, (London, 1992), pp. 126.

plebeian body's capacity to work would also facilitate successful demonstrations of masculine identity.

The importance of body hardening was not limited to the workplace. Fitness for work also indicated a fitness for play. The competitive nature of men's physicality likewise played a significant role outside the workplace. For some, physical abilities honed through working such as strength, balance, coordination and endurance presented opportunities for males to excel at play or competitive games. The significance of such physicality to plebeian masculinity can be measured in the popularity of endurance tests such as running or walking competitions.⁴⁶ The widespread popularity of professional prizefights also signified a preoccupation with such displays of manliness and skill inspiring emulation from plebeians engaged in imitative prizefights for social status. There is an interesting dialectal relationship between the plebeian honour fight and boxing that bears further examination in chapter 2, but for now, it is worth noting that there was an observance of the rules and fair play. Although a hard physicality served well in work and fighting, constructions of plebeian masculinity were not necessarily driven by physical power alone.

Akin to the idea of stoically endured pain, both physical and emotional, plebeian males were expected to exercise self-control over their emotions, in particular, that of their passion or temper. As physicality was a cornerstone of plebeian masculinity, so also was the ability to master, channel and control the resulting physical power. Plebeian males who succumbed to their passions during confrontations resulting in their failure to keep levels of violence within acceptable parameters of a 'fair fight' were considered unmanly as they had lost control: giving into the animal they were no longer masters of their physicality. Plebeians who conducted themselves with 'honour,' adhering to the principles of the fair fight, were to be admired by their peers enjoying a modicum of tacit approval from authorities. Those who escalated levels of violence by resorting to the use of weapons during a fight were censured by both their peers and the authorities. Research will show that authorities rarely penalised fighters who fought 'fairly' (a term that is explored fully in chapter 5). Even in serious circumstances that warranted official involvement, such as altercations that involved fatalities, authorities differentiated between fights that were fought fairly or unfairly often

⁴⁶For a more in-depth examination of such competitiveness please see: Peter Radford, *The Celebrated Captain Barclay: Sport, Gambling and Adventure in Regency Times* (London, 2002).

dismissing the former while penalising the latter with transportation or death and dissection. In this sense, by adhering to notions of fair play and self-control, even in fatal violent confrontations, plebeians enjoyed a modicum of independence in dispute resolution from authorities.

From the mid-nineteenth century onwards society reached a consensus regarding the importance of independence to constructions of middle class and working class masculinity.⁴⁷ For plebeians, this process started when first going out to work. As well as bringing home a wage the youthful transition from the feminine dominated space of the home to the masculine workplace also brought with it a new standing within the household and a promise of future independence.⁴⁸ Similarly, the rituals and practices of the plebeian honour fight also offered such displays of independence that were opportunities for all plebeian males regardless of whether they were able to fulfil traditional patriarchal duties. Matthew McCormack has argued for the importance of 'independence' to constructions masculinity as 'it represented the epitome of manliness, martial valour, patriotism and political efficacy.'⁴⁹ Increasingly, plebeian men were acknowledged to be patriotic defenders of the state and as the nineteenth-century wore on were given some political voice. However, for this period this model of manhood was only accessible to elites, although there were similar notions aspired to in plebeian manliness. Self-control was an important plebeian manly ideal and it was exhibited by plebeian honour fighters in controlling their anger during the fight. Plebeian self-control was the key to plebeian martial valour and an expression of independence. It was important that plebeian fighters used acceptable levels of non-lethal violence within a loose framework of fair play and that they did not escalate the fight by the use of weapons. Fatalities from plebeian honour fights did arise but these were mainly accidents resulting from injuries sustained from falls onto hard surfaces or outcroppings and were often treated with the utmost leniency in court. As the plebeian honour fight was not motivated by lethal intentions and in its performance subscribed to notions of English fair play the plebeian honour fight is seen to resolve disputes independent of authorities. Although most plebeians were not well off enough to have the political access of McCormack's independent man, the plebeian

⁴⁷ John Tosh, 'What Should Historians Do with Masculinity? Reflections on Nineteenth-Century Britain', *History Workshop*, 38 (1994), pp. 179–82.

⁴⁸ Joanna Bourke, *Working Class Cultures in Britain, 1890-1960: Gender, Class and Ethnicity* (London, 1994), p. 130.

⁴⁹ Matthew McCormack, *The Independent Man: Citizenship and Gender Politics in Georgian England* (Manchester, 2005), p. 76.

honour fight's utility to resolve disputes independent of authority allowed them a certain political freedom. Chapter 2 compares this independence deriving from the plebeian honour fight with the arguments of radicals who believed that political rights should follow successful displays of masculinity, in which independence was an important part. In many ways, the plebeian honour fight was a patriotic performance of English manliness. The practices and rituals of the plebeian honour fight resonated with those of boxing that was closely connected with ideas of patriotism and national identity.

Methodology

This thesis has focused on cases of plebeian honour fights that ended fatality noted in the Old Bailey Proceedings (OBP). The very nature of the plebeian honour fight presents challenges for research from court records for assaults. Such fights were entered upon voluntarily and it would not be considered 'manly' to pursue an assault charge if fairly beaten as it was often the case that fighters would shake hands afterwards or return to or begin drinking together after such a contest. However, if popular rules were thought to have been transgressed and one of the protagonists considered himself 'ill-treated' then an assault case might be pursued. Nevertheless, assaults were often ignored by authorities and private actions difficult to successfully conclude.⁵⁰ Drew Gray's research into assaults in the eighteenth century shows that although assault was also officially a criminal offence the courts would more-often treat it as a civil offence with nearly 85 percent of cases settling by way of an apology and compensation.⁵¹ Furthermore, Gray notes the courts' propensity to dismiss assault cases that involved male combatants where there was little to choose between the two. Claims were often rejected if 'blame' could be found on both sides and 'equal blame' adjudged by the alderman.⁵² The charge of assault presented by John Morris against Simon Fisher was dismissed by Alderman Boydell for being a 'drunken squabble' despite the fact that Morris had been stabbed.⁵³ If such a transgression as a non-lethal stabbing was dismissed then it is not hard to see why plebeian fighters would not pursue court action for more trivial fighting infringements such as hitting or kicking a man below the belt or when he was down. For

⁵⁰ Beattie, *Crime and the Courts in England, 1660-1800*, p. 75.

⁵¹ Drew D Gray, *Crime, Prosecution and Social Relations: The Summary Courts of the City of London in the Late Eighteenth Century* (New York, 2009), p. 113.

⁵² Gray, *Crime, Prosecutions and Social Relations*, p. 111.

⁵³ CLA/604/02/052 3/10/1789, cited in Gray, *Crime, Prosecutions and Social Relations*, p. 111.

these reasons assault records are not the most fertile of grounds for research into plebeian honour fights.

A total of 787 murder cases were tried at the Old Bailey between January 1780 and December 1839.⁵⁴ A systematic search of ‘all murder trials’ at the Old Bailey containing at least one of the following search criteria of ‘assault, punch, wrestle, strike, honour, pugilism, fight’ from 1780 to 1840 returned 417 cases. After close reading of these 109 cases met the criteria outlined in the earlier definition above to be categorised as a plebeian honour fight. The number of plebeian honour fights that contribute towards the total murder cases heard at the Old Bailey during this period is suggestive of a higher frequency of non-fatal plebeian honour fights. As stated earlier, plebeian honour fights were not intentionally lethal. Fatalities usually arose accidentally from bad falls onto hard surfaces or outcroppings. Thus, the fights visible in the OBP were likely representative of many plebeian honour fights that did not end fatally. Even so, the figure for murder charges arising from plebeian honour fights represents nearly 14 percent of all murder charges heard at the Old Bailey over this time period. This is also suggestive of the social significance of plebeian fighting.

As well as providing a qualitative source for plebeian honour fights certain details of plebeians involved in such fights has been collected from the OBP to construct a Database. Personal data of both the offender and the deceased has been compiled from the OBP into an excel database that shows the particulars, where available, of a total of 218 plebeian honour fighters. However, not all the protagonist details were automatically included, both for the deceased and the prisoner. What is consistently provided by the OBP is the offence, the verdict and sentence as well as both the prisoner’s and deceased’s names. After 1791 the age of the offender was also given but only upon conviction. In some cases, other information such as fight location, age, occupation, ethnicity, and marital status of fighters can be gleaned from a close reading of the text. Where possible the presence of plebeian seconds is also noted. The date of the fight and fatality has been recorded to measure the length of time the deceased languished before dying. However, there is no guarantee that such information will be supplied wittingly or unwittingly and some cases are bereft of any further detail of the fighters or location.

⁵⁴ Tim Hitchcock, Robert Shoemaker, Clive Emsley, Sharon Howard and Jamie McLaughlin, et al., *The Old Bailey Proceedings Online*, 1674-1913, www.oldbaileyonline.org version 7.0, accessed on 24 Oct. 2012.

Having argued for the validity of the OBP data to represent plebeian fights it is worth considering the questions that can be asked of it. Questions regarding the age of combatants may be asked. Did older plebeians fight or was it an activity of younger men? What spaces did men fight in? Were there certain plebeian occupations that were more prone to fighting? Is there a relationship between spaces and geographical areas? Do more fights take place inside or outside? How significant is alcohol to these fights? What is the ratio of plebeians who die instantly to those who do not? How many languish for a considerable time before dying? How does different ethnicity affect the answer to these questions? The answers to these questions will be used to support qualitative findings for fight behavior and the role of violence in ideals of plebeian manhood.

The database offers some challenges to the researcher. There are some cases where details are still missing. Fighters' details have been noted only when it has been confirmed within the testimony. Although the total amount of incomplete records is not substantial the inclusion of the 'not known' in categories such as ethnicity, age, occupation, place of birth, marital status and residence must be acknowledged. This database has not categorized every ethnic fighter because in most cases there is no mention of it. In such cases where 'no ethnicity' has been entered it is important to remember that this does not equate to a categorization of English ethnicity as that assumption would be historically unsound. For this reason, questions and conclusions will be drawn from the distinct ethnic groups visible to the database and close qualitative examinations of English plebeian custom, ritual, behavior and social settings will follow in later chapters. No tenuous conclusions from insufficient data are drawn. For example, it is not sufficient to credit a protagonist with an ethnicity on the strength of a name such as O' Reilly to an Irish ethnicity. If trial testimony refers to an ethnicity, then this indicates that a contemporary distinction was made.⁵⁵ This methodology has been used for all such data accumulated; consequently, the database will not be able to comprehensively supply details for all plebeian fighters.

It is also worth discussing the representativeness of plebeian honour fights that have ended as the focus for a murder charge at the OBP. It may be that these fights have become

⁵⁵ It would be methodologically unsound for a historian to make a judgment on ethnicity on a name alone as such a recourse may not take into account whether he was first or tenth generation Irish, whether he had an English parentage, or indeed if it was his real name.

‘extraordinary’ in their visibility to historical research yet the ‘theater’ of such fights is still ordinary in essence. As discussed in more detail in chapter 3 the aim of plebeian fighters was usually a non-lethal one and all that distinguished a fight visible at the old Bailey from one invisible from the many included in the ‘dark figure’ of unrecorded plebeian fights is the fatal conclusion. Therefore, this thesis would argue that the circumstances, participants, rituals and techniques prominent in plebeian honour fights cases at the *OBP* are indeed representative of the numerous fights that never ended in a fatality and that the data collected provides answers that can be applied to a broader popular base.

The historical visibility of the plebeian honour fight is more dependent upon episodes that ended fatally. Lethal plebeian fights or fatalities that could be seen to derive from such episodes were most likely to be reported. If a coroner’s inquest deemed the death suspicious then the surviving protagonist from a fatal fight could expect to face a murder charge even if it appeared accidental as ‘all homicide is presumed to be malicious, until the contrary appeareth upon evidence’.⁵⁶ Such murder trials are usually ripe with witness testimony and are an important qualitative source to this study as plebeians often describe the fight process in their own words. Relevant murder trials that were heard at the Old Bailey and reported in *The Old Bailey Proceedings* (OBP) provide a rich source for the London in this thesis.

This thesis has also researched over 200 life writing texts from which twenty-one are found to have reported accounts of fights that conform to plebeian honour fight status. These writings are often based on memory and thus the recollection of events is liable to differ somewhat. There is often a gap in the time an event was experienced to when the event was written about. Of course, diaries may suffer less from discrepancies of recall if they are written on a daily basis. However, it is difficult to substantiate that a textual entry for a specific day was actually written on that day. Nevertheless, life writings are a valued source since they offer society’s attitudes towards behaviour and events discussed. As such, they are often the main source for research projects as demonstrated by Emma Griffin’s book *Liberty Dawn*, that uses as its main source over 350 published and unpublished working class

⁵⁶ William Blackstone, *Commentaries on the Laws of England: Vol.4* (Oxford, 1786), p. 210, cited in Beattie, *Crime and the Courts in England, 1660-1800*, p. 79.

autobiographies of working class people to understand the effects of the industrial revolution on the working class.⁵⁷

Descriptions of plebeian honour fights from life-writings compliment those revealed in other sources. In this way, life writings are important as they further evidence the practices and rituals of the plebeian honour fight. However, life-writings are also valued as they not only furnish details about the fight but also the author's view or experience is noted. A foreign traveler, Monsieur Cesar de Saussure, remarked upon the propensity of plebeian fighters to challenge themselves and others above their social standing, noting that 'the insolence of the populace is so great that as soon as an honest man has any disagreement with one of their kind, then he is at once invited to strip and fight.'⁵⁸ Although he continues to describe features of the fight details that were similar to those found in newspapers or court records it is his attitude to what he has seen that represents the value of such writings to this research. Similarly, Francis Place's mention in his autobiography of such a fight occurring on the fields nearby his workshop indicates, if not an approval, at least acceptance of the casualness of fighting occurrences.⁵⁹ From such writings this thesis not only strives to define and chart the development of the plebeian honour fight but also to examine the relevance of such plebeian violence to the wider social spectrum other than themselves.

For records of court cases from other parts of the country regional newspapers were used as these publications regularly ran articles covering the Assizes and other courts cases. However, this widening of the topographical research net would incur considerable pressure upon time constraints for the completion of this thesis thus to compensate the time period under study was tightened similar to the metropolitan study from the long eighteenth century to 1780 to 1840. The latter part of the long eighteenth century was decided upon as it yielded improved opportunities for research into reported incidents of fights and related court cases as a substantial increase of regional newspaper publications occurred at the turn of the century.

⁵⁷ Emma Griffin, *Liberty's Dawn: A People's History of the Industrial Revolution*, Reprint edition (Cornwall, 2014).

⁵⁸ Monsieur Cesar de Saussure, 'The letters of Monsieur Cesar to his family: Letter VIII', London 7 Feb. 1727, in Madam von Muyden (ed.), *A foreign view of England in the reigns of George I and George II*, (London, 1902), pp. 180-82.

⁵⁹ Francis Place, *The Autobiography of Francis Place (1771-1854)* (Cambridge, 1972), p. 98.

The use of the digital resource the Gale Database for the examination of newspapers on line has enabled research to identify plebeian honour fights in areas across England. Newspapers are a rich source for fights as a search using the words, 'assault, punch, wrestle, strike, honour, pugilism, fight' for British newspapers from 1780 to 1840 returns 406,276 individual reports.⁶⁰ No doubt this total would include repeat reports of fights and other false positives as publications, particularly regional papers, would usually run the same story often verbatim. Another methodological approach was used to tighten the search criteria and construct a feasible framework for sampling the newspaper returns. The noting of recurring key words viewed previously in the relevant articles assisted in the formation of search criteria that, while collecting articles concerning plebeian fights would also return less 'false positives' as detailed above and return more modest totals. It was also understood that two plebeian males fighting hardly merited newspaper space unless there was a serious outcome and when it did it was usual to frame such contests as 'boxing'. Thus, the paucity of articles on fights other than that reported from court cases influenced the decision to narrow the search criteria to include only assault, boxing and fighting. These figures were further narrowed limiting results only from news articles, restricting positives from advertisements and sporting events. Further filtering of returns was also achieved by using a regional framework. As court cases from the OBP covered London research efforts into newspapers would be better served by examination of English regions by way of major towns and cities, excluding London.

The regional research further developed into two methodologies in response to the sources available and the feasibility of research. Where there was more than one paper in one location running concurrently throughout the period a specific publication was chosen for that area. This method proved useful in managing the number of returns and is now outlined. The following list of publications does not claim to be totally representative for the whole of England. However, it was chosen for its geographical spread with the availability of sources in mind. Returns are for the search criteria 'assault, fighting and boxing'. The *Newcastle Courant* (1803-), printed in the North East returned a total of 799 articles. The *York Herald* (1792-), representing Yorkshire returned 886, while the *Leeds Mercury* (1807-) for the North [West] of England revealed 774. The Midlands was divided with the *Derby Mercury* (1800-) for the East Midlands producing 760 and, due to lack of consistency from one paper throughout the period, a generic West Midlands search for all papers returned 679. In the East

⁶⁰ *Gale Database: British Newspapers Online*, <http://gale.cengage.co.uk>, accessed on 27 Oct., 2012.

of England, the *Bury and Norwich Post* (1801-1900) showed 1605 articles and for the North West the *Liverpool Mercury* (1811-) 872. The South of England, represented by *Jackson's Oxford Journal* (1800-) returned 1,179 and for the South West, the *Bristol Mercury* (1819-) supplemented by the *Felix Farley's Bristol Journal* (1782-1789), revealed 998. By approaching the research using this methodology a total of 8,552 articles were returned which, while still being representative of the regions were a lot more manageable to research than the initial return of over 400,000. Implementing a one: twenty sample rate allowed for a close reading of 428 cases although not every case would be relevant due to false positive returns. Using this method would not be satisfactory for quantitative gauging or comparing *rates* of violence from one area to another as they are not an accurate estimation of how much plebeian fighting was taking place. However, the focus of this research is identifying rituals, customs and the social utility of fighting and this is best served with qualitative research of such regional examples.

To enhance research methods a qualitative research computer program called NVivo has been employed to analyse all the resulting data.⁶¹ This software enables themes to be coded across the diverse sources, for example, digitized data and comments regarding Irish fighting from the *OBP* and *British Library Newspapers on-line* can be grouped with similar themed extracts and comments from archival research, Criminal Registers and life writings. The ability to code in one place across different genres of sources facilitated thematic constructions established from a variety of sources presenting opportunities for a deeper analysis and the connection of ideas.

Chapters

The last part of this chapter introduces the main themes for the following chapters. In that it resolved disputes of honour the plebeian honour fight could be considered similar to the elite modern duel. Plebeian honour fights, especially those fought in the early nineteenth century, could also resemble prizefights. The first part of chapter 2 compares the development of these martial activities and considers the origins of plebeian honour fight. It also charts the

⁶¹ QSR International, *NVivo*, http://www.qsrinternational.com/products_nvivo_features-and-benefits.aspx, accessed 30 Oct., 2012.

commercialisation of the prizefight, suggesting it resulted from an amalgamation of elite and plebeian fighting rituals. The second part assesses the role boxing played in constructions of masculinity and national identity. In doing so it highlights important notions of manhood that were shared across various social classes.

Common causes of disputes that the plebeian honour fight resolved are identified in chapter three. In its variety of causes the chapter argues that all disputes can be seen as a matter of honour need reconciling. The second part of the chapter shows how these plebeian disputes were moved into plebeian honour fights by way of a challenge. As a plebeian honour fight was consensual challenges needed to be accepted before resolution process could begin. It was considered unmanly to fight without the other's consent. Various challenges are identified and shown how they were often barbed with insult to provoke reluctant plebeians to fight. The last part of the chapter considers the effects that space had on challenges and locations of plebeian honour fights.

The next chapter examines the plebeian honour fighters themselves. A qualitative assessment is undertaken of the 218 plebeian honour fighters involved as either defendant or as the deceased in the 109 murder or manslaughter trials heard at the Old Bailey between 1780-1840. Although the Old Bailey recorded few details other than the name of the deceased and defendant, testimony at times reveals ages, occupation, and marital status. Compiling this allows for interrogation which includes the following examples. What age groups were the most prolific fighters? Were certain occupations involved more in fights than others? Did being married mean that a plebeian was less likely to fight? The proclivity for certain occupations for fighting is then compared to their reputation for fighting discernible from textual and visual cultural sources. Conclusions from this data are then compared to the relevant London and Middlesex data available from the 1851 census of England and Wales.

Chapter 5, focuses on the fight itself in two parts. First, the rituals and practices of the fight are defined. The significance of rituals such as the handshake and stripping to the success of plebeian honour fight process to resolve disputes is assessed. Moving on from the ritual the technique of fighting in these events is examined. The sources reveal what was considered fair play and manly and what was considered foul. The second part compares the plebeian honour fight with other fighting styles from both England and abroad. In comparison, the practice of fair play that played an essential role in plebeian honour fights is shown to be

closely related to an English identity in contrast to processes of dispute resolution involving lethal intent from the continent.

The aftermath of plebeian honour fights is the focus for the next chapter. Chapter 6 examines how plebeian fighters reconciled after fighting through rituals. As noted earlier, a successful plebeian honour fight was a successful performance of plebeian manhood. The outcome of the fight would be accepted as deciding the dispute and both combatants would usually partake in drinking rituals. This chapter examines both the negative results of plebeian intoxication and the positive social benefits of plebeian drinking rituals. This chapter also examines the first-hand treatment of plebeian injuries resulting from fights and the role of medical testimony in the subsequent trials for plebeian fighters involved in fatal plebeian honour fights.

Chapter 7 looks at the role of other people in the plebeian honour fight and examines them in three broad groups; non-combative plebeians; representatives of authorities on the streets; and judges and juries. Plebeian independence is highlighted in the actions of crowds regulating their own spaces. Non-combative plebeians ensured that manly conduct was observed and even pursued and detained those who grossly transgressed such parameters of fair play. Similarities are observed between the popular notions of fair play and the attitudes in court that tolerated the violence of the plebeian honour fighter. Plebeians, judges, and jurors can be seen to resist encroaching government policy of new policing methods and more severe punishment for murder and manslaughter. Judges and jurors refrained from implementing these new maximum sentences for plebeian honour fighters convicted of manslaughter, while plebeians resisted new policing methods implemented by the third group, those that represented authority on the streets. These chapters identify the rituals, practices, and processes of the plebeian honour fight and in doing so they highlight their importance in the performance of plebeian manhood in violent confrontations.

Chapter 2: Prizefighting, duelling, and concepts of national identity

Plebeian honour fights, especially those that were fought for money or status, often resembled the quintessential prizefight of the late eighteenth and early nineteenth centuries. As the plebeian honour fight was used for dispute resolution it also bore similarities with the elite modern duel.¹ This chapter highlights and assesses the distinctions between plebeian honour fights, prizefights and duels. It is shown that the prizefight and plebeian honour fight were mutually constitutive. The two have had a symbiotic history, with the prizefight fashioned from existing plebeian fighting practices only later to exert influence in return upon the way some plebeian honour fights were enacted, especially those concerned with status or gambling. Some schools of thought suggest that plebeian fighting rituals were imitations of those seen in the prizefight. John Carter Wood places the origins of the fighting rituals practised by nineteenth-century working-class males in the prizefight, while Martin Weiner argues that the working class adopted the ritual of the prizefight when they ‘stepped outside’ to settle disputes.² Others place an importance on a ‘trickle down’ effect where plebeian culture absorbs characteristics from elite culture.³ This view gives little credit to plebeian culture to cultivate customs that served local ends. Norbert Elias and Eric Dunning recognised that street-fighting between non-elite individuals at this period was itself ‘not entirely without standardised rules’. They argue that prizefighting transformed this ‘lower-class custom’ for the purpose of ‘upper class pleasure’ under the patronage of elites.⁴ To

¹ For more on elite duels please see Stephen Banks, *A Polite Exchange of Bullets: The Duel and the English Gentleman, 1750-1850* (Rochester, 2010); Donna T. Andrew, *Aristocratic Vice: The Attack on Duelling, Suicide, Adultery, and Gambling in Eighteenth-Century England* (New Haven, 2013); Shoemaker, ‘Male Honour and the Decline of Public Violence’, pp. 190–208; Ute Frevert, *Men of Honour: A Social and Cultural History of the Duel* (Cambridge, 1995); Steven Hughes, ‘“Men of Steel”: Duelling, Honor and Politics in Liberal Italy’, in Pieter Spierenburg (ed.), *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America*, (Ohio, 1998), pp. 64–81; Richard Hopton, *Pistols at Dawn: A History of Duelling* (London, 2007); Donna T. Andrew, ‘The Code of Honour and Its Critics: The Opposition to Duelling in England, 1700-1850’, *Social History*, 5 (1980), pp. 409–34; Victor Gordon Kiernan, *The Duel in European History: Honour and the Reign of Aristocracy* (Oxford, 1989); Robert B. Shoemaker, ‘The Taming of the Duel: Masculinity, Honour and Ritual Violence in London, 1660-1800’, *The Historical Journal*, 45 (2002), pp. 525–45.

² J. Carter Wood, ‘Self-Policing and the Policing of the Self: Violence, Protection and the Civilizing Bargain in Britain’, *Crime, Histoire & Sociétés / Crime, History & Societies*, 7 (2003), pp. 109–28; Wiener, *Men of Blood*, pp. 46–47.

³ Lawrence E. Klein, ‘Politeness and the Interpretation of the British Eighteenth Century’, *The Historical Journal*, 45 (2002), p. 485; Lawrence E. Klein, ‘Politeness for Plebes’, in Bermingham and Brewer (eds), *The Consumption of Culture, 1600-1800*, p. 377; Philip Carter, ‘Men about Town: Representations of Foppery and Masculinity in Early Eighteenth-Century Urban Society’, in Hannah Barker and Elaine Chalus, (eds), *Gender in Eighteenth-Century England: Roles, Representations, and Responsibilities*, (Oxford 1997), p. 39.

⁴ Norbert Elias and Eric Dunning, *The Quest for Excitement: Sport and Leisure in the Civilizing Process* (Oxford, 1986), pp. 21, 38.

support this notion, it will be suggested that 'lower-class customs', the plebeian honour fight, predated the modern duel and served as a base for the prizefight. It will be argued that the plebeian honour fight had more in common with the older medieval judicial duel rather than the modern duel that originated from the continent in the sixteenth century. Although it is difficult to put a timescale on the origins of English plebeian fighting practices, assessing the historiography concerned with plebeian fighting from across Europe highlights various similarities dating back to the medieval period. This historiography suggests continuity in plebeian fighting practices as a tool for plebeian communities. It is then argued that the prizefight's commercial success developed from plebeian fighting customs under the aristocratic sponsoring of fighters, prize purses and patronising academies of sparring. The huge success of the prizefight towards the end of the eighteenth century is shown in turn to have influenced plebeian honour fights in their ritual and practice by the nineteenth century.

Having argued that boxing and the plebeian honour fight shared many characteristics and values the second section of this chapter examines their influence on constructions of national identity. It is argued that after the loss of the thirteen North American colonies more chivalric and martial forms of masculinities gained traction. Boxing offered this alternative model of manhood to politeness and sensibility, the eighteenth-century's previous hegemonic constructions of masculinity. An assessment of images, ballads, newspapers reports, magazines and contemporary commentators demonstrates a close relationship between boxing and ideals of national identity. Practices of boxing were associated with a physical robustness, technical skill, courage and fortitude. Politicians co-opted other qualities associated with boxing in shaping English manliness that furthered their political views, Radicals made much of the independence afforded to Englishman through his skill in combat to resist tyranny while anti-reformers stressed the heritage of boxing and its ability to inculcate loyalty to the establishment. This martial ideal of English manliness is further defined in its contrast with the European 'other'. It is shown that boxing was not only valued for imparting a superior English physicality, but that it also nurtured ideas about English fair play and humanness. Contemporary accounts noted how Englishmen solved their quarrels mercifully and fairly by unarmed boxing matches, while their continental cousins confronted their opponents with weapons to do murder.

Origins of the plebeian honour fight

Eighteenth-century proponents of the modern duel pointed (albeit incorrectly) to an ancestry derived from medieval judicial duels, arguing that it was a continuation of established English custom.⁵ The medieval judicial duel or trial by combat was of Germanic origin and widely practised all over Europe and arrived in England with William the Conqueror.⁶ The medieval judicial duel or trial by combat was used to decide the truth of an accusation in a criminal or civil trial and would be publicly enacted in front of the Prince or his representative to legally decide the issue.⁷ The practice of medieval duelling had ceased by the end of the fifteenth century and it was over a century later that the modern duel reached England's shores.⁸

The 'modern duel' owed its development more to the influence of French and Italian courts rather than the jousting fields of England. In Renaissance Italy, medieval forms of combat had been refashioned to incorporate concepts of personal honour that encouraged disputes to be limited to the persons involved. From the continent, a new emphasis on personal honour, rather than that of family or district, was an attempt to restrict the numbers involved in confrontations thereby limiting the bloodletting of vendettas.⁹ Unlike the judicial or chivalric duel, the modern duel did not take place in front of the 'Prince' or his representative and as such violated the social contract thereby challenging the 'Leviathan's', and later the state's, ultimate authority in taking life. In 1720, John Cockburn wrote that duels originated from 'piques and private quarrels' and were fought secretly without *Publick Licence*.¹⁰ While in 1790, *Reflections on Duelling, and the Most Effectual Means for Preventing It* stressed that duels were 'entered into without any public authority'.¹¹ Indeed, the fighting of duels was illegal which resulted in modern duels being clandestine affairs, shrouded in secrecy and fought in private.

Consequently, in its public performance, the plebeian honour fight seems less a lower-order version of the modern duel and more a version of medieval trial by combat. As noted in

⁵ Andrew, 'The Code of Honour and Its Critics', p. 409.

⁶ M. Peltonen, *The Duel in Early Modern England: Civility, Politeness, and Honour* (Cambridge, 2003), p. 4.

⁷ Frevert, *Men of Honour*, pp. 9-10.

⁸ Andrew, 'The Code of Honour and Its Critics', pp. 409-10.

⁹ Peltonen, *The Duel in Early Modern England*, pp. 3-4.

¹⁰ *Ibid*, p. 2.

¹¹ Anonymous. *Reflections on Duelling, and the Most Effectual Means for Preventing It* (Edinburgh, 1790).

diaries from eighteenth-century visitors to England the plebeian honour fight was a public affair, where the conduct of both fighters was accountable to as many witnesses as were watching.¹² Plebeian honour fights also enjoyed a modicum of toleration from authorities (see chapter 7) where a surviving fighter of a fatal confrontation usually received the minimum sentence of a one shilling fine or was even discharged.¹³ The toleration displayed by the courts in such cases bore more resemblance to the state countenance of the mediaeval duel than the censure meted out to the modern duel.

Other important differences between the duel and the plebeian-honour fight were ones of motives for fighting and performances of manhood. Duels did not always end in fatalities. Nevertheless, the intent in striking with a sword or discharging a firearm towards an opponent was indicative of lethal intent. Plebeian-honour fighters did not intend to kill their opponent, used no weapons, and were satisfied by a knockout or submission. Although both fought over matters of honour for the duellist, the ability to coolly stand and receive fire signified to others that he considered his honour more valuable than his life.¹⁴ For the plebeian fighter, a measure of manhood was the ability to retain a modicum of control within the fight without escalating violence to lethal levels or introducing a weapon into the affray. As described in the introduction the theme of self-control was important to plebeian manhood and will be returned to and analysed in more depth throughout this thesis.

Studies of masculinities support the premise that English plebeian-fighting rituals were already well established by the sixteenth century and as such were less likely to be influenced by the modern duel. Elizabeth Foyster notes that defending one's honour with fists was not exclusive to the working class of the nineteenth century but was central to early modern ideas of manhood, combining a hard physicality with self-control.¹⁵ The importance that the lower orders placed upon defending their honour in public places such as alehouses and taverns in the early modern period has been demonstrated by Susan Amussen. Alexandra Shepard also

¹² Saussure, 'The Letters of Monsieur Cesar de Saussure to His Family: Letter VIII (London, 1727)', in Muyden (ed.), *A Foreign View of England*, p. 180; Henri Misson and Henri Misson (de Valbourg), *M. Misson's Memoirs and Observations in His Travels over England* (1719), pp. 304–6.

¹³ For example, see *OBP*, 19 Feb., 1800 John Haswell (t18000219-11) and *OBP*, 24 Jan., 1836, George Watkins (t18361024-2373) - although both were found guilty of manslaughter they were fined one shilling and discharged due to the fair conduct and consensual nature of the fight.

¹⁴ Frevert, *Men of Honour*, pp. 2–3.

¹⁵ Elizabeth A Foyster, *Manhood in Early Modern England: Honour, Sex, and Marriage* (New York, 1999), pp. 211–18; Foyster, 'Boys Will Be Boys?', pp. 52–3, 160, 166.

identified meanings of manhood alternative to the patriarchal norm that were enforced by structures of violence.¹⁶

Research on European fighting practices is also suggestive of the strength of plebeian culture to develop and maintain its own customs. As early as the fifteenth century, plebeian Venetian fighters were noted for their ritualised battles staged on the city's bridges.¹⁷ Early modern Germanic courts were known to dismiss plebeian cases concerned with violent confrontation where certain rules of combat had been adhered to.¹⁸ Gerd Schwerhoff describes Germanic fighting ritual as 'a meaningful and culturally encoded form of social action, ritualised and usually stopping short of fatalities by which respectable males defended their honour before friends and neighbours.'¹⁹ Jonas Liliequest notes that in Sweden the issuing of challenges, boxing ears, and drinking rituals constituted a pattern for early modern lower order fighting culture.²⁰ Similar to the plebeian honour fight, basic characteristics of European plebeian-fighting rituals and practices of dispute resolution were already well established before the early modern period.

The development of the prizefight

By the beginning of the eighteenth century the professional prizefight had already developed into a hugely popular spectator sport that at times drew crowds of over 30,000 at outdoor venues.²¹ The successful rise of the professional prizefight during this period originated from the efforts of entrepreneurial plebeian fighters such as Jack Broughton and James Figg, who both recognised the importance of co-opting members of the aristocracy into the sport. Aristocratic patronage of the eighteenth century played an important role in developing a hybrid of plebeian fighting practices and elite rituals to produce the eighteenth century

¹⁶ Amussen, 'Punishment, Discipline, and Power', pp. 24–26; Shepard, *Meanings of Manhood*, pp. 127–51.

¹⁷ Robert Charles Davis, *The War of the Fists: Popular Culture and Public Violence in Late Renaissance Venice* (Oxford, 1994), pp. 64,67-69.

¹⁸ Eva Lacour, 'Faces of Violence Revisited. A Typology of Violence in Early Modern Rural Germany', *Journal of Social History*, 34 (2001), p. 651.

¹⁹ Gerd Schwerhoff, 'Criminalized Violence and the Process of Civilisation: A Reappraisal', trans. Lukas Hoffmann, *Crime, Histoire & Sociétés / Crime, History & Societies*, 6 (2002), p. 103.

²⁰ Jonas Liliequest, 'Violence, Honour and Manliness in Early Modern Northern Sweden', in M. Lappalainen and P. Hirvonen (eds), *Crime and Control in Europe from the Past to the Present*, (1999), p. 197.

²¹ Karen Downing, 'The Gentleman Boxer: Boxing, Manners, and Masculinity in Eighteenth-Century England', *Men and Masculinities*, 12 (2008), p. 326.

prizefight. Before the commercialisation of boxing began in the 1730s, the prizefight was comparatively basic in ritual, serving mainly as an attraction at travelling fairs or village fetes.²² Often these early prizefights were performances in shows such as the one outlined in 1715 by the *Weekly Journal* that promised a ‘wide range of Martial Skills to be displayed, including Cudgel playing and Boxing.’²³ In 1725, a boxing ring was made in Hyde Park where onlookers could enjoy prizefighting and in 1735, James Figg, a seasoned boxer of humble origins, opened London’s first indoor boxing theatre in Tottenham Court Road.²⁴ True to the traditional form of offering prizefights as part of a package of entertainment, this venue also provided a platform for many other ‘sports’ such as wrestling, cudgelling and ‘back-sword’ fights. Demand for the boxing experience resulted in increases in both occurrences and venues for prizefights as London’s second indoor amphitheatre was opened on Oxford Street by Jack Broughton who produced the first codification of boxing rules in 1743.²⁵ Early patronage from elites included the Prince of Wales, the Duke of Cumberland, the Duke of Hamilton and Lord Barrymore whose association with boxing encouraged other elites as well as those from less austere backgrounds. From this association with the aristocracy derived respectability and money- both important to the future success and professionalisation of the prizefight.²⁶

For elites, the attractions of the sport were twofold: a preoccupation with the physicality displayed by plebeians and the chance to wager on the outcome. Although the marketing of boxing may well have established a format conducive to elite patronage it does not fully account for the appeal it had to the aristocracy- or for the longevity of their interest. Norbert Elias and Eric Dunning argue that the influence of aristocratic patronage ‘adapted lower-class custom to upper-class pleasure.’²⁷ Performances of plebeian masculinity in these lower-class customs were not uncommon in the streets, but the new indoor venues set the trend where these physical displays of manliness could be enjoyed or even participated in by inquisitive elites. Indeed, such venues actively encouraged elite audiences who wished to be associated with a ‘hard masculinity’ by placing newspaper adverts such as appeared in *The London*

²² Dennis Brailsford, *Bareknuckles: A Social History of Prize Fighting* (Cambridge, 1989), p. 2.

²³ *Weekly Journal With Fresh Advices Foreign and Domestick*, 9 Apr., 1715.

²⁴ Pierce Egan, *Pancratia, Or, A History of Pugilism: Containing a Full Account of Every Battle of Note from the ...* (W. Oxberry, 1812), p. 3, <http://archive.org/details/pancratiaorahis00unkngoog>, accessed on 28 Feb. 2013; Brailsford, *Bareknuckles*, p. 2.

²⁵ Graham Scambler, *Sport and Society: History, Power and Culture* (Maidenhead, 2005), p. 105.

²⁶ Egan, *Pancratia, Or, A History of Pugilism*, pp. 73–74, 79.

²⁷ Elias and Dunning, *The Quest for Excitement*, p. 38.

Daily Post 1740: ‘A lecture in Manhood or Gymnastic Physiology... Theory and Practice on the Art of Boxing’. Refocusing on the art rather than the brutalities, newspaper reports regularly noted that boxing matches were ‘much improved in the Science.’²⁸ Books released in this time with titles such as *Treatise upon the useful Science of Defence, connecting the Small and the Back-Sword, ‘with some Observations upon Boxing and of the Characters of the most able Boxers within the Author’s Time’*²⁹ confirmed the continuing association of boxing with the more genteel classes.

Gambling on the outcome played an important role in the popularity of prizefights. With elite patronage came an influx of money not just from the patrons but also from those who wished to gamble on the result. The association of the ‘great and the good’ with gambling was one that was well known at the time and as Donna Andrews argues, was considered along with duelling, adultery, and suicide as one of the four ‘vices’ typically associated with the aristocracy during the eighteenth century.³⁰ As the prizefight grew in popularity, it developed a particular following known as the ‘Fancy’ who would follow the organised fights around the country. Every sport they could wager on, especially pedestrianism and running races, piqued their interest yet it was the structured brutality of the prizefight that caught and held their interest.³¹

Recent research from the history of medicine has noted the plebeian culture of the ‘hardening of the body’ where men grew into manhood developing their physicality through working and playing hard.³² Such strength in plebeian manhood, evident in street fights and later prizefights, contrasted with hegemonic ideals of aristocratic masculinity.³³ The hegemonic masculinity of the early eighteenth century was one that adhered to concepts of politeness. Enlightened elites were now expected to debate and negotiate, honing social graces by interaction and polite conversation with women.³⁴ The decline of the duel and the expansion

²⁸ *London Daily Post and General Advertiser*, 25 Jan. 1740, *Public Advertiser*, 5 Jan. 1792.

²⁹ *Evening Post*, 7 Jun. 1747.

³⁰ Andrew, *Aristocratic Vice*, pp. 2-13.

³¹ Radford. *Captain Barclay*, p. 60.

³² For more on the ‘hardening of the body’ please see: Stuart Hogarth's thesis, ‘Reluctant Patients: Health, Sickness and the Embodiment of Plebeian Masculinity in Nineteenth-Century Britain. Evidence from Working Men’s Autobiographies’ (London Metropolitan University, 2010).

<http://ethos.bl.uk/OrderDetails.do?did=1&uin=uk.bl.ethos.536724>, accessed on 5 Apr. 2014.

³³ For an explanation of hegemonic masculinities, please see R. W Connell, *Masculinities* (Cambridge, 2005).

³⁴ For an in-depth analysis of ‘politeness’ please see; Klein, ‘Politeness and the Interpretation of the British Eighteenth Century’, pp. 873–76; Carter, ‘Men about Town’, pp. 35–39; Klein, ‘Liberty, Manners, and Politeness’, pp. 583–85.

of the 'coffee shop' facilitated 'public sphere' marked the hegemony of polite masculinity.³⁵ Sensibility, which was to replace politeness as the dominant ideal of manhood for elites towards the end of the eighteenth century, was another ideal that prioritised sympathy and benevolence over more martial pursuits.³⁶ Displays of hard plebeian physicality presented a challenge to these contemporary constructs of manhood which were already under criticism for the encouragement of effeminate behaviour in men.³⁷

The hard physicality of plebeian bodies engaged in performances of violence, akin to chivalric displays of medieval elite masculinity, exerted an appeal to elites who answered advertisements for instruction in boxing such as the one below in 1792 to be held in Jack Broughton's Amphitheatre.

The Syllabus or Compendium for the Use of Students in Athleticks [sic], referring to the Matters explained in this lecture, may be had of Mr Professor Broughton, at the Crown in Market-Lane; where proper Instructions of the Art and Practice of Boxing are deliver'd without the Loss of Eye or Limb to the Student.³⁸

Some elites were even known to settle their disputes in public by boxing. *The Whitehall Evening Post* reported in 1795 that Lord Pomfret and Lord Falkland were 'obliged to enter into recognizances to keep the peace' as 'their Lordships ran against each other, and from the heat of temper the business ended in a boxing match in which the Earl of Pomfret was the sufferer.'³⁹

However, the attraction of this hard physicality was not generic across the elite social strata. Displays of public brawling were considered ungentlemanly and often met censure similar to that noted in 1790 by the *Diary or Woodfall's Register* 'that any person who lays claim to the character of a Gentleman, would degrade himself by engaging in a regular pitched battle of

³⁵For the decline of the duel please see Shoemaker, 'Male Honour and the Decline of Public Violence', pp. 190–208; Shoemaker, 'The Taming of the Duel', pp. 525–45; for the theory of the public sphere please read Jürgen Habermas, *The Public Sphere: An Encyclopedia Article*, (1964).

³⁶Gesa Stedman, *Stemming the Torrent: Expression and Control in the Victorian Discourses on Emotion, 1830-1872* (Hampshire, 2002), p. 204; Barker-Benfield, *The Culture of Sensibility: Sex and Society in Eighteenth-Century Britain*, (Chicago, 1992), p. vii; Philip Carter, *Men and the Emergence of Polite Society, Britain, 1660-1800* (London, 2001), pp. 27–29.

³⁷Michèle Cohen, 'Manners' Make the Man: Politeness, Chivalry, and the Construction of Masculinity, 1750–1830', *Journal of British Studies*, 44 (2005), pp. 314–29.

³⁸*Public Advertiser*, 5 Jan. 1792.

³⁹*Whitehall Evening Post* (1770), 13 Jun. 1795.

such a nature.’⁴⁰ Accordingly, not all elites who were attracted to the hard physicality of the prizefight actively participated in instruction in the gym. Those who were interested in just spectating followed more dignified examples set by those like the Prince of Wales, who were content to be associated with such displays of manliness through patronage or spectatorship.

Elite patronage incorporated existing aristocratic rituals such as the use of seconds from the duel to the prizefight. The use of formal seconds in elite duels was common practice by the end of the seventeenth century and their inclusion was intended to ensure the civility of the event.⁴¹ The attendance of seconds at professional prizefights coincided with the aristocratic patronage from the beginning of the mid-eighteenth century. Although difficult to substantiate the relationship, it would seem likely that elite patronage influenced the development of the prizefight by the introduction of ritual and etiquette already familiar to them from the duel. The use of seconds and those who served as umpires helped ‘civilise’ the prizefight through regulation such as the implementation of rules, articles of agreement, and by minimising the intervention of the crowd.

Similar to a second’s duty for the duel, a prizefighter’s second was there to assist his charge. A prizefighter’s second would pick up his fighter when he had fallen or been knocked down by an opponent. He would also offer a bended knee, later to be replaced by a stool, for his fighter to rest on between rounds, and gave succour at such times in the form of lemons or water.⁴² As in the duel, the men would face each other before they fought and a ‘formal’ line or ‘scratch’ was made on the ground for the face-off. This scratch in the ground was also the place that prizefighters would have to return and stand to after a fall, giving rise to the saying ‘coming up to scratch’. If a prizefighter failed to ‘come up to scratch’ after a knockdown, then he would be deemed the loser of the fight.⁴³

The prizefight’s structure also tackled the problems associated with the press of onlookers that usually formed a ring around plebeian honour fights. Plebeian viewers had a tendency to break-in, swamping one or both fighters in attempts to spoil fights. It would seem that elites

⁴⁰ *Diary or Woodfall's Register*, 6 Jan. 1790.

⁴¹ Frevert, *Men of Honour*, p. 11; Andrew, ‘The Code of Honour and Its Critics’, pp. 411–12.

⁴² John Ford, *Prizefighting. The Age of Regency Boximania* (London, 1971), p. 113; Brailsford, *Bareknuckles*, pp. 7–9, 88; See *OBP* Thomas George, 1823 (t18231203-81) ‘Fawcett said, ‘George shall fight you for a leg of mutton and trimmings.’ Fawcett attended the fight, and supplied them with lemons.

⁴³ Brailsford, *Bareknuckles*, pp. 44, 61, 143; Ford, *Prizefighting. The Age of Regency Boximania*, p. 113.

hoped to eradicate this action in prizefights by a more formalised barrier such as rope or pole, visible in both the following prints below (Fig. 1, Fig. 2), making up the ring. This can be seen as both another measure to ‘civilise’ the event as well as ensuring a fair outcome on the considerable wagers they placed. The structure of the eighteenth-century prizefight, as illustrated by the two prints below, seems most likely the amalgamation of certain plebeian honour fighting and duel rituals that produced a highly choreographed physical contest where patrons could associate with civilised ‘hard masculinity’ in a structured, regulated format that facilitated wagers upon the result.

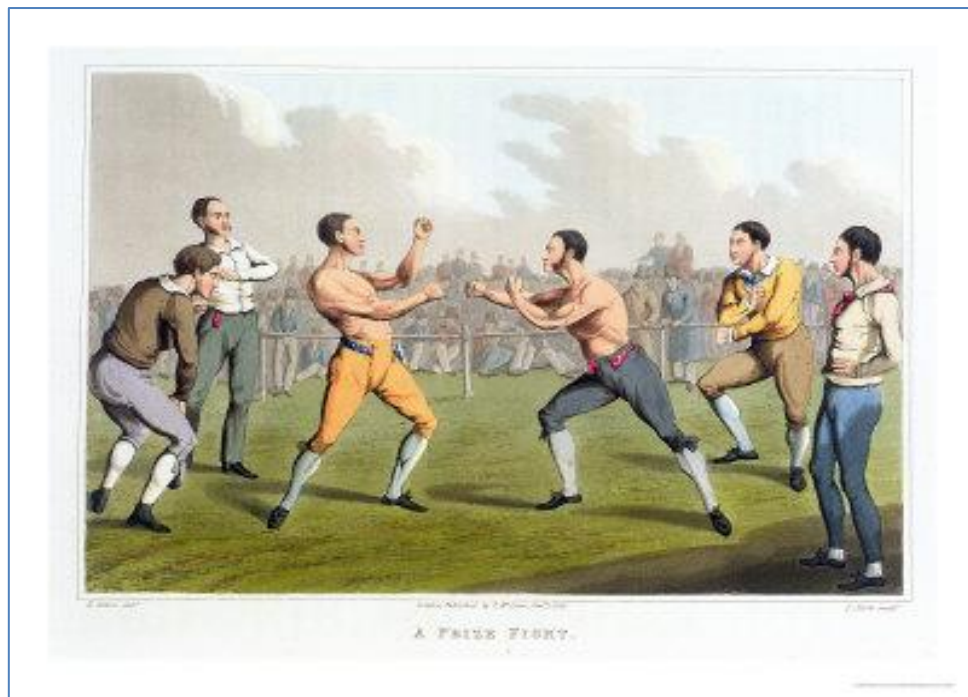


Fig. 1: *The prizefight*, Thomas Rowlandson, (London, 1787).

From the 1780s prizefights could regularly draw crowds numbering in the thousands and as noted earlier those that featured famous boxers were known to exceed 30,000 by the turn of the century.⁴⁴ However, these events proved not as popular with some from the middle-classes. Although such events were not in themselves illegal magistrates, nervous of such crowds, were prone to read the Riot Act forcing them to disperse. Such action typifies the disciplinary tendencies of the ‘middle classes’ who were critical of the vices of both the

⁴⁴ Downing, ‘The Gentleman Boxer’, p. 326.

upper and lower orders.⁴⁵ However, not all magistrates were as keen to disrupt prizefights and regular attendance of JPs, and others of the middling orders were noted.⁴⁶ Both the *General Evening Post* and the *St. James Chronicle or British Evening Post* reported crowds exceeding ‘8000 middling to inferior’ attending boxing-matches at Vauxhall Gardens.⁴⁷



Fig. 2: *A Prizefight*, Thomas Mclean, (London, 1820).

The popular cross-class appeal of the eighteenth-century prizefight was likely aided by a structure that incorporated both lower and elite fighting rituals. This very nature of the professional prizefight attracted an immense cross-class following in the late eighteenth and early nineteenth centuries. In his memoirs, Judge Hawkins (1817-1907) noted the social and gendered mix of a crowd congregating in a field behind a public house in Bourne Bridge, Six Mile Bottom, Cambridgeshire to watch a boxing match:

It was a procession of the blackguardism of all ages and all countries under heaven. The sexes were apparently in equal numbers and in equal degrees of ugliness and ferocity...

⁴⁵ John Tosh, ‘Masculinities in an Industrializing Society: Britain, 1800–1914’, *Journal of British Studies*, 44 (2005), p. 342; Langford, *A Polite and Commercial People: England, 1727-1783*, p 128.

⁴⁶ Peter Radford, *The Celebrated Captain Barclay: Sport, Gambling and Adventure in Regency Times* (London: Review, 2002), p. 61.

⁴⁷ *General Evening Post*, 29 Aug., 1780, and *St. James Chronicle or British Evening Post*, 29 Aug., 1780.

Amidst this turbulent rabble rode several members of the peerage, and even Ministerial supporters of the 'noble art' ...⁴⁸

If one examines the crowd closely in the two illustrations above and the one below, looking past those plebeians nearest the violence, one can spot the top hats and parasols of the elites. The inclusion of men and women from different classes in the audience is suggestive of the social heterogeneity of the audience that attended prizefights.⁴⁹



Fig. 3: *Boxing Match for 200 Guineas* (London, 1761-1800)

The prizefight's influence in-turn on plebeian honour fights

Considering the success and cross-class popularity of the prizefight, it is not surprising that plebeians started incorporating characteristics of the professional prizefight in plebeian honour fights. There is little evidence for the presence of seconds at plebeian honour fights until the end of the eighteenth century, yet they become a regular feature in the 1820s- the decade when professional prizefighting was at its zenith.⁵⁰ In the 1720s there were 189 murder cases heard at the Old Bailey of which fifty-four cases fit the parameters of a plebeian

⁴⁸ Henry Hawkins, *The Reminiscences of Sir Henry Hawkins, Baron Brampton*, Richard Harris (ed.) (London: 1904), p. 60, <http://archive.org/details/cu31924026422646>, accessed 15 Nov., 2013.

⁴⁹ Radford, *The Celebrated Captain Barclay*, p. 29.

⁵⁰ John Reid, *Bucks and Bruisers: Pierce Egan and Regency England*, (London, 1971), p. 136.

honour fight.⁵¹ However, of those fifty-four cases there is not one mention of a plebeian second in attendance. The first British newspaper accredited with publishing an account of a boxing match was *The True Protestant Mercury* in 1681, and again there is no mention of the presence of any seconds.⁵² Indeed, from a database of all plebeian honour fights that ended fatally from the Old Bailey Proceedings between 1780-1840, there are no accounts that include the term ‘second’ before 1798. Neither are there any accounts of seconds in life writings until the early nineteenth century. However, in the period from 1798 to 1840 nearly a third of all plebeian honour fights included the use of seconds. There is a case in 1786 that does not use the term ‘second’ yet a man does provide a service similar to the second present in the prizefight. Samuel Willet testified how William Stone, on his way outside to fight John Neale, asked him to accompany him and ‘pick him up’ if he fell.⁵³ As noted earlier, picking a fighter up and bringing him up to the ‘scratch’ was a responsibility of a second at a prizefight. In 1823, Benjamin Sarsons, testifying to a plebeian honour fight he had witnessed, told the court how ‘Smith and Jones were among the bye-standers, but seeing them fighting, picked them up. I did not hear them encourage the fight; they acted as seconds.’⁵⁴ Smith and Jones were unknown to both fighters and that they were ‘bye standers’ confirms the spontaneous and non-professional nature of the fight. Yet, their actions in a plebeian fight were interpreted in terms of the prizefight, which supports the argument that the way prizefights were conducted had a significant influence upon plebeian fighting rituals at this time. Although the exact duties and responsibilities of plebeian seconds are analysed in chapter 7 a brief look at how and when seconds participated in plebeian honour fights supports the argument for the cross-class influences of the duel and the prizefight in the nineteenth century.

The common motive for plebeian honour fights usually centred on dispute resolution or status attainment. However, reflecting the surge in popularity of the prizefight towards the end of the eighteenth-century there was also an increase in fights that were seemingly fought just for or encouraged by financial gain. Testaments to this increasing trend were occasions where ‘gentlemen’ would spontaneously pay to see conflictual plebeians fight for their amusement. In 1786, George Stringer testified how he fell out with Francis Jenkins over paying for a pot of beer and how a ‘gentleman gave us some silver after our battle was done.’⁵⁵ In 1784, the

⁵¹ All figures calculated from those provided by *Old Bailey Proceedings on-line*, 24 Jun., 2012

⁵² Curtiss, ‘True Protestant Mercury or Occurrences Forein [Sic] and Domestick’, 28 Dec. 1681, p. 103.

⁵³ *OBP*, 30 Aug., 1786 William Stone (t17860830-95).

⁵⁴ *OBP*, 3 Dec., 1823 John Turner (t18231203-48).

⁵⁵ *OBP*, 19 Jul., 1786 Francis Jenkins (t17860719-86).

Old Bailey heard of a fatal disagreement between James Logan and John Mealey who were drinking together outside the Anchor and Crown, Wapping. James Rose, a witness to the event, testified that some words passed between them then the prisoner, Logan, said ‘shipmate do not use me ill’ but that the deceased, Mealey then ‘struck at him’. However, rather than reply with a blow Logan said he would ‘rather drink with you than fight’. Logan’s sentiment pacified Mealey, and both sat down again. Anne Rose, who was also drinking at the Anchor, testified that both men after the dispute ‘seemed pretty sociable, and were going away together’ until a gentleman reignited the dispute by offering to pay for them to fight. The gentleman was heard to say ‘fight it fairly, and I will give you a shilling’s worth.’⁵⁶ These incidents in the 1780s are remarkable not only because they substantiate an elite appetite for plebeian fights but also because they herald a trend similar to the prizefight, wherein plebeian fights were increasingly fought over prize money or status.

These fights have less to do with dispute resolution and seem more concerned with entertainment and gambling. It was commonplace for plebeians to argue over financial concerns such as the reckoning of a bar bill or games that involved gambling. However, fighting purely for money or a purse with no pre-existing argument was scarce in accounts of eighteenth-century plebeian fights, although such fights begin to feature more prominently into the nineteenth century. In 1823, Norman M’Cloed challenged John Lake to fight over a prize of ‘two sovereigns’.⁵⁷ Two men fought for no other reason other than ‘for the deposit... of twenty shillings’ outside the Rosemary Branch public-house in Islington in 1823 and agreed that they ‘would bear no animosity after the fight is over, but be good friends’.⁵⁸ Thus, the purse or the ‘prize’ had itself become a motivating factor in the causes of plebeian fights, which reflects the increasing popularity and influence of the prizefight.

There is also evidence of converging structural similarities between occurrences of plebeian honour fights and the more organised prizefight. In 1829, Frederwick [sic] Winkworth repeatedly challenged William Davis, not because he felt Davis had wronged him, but because he had a reputation as a man who could fight. Testifying, John Phillips recalled that ‘the fight lasted about an hour and a quarter, sixty or seventy rounds’ and that the deceased,

⁵⁶ *OBP*, 21 Apr., 1784 James Logan (t17840421-31).

⁵⁷ *OBP*, 14 May, 1823 John Lake (t18230514-40).

⁵⁸ *OBP*, 3 Dec., 1823 John Turner (t18231203-48).

Winkworth 'was brought up by his seconds to the scratch'.⁵⁹ Fights such as these were usually less spontaneous being fixed for a time and a place and usually accompanied by seconds. Descriptions of these more organised plebeian honour fights echo not only how professional prizefights were reported in the press but also bore similarities in the structure between the two types of fights. This plebeian honour fight was described using specific prizefight terms of 'rounds' rather than 'falls'. The use of seconds further reflects the structure of the prizefight. Furthermore, the competitive characteristics of the prizefight influenced this fight. The celebrity of the prizefighter is examined more closely below in connection with masculinities and national identity but it is worth noting now that successful prizefighters could earn accolades for their fighting prowess and their elevated status was often confirmed through the adoration of the crowd. There are indications that this kind of manly prowess was increasingly rewarded in plebeian fights.

The convergence of structure between plebeian honour fights and prizefights is also seen in the expectations of people attending organised plebeian honour fights. Rather than gatherings in the street to watch and police impromptu plebeian fights crowds were drawn to more organised plebeian honour fights for entertainment and gambling. Pre-existing wagers were perceived as reason enough for men to proceed to fight even though they had reconciled their differences beforehand. In Bradford 1835, two men who planned to fight over a previous disagreement that occurred in an alehouse reconciled their differences just as hostilities were to begin in a prearranged place. However, around 40 to 50 spectators that had gathered wanted to see a fight. Their concerns were voiced by Robert Clarkson who declared that they 'shouldn't make such d—d fools of us after coming all this way'.⁶⁰ The pressure to proceed with the fight due to wagers already cast and for entertainment value from Clarkson and the crowd resulted in both men reluctantly returning to fight even though they had resolved their differences.

Fairs and fetes also provided venues for entertainment and gambling. The fights that occurred at these places blurred the lines of distinctions between plebeian honour fights and professional prizefights as many fighters attended such venues looking for fights that would enhance either their status or profit. In his life writings, William Green recounted one such

⁵⁹ *OBP*, 10 Sep., 1829 William Davis (t18290910-5).

⁶⁰ *The Blackburn Standard*, 13 Mar. 1839.

character named Tommy Rosseter who was ‘a wiry fellow of about nine stone, and the terror of the Gipsies.’⁶¹ Green told of how Tommy ‘used to travel to many fares and races, such as Ascot and Mousley Races offering to fight all comers but especially Romanees.’ Green considered that Rosseter must have made his living from such fighting because his ‘time was always taken up in slogging or getting well again’.⁶² Although Green infers that Rosseter was a fighter by profession not once in his book does he refer to him as a ‘prizefighter’. It seems likely that the hugely popular format of the prizefight influenced the development of a new subculture of fighting that was situated somewhere between plebeian fighting rituals and the professional prizefight.

Boxing and national identity

This chapter has argued that the prizefight and plebeian honour fight experienced a symbiotic history, with the prizefight seemingly based on characteristics of established plebeian honour fighting practices only to later in the nineteenth century exert influence in return upon the way some plebeian honour fights were enacted, especially those concerned with status or gambling. Many of the ideals of manhood important to the plebeian honour fight, the hard physicality, the sense of fair play, were evident in the boxing displayed at professional prizefights. This close relationship is important as the following assessment places boxing at the heart of English identity in the late eighteenth and early nineteenth centuries. Through examining political tracts, representations of boxing, contemporary magazines and newspapers the importance of boxing, and therefore plebeian honour fights, is assessed in matters of national identity and ideals of manhood. The French philosopher François-Marie Arouet, also known as Voltaire (1694-1778), acknowledged that the English plebeian had ‘a kind of honour not known in any other part of the world.’⁶³ This chapter therefore shows that this plebeian ‘manly’ ideal, through its representation in the construction of the prizefight, had a crucial role to play in constructions of national identity in this period.

⁶¹ William Green, *The Life and Adventures of a Cheap Jack* (1876), p. 202, <http://archive.org/details/lifeandadventur01greegoog>, accessed 2 Feb., 2014.

⁶² *Ibid*, 203.

⁶³ *St. James's Chronicle or the British Evening Post*, 23 Oct. 1766, also cited in Paul Langford, *Englishness Identified: Manners and Character, 1650-1850* (Oxford, 2001), p. 149.

It is a familiar argument that constructions of national identity are stimulated by confrontation. Michael de Nie argues that in the long eighteenth century 'Britishness' was understood to represent the qualities of earnestness, prosperity, manliness, freedom, character, and civilisation.⁶⁴ Linda Colley suggests it was by process of comparison and confrontation with Catholic France over the course of the long eighteenth century that Britain defined itself. As Benedict Anderson argues in *Imagined Communities*, Britain was an invented nation whose members defined itself in reaction to the 'other' from outside its shores.⁶⁵ Some of these qualities had a gendered aspect, as shown by Kathleen Wilson, who argues for a British national character that was influenced by ideas based on 'manly qualities, such as liberty, independence, fortitude, courage, daring, resourcefulness and paternalistic duties that were vital to military triumphs and successful colonisation.'⁶⁶ Politicians, both radical and conservative, understood the immense popularity of boxing and interpreted its character in their own ways to justify their political positions, thereby cementing further the associations between boxing's manly identity with an English national identity. Its conduct and ingrained humanity was another important characteristic attributed to boxing, particularly in comparison with alternative fighting methods overseas, and this is shown to be an important and valued constituent of national identity.

As noted earlier, the first half of the eighteenth century was dominated by ideas of politeness, but towards the end of the century, the shift was towards ideas of masculinity based upon 'sensibility'. Sensibility was a refinement of inner rather than the outer values. A capacity for refined emotion, compassion and the ability to be moved by the weak or needy was emphasised over the affectations of manners and etiquette particular to ideas of politeness.⁶⁷ Proponents of sensibility like William Vasey condemned pugilism for its potential to ingrain a 'gross insensibility'. In 1824, Vasey declared that:

⁶⁴ Michael De Nie, "A Medley Mob of Irish-American Plotters and Irish Dupes": The British Press and Transatlantic Fenianism', *Journal of British Studies*, 40 (2001), p. 213.

⁶⁵ Colley, *Britons: Forging the Nation*, Anderson, *Imagined Communities*. Colley also follows Anderson in the weight she affords to print capitalism.

⁶⁶ Kathleen Wilson, 'Nelson and the people: Manliness, Patriotism and Body Politics,' in David Cannadine (ed.), *Admiral Lord Nelson: Context and Legacy*, (Hampshire, 2005).

⁶⁷ Stedman, *Stemming the Torrent*, p. 204; Barker-Benfield, *The Culture of Sensibility*, p. vii; Carter, *Men and the Emergence of Polite Society*, pp. 27–29.

Prizefighting is calculated to deaden in the spectator that sympathy for the sufferings of others....let him be habituated to the sight [prizefighting], and he will gradually lose his sensibility, and be enabled to gaze upon the inhuman spectacle without emotion.⁶⁸

Yet, as argued by Michelle Cohen, the more refined elite codes of politeness and sensibility were being challenged by more robust and chivalric ideals of manliness like those associated with boxing towards the end of the eighteenth-century.⁶⁹ Boxing and prizefights experienced a surge in popularity in the 1780s to the point that opponents of boxing complained regarding the daily coverage of boxing saturating the newspapers:

New bargains are daily making for combats of this sort; scarce a newspaper but what keeps alive the subject! The print shops disgust the eye, by holding out in full view the naked portraits of the bruisers; and almost everywhere the ears are annoyed with some remarks on this brutal fashion.⁷⁰

As argued by Adrian Harvey, the popularity of boxing at this time was such ‘that newspapers whose Methodist editors opposed its inclusion faced financial disaster’ and self-confessed anti-boxing publications such as *The Times* and *The Morning Chronicle* were left with little option but to cover, reflect and comment on boxing events to stay relevant within the public debate on boxing.⁷¹

The surge in Boxing’s popularity in the 1780s was, in some part, a reaction to Britain’s defeat in North America (1775-1783) as men sought to associate themselves with a hard and robust martial masculinity. Some thought that military officers were too preoccupied with politeness and sensibility’s models of manhood and as a result had become too effeminate, contributing to the humiliation marked by General Cornwallis’ surrender at Yorktown in 1781. Mathew McCormack, in his study of the militia and the Seven Years War (1756-1763) has argued that periods of war in the eighteenth century, particularly in times of military defeat, engendered a ‘crisis of gender’ attributed in some part to the worry that effeminate lifestyles negatively

⁶⁸ William Vasey, *Remarks on the Influence of Pugilism on Morals; Being the Substance of a Speech Delivered at the Newcastle Debating Society, on the Fourth of November, 1824* (1824), p. 15.

⁶⁹ Cohen, ‘Manners’ Make the Man’, p. 314.

⁷⁰ Edward Barry, *A Letter on the Practice of Boxing, Addressed to the King, Lords, and Commons. By the Rev. Edward Barry, A.M. & M.D.* ... (Gale ECCO, 1789), p. 8, cited in Arthur E. Bilodeau, *Pugilistic Rhetoric in Eighteenth and Nineteenth Century England* (New York, 2001), p. 55.

⁷¹ A. Harvey, *The Beginnings of a Commercial Sporting Culture in Britain, 1793–1850* (London, 2013), p. 44; Ruti Ungar, ‘The Boxing Discourse in Late Georgian England, 1780-1820: A Study in Civic Humanism, Gender, Class and Race’ (Berlin, 2010), p. 55; Downing, ‘The Gentleman Boxer’, p. 348.

impacted on an Englishman's valour and martial spirit.⁷² From the close reading of plays towards the end of the eighteenth century, a 'crisis of masculinity' is likewise identified in the 1780s by Dror Wahrman.⁷³ Before the 1780s, Wahrman argues for a blurring of gender boundaries since a toleration and acceptance of gender crossing is evident from scripts. Yet, Wahrman notes that such episodes disappear in the 1780s as a response to the American War of Independence because some saw it as a 'civil war' and thus an 'open rebellion against the laws of nature.'⁷⁴ This 'unnatural' war stimulated a retrenchment towards a natural order, which included a strengthening of perceived gender boundaries at the expense of politeness and sensibility. Wahrman also notes the 'raising [of] inevitable anxieties about emasculation' which were likely to have contributed significantly to a reaction against effeminacy which in turn made the pursuit of a distinct, more robust masculinity attractive.⁷⁵ Whether Wahrman's arguments are convincing enough on their own is a matter for debate. However, the timing does coincide with a swing towards more chivalric masculinities also noted by Cohen and Colley and further evidenced below in the analysis of the political sphere at this time.⁷⁶

Boxing was integral to these ideals of English national identity and often featured in representations and ballads depicting national conflict.⁷⁷ Ruti Ungar argues that English boxers 'were seen as archetypal representatives of the English superiority over other nations.'⁷⁸ The wars of the eighteenth century set an arena where the popular notion of English national character was influenced by ideas based on 'manly' qualities, such as independence, fortitude, courage, and daring that were vital to military triumphs and successful colonisation.⁷⁹ In caricature, John Bull served as a representation of Englishness who was often depicted in prints boxing the nation's enemies, primarily the French. James Gillray's 1798 portrayal of John Bull and Napoleon boxing over Europe (Fig. 4) epitomises the association that boxing had with patriotism and national identity:

⁷² Matthew McCormack, *Embodying the Militia in Georgian England* (Oxford, 2015), pp. 3–7.

⁷³ Dror Wahrman, 'Percy's Prologue: From Gender Play to Gender Panic in Eighteenth-Century England', *Past & Present*, 159 (1998), pp. 113–60.

⁷⁴ *Ibid.*, pp. 156.

⁷⁵ *Ibid.*, p. 157.

⁷⁶ Cohen, 'Manners' Make the Man', p. 314; Colley, *Britons: Forging the Nation*, pp. 1–9.

⁷⁷ Karen Downing, 'The Gentleman Boxer', p. 334.

⁷⁸ Ungar, 'The Boxing Discourse in Late Georgian England', p. 8.

⁷⁹ Kathleen Wilson. 'Nelson and the people: Manliness, Patriotism and Body Politics,' in *Admiral Lord Nelson: Context and Legacy*, ed. David Cannadine (Hampshire, 2005).



Fig. 4: Fighting for the Dunghill or Jack Tar settling Buonaparte, James Gillray (London, 1798).

The connection between boxing and national identity is also evident in ballads. *A New Song Concerning the Boxing Match Between That Ancient British Boxer John Bull, and the Elf, Bonaparte* describes Bonaparte's defeat at Malta and the Battle of the Nile in 1798. The ballad's first verse mocks Bonaparte's plan to invade or 'land' in England due to his recent naval defeats by Nelson.

Neighbours come listen to what I shall tell,
 'Tis of Bonaparte, who cuts a great swell,
 Who cuts a great swell,
 Who a'longtime in England's been wanting to land
 But can't bring it to bear as I understand.⁸⁰

While the second to last verse below associates boxing with the 'true Spirits of Englishmen' placing them at the heart of a martial national identity represented by 'Britannia' and John Bull.

Says Britannia to John by now give it to him home
 The true Spirits of Englishmen now should be known

⁸⁰ *A New Song Concerning the Boxing Match Between That Ancient British Boxer John Bull, and the Elf, Bonaparte*. Printer: Ridges (Newark), Harding.
<http://ballards.bodley.ox.ac.uk/images/10000/09060.gif> (accessed 3 Feb., 2013).

Says John Bull never fear but I'll put up his pipes
Like a true British boxer I'll darken his lights⁸¹

Such images and ballads highlight a connection between boxing and defending the nation's interest where it is implied that English successes overseas were due in part to qualities of the English national character that the practice of boxing helped forge.

Boxing, patriotism and politics

An upsurge in the popularity of the prizefight in the 1780s termed by one newspaper as 'the present rage for boxing' presented opportunities for both radicals and conservatives who were keen to co-opt boxing into their version of manly patriotism.⁸² The practice of boxing and the character it constructed played a key role in the radicals' associations between manliness, liberty and patriotism.⁸³ In 1792, the radical Whig John Lawrence praised both the utility of boxing as well as its ability to impart courage and good conduct:

The practice of English boxing is equally unexceptionable with the principle, being so strictly consonant with the rules of justice and morality, as to form one of the greatest glories of the country. I know not whether it be committing myself to say, that an English Blackguard learns more humanity and good morals, in seeing a regular boxing match, than it is probable he would in bearing five dozen sermons. The appointment of umpires and seconds, the shaking of hands previous to the set-to, as much as to say, we mean to contend fairly, and like men; the general solicitude and caution in the spectators, that perfect equity take place between the contending parties, that no foul blow be struck, and the fallen and the vanquished be protected, and lastly the parting salute, when the conqueror seems generously to have divested himself of the haughtiness of triumph, the conquered to have resigned, with a natural and manly submission; and both to have disburthened [sic] their hearts of all malice, or appetite of revenge is, upon whole, and all its parts, so excellent a practical system of ethics as no other country can boast, and has chiefly contributed to form the characteristic humanity of the English nation.⁸⁴

⁸¹ Ibid.

⁸² *Public Advertiser*, 10 Jan., 1788. For the rise in boxing's popularity at this time please see: Downing, 'The Gentleman Boxer', 326.

⁸³ For more on the association between supporting boxing and patriotism see Radford, *The Celebrated Captain Barclay*, 61, 62.

⁸⁴ John Lawrence, *A Philosophical and Practical Treatise on Horses, and the Moral Duties of Man Towards The Brute Creation*, Second Edition, vol. II (London, 1802), pp. 29–30.

Lawrence's text outlines an ideal prizefight's structure. The appointment of stewards to monitor the rules, an adherence of fair play and the absence of malice were boxing's best attributes that appealed to a 'manly' sense of Englishness. Lawrence also credits boxing with imbuing not just the physical traits but also ones of character that nurtured the superior humanity of the Englishman. The relevance and popularity of these qualities are evidenced by the reprinting of Lawrence's article by the *Sporting Magazine* (1811) nineteen years later.⁸⁵

Qualities imbued by boxing were not limited to affecting an English superiority over other nations but also featured in internal political debates over the governance of the country. Regarding liberty, proponents of boxing looked to William Blackstone's *Commentaries on the Laws of England* that defined an Englishman's liberties with 'the right of having and using arms for self-preservation and defence.'⁸⁶ Ruti Ungar argues that this premise was linked with English traditions of self-defence through one's fists. Thus, boxing was closely connected with the ways in which both radical and traditional politicians used concepts of masculinity to construct a virile English ideal of manliness while critiquing the other's political position. From the 1780s, for example, radicals often contrasted their manliness with the effeminate 'polite' gentleman and some, like William Cobbett, promoted boxing's ability to impart 'strength to the body, inspire courage and fortitude of mind.'⁸⁷ Blackstone's *Commentaries*' concern with the defence by arms of English liberties was interpreted by radicals not only in the context of defending the country against an external foreign power but also as a way to resist an internal, unjust, tyrannical government.⁸⁸ As Matthew McCormack notes, radical rhetoric celebrated the liberties of the Englishman in contrast with the slavery of the Frenchman. The radicals' case for an extension of the franchise argued that it was the right and duty of a patriot to resist an unjust government.⁸⁹ Radicals argued that boxing was capable of imparting in the lower orders the manly qualities of courage, independence and fortitude, qualities that radicals claimed made them deserving of an extension to the franchise.

⁸⁵ *Sporting Magazine: Or Monthly Calendar of the Transactions of the Turf, the Chase, and Every Other Diversion Interesting to the Man of Pleasure and Enterprize. For April 1793*, vol. 2 (Rogerson & Tuxford, 1811), pp. 37–38.

<http://archive.org/details/sportingmagazin07unkngoog>, accessed 8 Sep., 2014.

⁸⁶ Blackstone, *Commentaries on the Laws of England*, p. 140, Ungar, 'The Boxing Discourse in Late Georgian England', p. 71.

⁸⁷ William Cobbett, *Political Register* [Cobbett's Political Register, Weekly Political Register], 1806, sec. 8, col. 226 cited in; Ungar, 'The Boxing Discourse in Late Georgian England', p. 121.

⁸⁸ *Ibid*, p. 120.

⁸⁹ McCormack, *The Independent Man*, p. 154.

It was not only radicals who appreciated the positive effects boxing could have on the population. Anti-reformers such as William Windham, who served both as Secretary of War between 1794 and 1801 and Secretary of State in 1806, also valued boxing for countering Jacobinism, inculcating loyalism, and for preparing men for the defence of the nation.⁹⁰ Although Windham embarked at first upon a political career as a Whig he was to split from Fox and create a coalition with William Pitt. According to one of Windham's contemporaries, 'he was the uniform enemy of Parliamentary Reform. In his zeal for the improvement of the army, his attachment to the crown and aristocracy, and his protection of the real comforts of the common people, he will be found to have been equally consistent.'⁹¹ As well as physically improving the lower classes Windham believed that boxing inculcated courage, stamina and the ability to bear hardship and pain; views he made plain in a letter he wrote in 1809:

Why are we to boast so much of the native valour of our troops, as shewn [sic] in Talavera, at Vimeira, and at Maida, yet to discourage all the practices and habits which tend to keep alive the same sentiments and feelings? The sentiments that filled the minds of the three thousand spectators who attended the two Pugilists [Maddox and Richmond], were just the same in kind as those which inspired the higher combatants [in these battles] – it is the circumstances only in which they are displayed that make the difference. 'He that the world subdued, had been but the best wrestler on the green'. There is no sense in the answer always made to this 'Are no men brave but boxers?' Bravery is found in all habits, classes, circumstances, and conditions. But have habits and institutions of one sort no tendency to form it more than of another? courage does not arise from mere boxing, from the mere beating, or being beat; but from the sentiments excited by the contemplation and cultivation of such practices. Will it make no difference in the mass of people, whether their amusements are all of a pacific, pleasurable, and effeminate nature, or whether they are of a sort that calls forth a continued admiration of prowess and hardihood?⁹²

⁹⁰ Ungar, 'The Boxing Discourse in Late Georgian England', p. 111.

⁹¹ Thomas Amyot, *Some Account of the Life of the Right Honourable William Windham; Intended as a Preface to His Speeches in Parliament* (London, 1812), p. 116.

⁹² Windham to A. Hudson, 17 August 1809, in William Windham and Archibald Philip Primrose Rosebery, *The Windham Papers; the Life and Correspondence of the Rt Hon William Windham*, vol. II (London, 1913), pp. 351–52, <http://archive.org/details/windhampaperslif02wind>, accessed 8 Aug., 2014.

For conservatives like Windham, boxing encouraged the virtues reminiscent of ‘Old England’, imbuing a loyalty to King, Church, and State, reinforcing the old hierarchal structure.⁹³

Seemingly, both conservative and radical sides of the political spectrum recognised the value that boxing had in shaping ideas of English ‘manliness’ and both deployed it as a means to defend the country in this confrontational period. The conservatives thought that boxing imbued a loyalty to crown and state, while the radicals argued for men’s right to resist a tyrannical government, bolstered by a manly sense of independence that they believed was imparted from participation in boxing. Clearly, ideals that were important to plebeian manliness shaped political arguments from both radicals and conservatives. In using the practices of boxing to extoll the virtues of loyalty, liberty, patriotism and manliness politicians from both sides placed plebeian ideals of manhood central to constructions of national identity.

Deadly continental disputes

In an article from the *Sporting Magazine* (1811) it is noted that ‘the utmost that you have to dread from his [Englishman] resentment, be you native or foreigner, is a pair of handsome black eyes, a bloody nose, and half a score [of] lovely contusions’.⁹⁴ In 1792, William Windham extolled the virtues of boxing by comparing the practice with continental alternatives to settling disputes. He was ‘quite persuaded of their [prizefights] salutary influence on the manners of the Common people; particularly of rendering them more liberal and humane: and keeping at a safe distance, that rancorous spirit, and thirst for blood, that we see rage with such violence among our neighbours’.⁹⁵ Historians have noted the use of weapons in disputes from England’s European neighbours. Unlike the English use of unarmed fist fights to resolve disputes, continentals often made use of lethal weapons such as

⁹³ Ungar, ‘The Boxing Discourse in Late Georgian England’, pp. 116–17.

⁹⁴ *Sporting Magazine: Or Monthly Calendar of the Transactions of the Turf, the Chase, and Every Other Diversion Interesting to the Man of Pleasure and Enterprize. For April 1811*, 38 (Rogerson & Tuxford), p. 38, <https://archive.org/details/sportingmagmay1861londonoft>, accessed 24 Feb., 2015.

⁹⁵ William Windham letter to James Boswell, October 26, 1792, pp 1-3, in *The Correspondence of James Boswell*, p. 378.

the Spanish ‘spado’, the Italian stiletto, or the Dutch with their knife-fights.⁹⁶ Travellers to the continent commented on the deadly use of weapons in confrontations.

[In Florence] one sees every day the lower class of people stabbing one another in the street, and then walking leisurely to a church door, where, perhaps, the others of the banditti compliment the murderer, for his excellence in handling the stiletto, and no further notice is taken of him. This happens as often as boxing matches do in London.⁹⁷

In Genoa, ‘Mr Gray informs us that one hundred and fifty assassinations are committed yearly.... At Naples, Dr Owen informs us five thousand persons perished in one year by the bloody hand of assassination.’⁹⁸ Contemporary commentators also contrasted the use of non-deadly honourable force in English fist-fights with the deadly violence of continental Europeans. Pierce Egan highlighted this point in *Pancreatia*: ‘can anyone hesitate to acknowledge the art of boxing, by which instantaneous insults may be avenged, or personal injury averted, not even calculating the less dangerous tendency, than any other practice adopted by the inhabitants of the continent on similar occasions, and for the accomplishments of similar ends.’⁹⁹

In England, some feared that in suppressing boxing more lethal and foreign methods would take its place. The Hon. Grantley F. Berkeley, recollected in his memoirs that:

All the statutes in the world will not eradicate the passion for gambling, nor will the law prevent the boxing match, and it is a fact, known to me as a justice of peace, and told me also by judges on the Bench, that since the fairly-arranged combat with the fists has been stopped by the police, the appeal to the foreign weapon, the knife, has increased to a terrible extent.¹⁰⁰

Court records suggest the alarm that brandishing a knife in London caused amongst its inhabitants. In 1769, the Old Bailey heard of the reactions from plebeians when an Italian,

⁹⁶ For more in-depth analysis, see: Pieter Spierenburg, ‘Knife Fighting and Popular Codes of Honor in Early Modern Amsterdam’, in Pieter Spierenburg (ed.), *Men and Violence: Gender, Honor and Rituals in Modern Europe and America* (Columbus, 1998), pp. 103–27; John Archer, ‘“Men Behaving Badly”? Masculinity and the Uses of Violence, 1850-1900’, in Shani D’Cruze (ed.), *Everyday Violence in Britain, 1850-1950*, (Harlow, 2000), p. 44.

⁹⁷ *Morning Post and Daily Advertiser*, 25 Jul. 1783.

⁹⁸ *Sporting Magazine*, pp. 38-39.

⁹⁹ Egan, *Pancreatia, Or, A History of Pugilism*, p. 23.

¹⁰⁰ Berkeley, The Hon. Grantley F., *My Life and Recollections. Berkeley*, vol. 2 (London, 1865), pp. 95–96.

Joseph Baretti, drew his knife on a crowd: ‘They cried murder, he has a knife out!’¹⁰¹ Rather than deter the principals in taking up the Italian, the cries of ‘knife’ and ‘murder’ attracted even more men who endeavoured to take the man up. Such reactions to a knife being drawn shows how serious the act of brandishing a knife was considered by those within earshot. Although many may have carried knives of some sort for work purposes, it was another matter to draw one in anger in a public place.

It can be argued then that the practice of boxing was associated closely with an Englishness that was accentuated by comparison of the continental ‘other’. Yet, according to John Lawrence, writing in 1802, being of English stock did not automatically confer these properties because these important ‘English’ values of fairness and honour did not travel well to the colonies:

It is a common remark, that English horses and dogs degenerate in foreign countries; without troubling myself to examine that particular, I shall readily assent to the position, as it regards Englishmen; how else are we to account for the unnatural lust of the American and West-Indian English for their enslaving of their fellow men? Or how, for the savage and un-manly method of boxing practised by the Virginians, who are said to allow no man to be a good bit of mutton, unless he can gouge, bellucise [sic] [bellicose], and bite! In plain English, their combatants are permitted to thrust at their antagonists' eyes with the thumbs; and some are so expert at that bestial manoeuvre, as to turn an eye clean out of the socket, and even to lacerate and wound those sacred parts, against which their prototypes, the Hebrew women of antiquity, in their rage, had such mortal spite.¹⁰²

The *Sporting Magazine* declares that English origin is not enough to curb the ‘unnatural lust’ of American and West Indian slave owners when devoid of the influence of the mother country. Slavery of men is also linked to the ‘un-manly’ gouging and biting practices of Virginians and both were condemned in opposition to the identity of Englishness. It would seem these commentators valued English society and the rules that governed to keep in check the appetites and conduct of Englishmen in less well-regulated societies

Perhaps the connection between location and the manly qualities attributed to an English martial identity also resonates with success of boxers of different ethnic origins who enjoyed

¹⁰¹ *OBP*, 18 Oct., 1769, Joseph Baretti (t17691018-9).

¹⁰² *Sporting Magazine*, pp. 38,53.

success and popularity in England. Although plebeian honour fighters' ethnicities are examined in the following chapter it is worth noting that successful minority boxers were at times, as Adam Chill notes, 'embraced patriotically within a British martial identity.'¹⁰³ One such example was Daniel Mendoza (1764-1836) who was a Jew of Portuguese origin and immensely popular as the British Champion between 1792 and 1795. Boxing, to its proponents, represented the essence of Britishness and for them, the sport was concerned with 'courage, not country, religion, or colour.'¹⁰⁴ This gave a chance to minority fighters to be included in an idea of Britishness.

Conclusion

This chapter has highlighted the influence that plebeian ideals of manliness and fighting rituals had on commerce, politics and aspects of national identity during the Georgian and Regency period. It has done this by demonstrating that many of the qualities associated with boxing such as manliness, courage, fortitude and observance of fair play were present in plebeian honour fights before the prizefight's commercial peak from 1780 to 1820. This thesis argues that the plebeian honour fight most likely predated the prizefight as it served an important social function within plebeian communities and an examination into its origins suggests that it was well established by at the least the sixteenth-century. The ability to resolve disputes without recourse to authorities demonstrates an independence to regulate conflict within plebeian communities. Although it is difficult to clarify from when the plebeian honour fight served this important social function, it does share similarities in form to trial by combat and other fighting practices noted in medieval Europe. This thesis argues that it was these original plebeian fighting practices that served as the base for the prizefight and that this influence can be seen in the prizefight's development from the 1730s when London amphitheatres began promoting boxing style events. In a period where elite duelling

¹⁰³ Adam Chill, *Boundaries of Britishness: Boxing, Minorities, and Identity in Late-Georgian Britain* (Boston, 2007), p. 3.

¹⁰⁴ Tom Reynolds, 'Defense of Pugilism', in Henry Downes Miles, *Pugilistica: The History of British Boxing, containing lives of the most celebrated pugilists; full reports of their battles from contemporary newspapers, 'with authentic portraits, personal anecdotes, and sketches of the principal patrons of the prize ring, forming a complete history of the ring from Fig and Broughton, 1719-40, to the last championship battle between King and Heenan, in December 1863,* (London 1880-1881- reprint Edinburgh: John Grant~ 1906), pp.479-481 (page citations are to the reprint edition), found at Adam Chill. *Boundaries of Britishness: Boxing, minorities, and identity in late-Georgian Britain*. Ph.D., (Boston, 2007) p. 3.

was increasingly censored, elite patronage of plebeian fighters blossomed. Elites searching for a harder masculinity than that of politeness and sensibility were keen to be associated with boxing and this aristocratic patronage oversaw the amalgamation of existing duel and plebeian fighting rituals. Rituals found originally in elite duels such as stripping and the attendance of seconds were increasingly seen alongside plebeian fighting rituals in prizefights. With the prizefight's first codification of rules began a hugely successful process of commercialisation in the late eighteenth and early nineteenth-centuries. The martial prowess and sense of fair play exhibited in prizefighting was influential not only on individual constructions of masculinity across classes but also that of constructions of national identity.

Political commentaries, images, newspaper reports, and caricatures of John Bull and Jack Tar evidence the important influence boxing had on ideas of national identity. English boxers represented English physical and moral superiority over their continental cousins in their feat of arms and also in their practice of fair play and the non-use of weapons. Both radicals and anti-reformers co-opted boxing to epitomise the manly ideals of courage and fortitude as well as the absence of malice. However, the contribution from existing plebeian rituals must not be overlooked. Manly characteristics such as courage, prowess, fairness, and the ability to endure pain and hardship were all qualities that were found in plebeian honour fights and valued in plebeian ideals of manliness. Such qualities from the plebeian honour fight were carried over successfully into boxing. As such, plebeian fighting culture and ideals of plebeian manliness must in some part be credited for the influences that the practices of boxing had on society and constructions of both masculinity and national identity during this period.

Chapter 3: Challenging and defending manhood: sanctioning violence, causes and locations of fights

The insolence of the populace is so great that as soon as an honest man has any disagreement with one of their kind, then he is at once invited to strip and fight.¹

When Monsieur Cesar de Saussure, a Swiss traveller touring England in the 1720s, noted the plebeian honour fight's utility to settle 'any disagreement' he also remarked upon the invitation or challenge to fight. This chapter examines the ritual and practices in three parts that preceded plebeian honour fights: the origin of the dispute that needed to be resolved; the challenge that moved the dispute to a fight; and the location of disputes and their often relocation from private or semi-private spaces to public spaces. The common causes of plebeian honour fights fall broadly into three main categories: differences of opinion, money or possessions, and male sexual honour. However, it is argued that although categories of disputes may be distinguishable in their subject matter, they all share the characteristic of offending a man's honour. Honour is a central theme in disputes concerned with male sexual honour. Differences of opinion often staked a plebeian's reputation or honour on the arguments. Disputes over materialistic matters such as money or property were reason enough for plebeian honour fights but can also be viewed as the defaulting of an obligation and a betrayal of trust, thereby offending the plebeian man's honour.² Thus, offences of plebeian honour played a pivotal role in the causes of disputes.

The second part then examines the challenge that transformed a dispute into a plebeian honour fight. Once a disagreement or dispute had developed, it was usual for a challenge or insult to be issued. Without proper adherence to the appropriate forms of invitation to fight, the dispute resolution process risked descending into a one-sided assault. The acceptance of a challenge was important to the dispute resolution process because it sanctioned the violence that followed, as long as it did not transgress popular notions of fair play. This oral

¹ Saussure, 'The Letters of Monsieur Cesar de Saussure to His Family: Letter VIII (London, 1727)', in Muyden (ed.), *A Foreign View of England*, pp. 180-82.

² For more on issues of credit, trust and reputation please see: C. Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (London, 2016); Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003); Alan Bray, *The Friend*, (Chicago, 2003).

interchange is broadly categorised into three groups; firstly, the direct challenge aimed specifically at another man; secondly, the impersonal challenge which was issued generally to any within hearing distance, lastly, the insult. When challenges were not met or the dispute had become more personal insults were often used to provoke the challenged to fight.

Finally, the effects of location and space upon challenges and fights are examined. It is demonstrated that most fights took place outdoors in public spaces. Early modern research has shown that patriarchal male-on-male violence was not tolerated within a man's home and accounts of plebeian honour fights initiated in homes but relocated outdoors for the fight proper confirms this continuing trend.³ The pre-amble of plebeian honour fights also reveals disputes that arose in semi-public spaces such as shops and alehouse usually relocated to public spaces for the fight. The relationship between the toleration of plebeian honour violence in certain spaces presents the opportunity to add to the historiography of the use of private and public space.⁴ Although alehouses and shops could be defined as public spaces plebeians still respected the semi-private nature of these establishments in relocating their resolution of the dispute.

Disputes of 'divers' concerns

This category houses a variety of general disputes, and for the sake of brevity, only a selection will be assessed with the aim of showing that the plebeian honour fight was an option to resolve a variety of disagreements. A coroner's report in 1791 investigated a fight that originated from one man taking offence that another had not lit his fire for him.⁵ In 1796, a fight arose following a disagreement at *The Dukes Head*, Tower Street over what a witness Stephen Smith termed as a quarrel over 'something about dictionary words'.⁶ On another occasion, William Green recalled in his memoirs an incident at the Lye Green fair between two traders where a fight was started because one 'considered the [other] man's trading as an

³ Shepard, *Meanings of Manhood*, p. 148.

⁴ Challenges the binary terms of space through examining locations of domestic violence: Joanne Bailey, "'I Dye [Sic] by Inches": Locating Wife Beating in the Concept of a Privatization of Marriage and Violence in Eighteenth-Century England', *Social History*, 31 (2006), pp. 273,294; Shoemaker, *The London Mob*, p. 5; Phil Withington, 'Intoxicants and Society in Early Modern England', *The Historical Journal*, 54 (2011), p. 117; J. C. Wood, 'Locating Violence: The Spatial Production and Construction of Physical Aggression', in Katherine Watson (ed.), *Assaulting the Past: Violence and Civilization in Historical Context* (Cambridge, 2007), pp. 27–29.

⁵ *City of London Coroners*, CL/IC 3 Jan 1791.

⁶ *OBP*, 6 Apr. 1796, William Newton (t17960406-64).

intrusion into his business.⁷ In 1823, a singing club convening at *The Bedford House*, Upper King-street was the scene of a fight between John Lake and Norman M'Cloed arising from M'Cloed's 'allusion as to the unfitness of Lake, for being chairman'.⁸ A slight upon the competency and reputation of chairman was enough to provoke this fight. The carpenter, James Brown, noted an incident in his diary when a young man fabricated a quarrel just to fight him. After he 'taught him a lesson' in boxing, Brown lectured the young man telling him not to pick 'a quarrel with an inoffensive person for the purpose of showing off your boxing'.⁹ In this case, the young man pretended to be offended to justify calling Brown out to fight so he could show off to his friends. It is interesting to note here that such an offence needed to be fabricated before the fight could be initiated. Perhaps the most surreal cause for a plebeian honour fight researched by this thesis occurred in 1799 between Alexander Tisdall and John Giles at the *White-house* in Battle-bridge. The dispute centred on the size of a duck. Tisdall testified that he was in 'this public-house with an acquaintance, and the deceased came in with some ducks, and we were talking about the ducks; I said I had one larger, and he said it was a d-d lie, and began to quarrel, and insisted upon fighting.'¹⁰ It would seem that Georgian plebeian quarrels were so frequent and expected that some court cases did not even state what the quarrel was that the fight originated from. At the *Old Bailey* in 1800 James Fynn swore that 'Richard Meeking, the deceased, began quarrelling with me and challenged me to fight' - no other question or testimony mentions the cause of the quarrel.¹¹ These examples demonstrate that there were numerous causes of disputes that were resolved by plebeian honour fights, but many could be categorised.

Disputing money- betrayals of trust

Disagreements over money were a common reason for plebeian honour fights. Of course, the materialistic loss of money would be cause enough to enter into a dispute but may not have been the sole reason. In his examination of male friendships Alan Bray highlights the non-sexual intimacy of such relationships and identifies the importance of brotherhood, the

⁷ Green, *The Life and Adventures of a Cheap Jack*, pp. 236,36.

⁸ *OBP*, 14 May 1823, John Lake, Charles Butler (t18230514-40).

⁹ John Brown, *Sixty Years*, pp. 189-92.

¹⁰ *OBP*, 11 Sep., 1799, Alexander Tisdall (t17990911-25).

¹¹ *OBP*, 3 Dec., 1800, Thomas Dawes (t18001203-68).

swearing of oaths, honouring obligation and the keeping of trust.¹² Disputes over money or property resulted from agreements or bargains made between men breaking down or no longer being honoured. Viewed in this light disputes over money may also have involved reactions to a betrayal of trust in the breaking of an agreement between two men.

Such a betrayal of trust is discernible in disputes over alehouse games involving money. Although the role of alcohol and alehouses in relation to plebeian fights and reconciliation processes are examined in some depth in chapter 6, it is important to note here that disputes involving money were also influenced by alcohol. Arguments often arose when plebeians drinking together played games for a ‘pot of beer’ (the loser to pay for the drinks). John Haswell was drinking in the *King’s Arms’ Inn* on Holborn Bridge on the 4th February 1800, when Evan Jones challenged him to play dominoes for the prize of a pot of beer. After playing four rounds, Jones accused Haswell of cheating by ‘keeping a domino back;’ a fight ensued. In 1836, at the *Rainbow* public-house in Newgate-street William Denton told how a fight was started after Robert Beach ‘tossed me for a pint of beer, which I paid for, and we had half a quarter of rum—after drinking the rum the prisoner refused to pay for it—he had to pay for the whole of it—he had called for it.’¹³ Such reactions were common from those who felt wronged by their colleague’s refusal to pay their share or those who reneged on a wager, and who felt that a trust had been broken between them.

Fights often occurred from disputes arising from an alleged share of the ‘reckoning’ (a shared bar bill). At a manslaughter trial following a plebeian honour fight in 1786, Thomas Blake stated that the fight was over ‘some concern in the reckoning.’¹⁴ Nearly half a century later in 1837, payment of a reckoning was still causing fights in the *Three Horse Shoes* in Hampstead. One witness testified that when James Chaplin came to pay his share he first asked another in the company, George Smith, what his share was. Smith replied, ‘I shall be nothing at all’. The refusal to pay a part in the reckoning prompted Chaplin and Smith to fight it out.¹⁵ The communal drinking and sharing of credit, or an agreement to wager for a beer, had been initiated at the beginning of these fights; all which incurred an element of trust and fellowship. Apart from the wronged party’s financial loss the lack of respect or the breaking

¹² Bray, *The Friend*, pp. 1-16.

¹³ *OBP*, 19 Sep., 1836, Robert Storey (t18360919-2161). Most likely ‘tossed me’ refers to a game of chance guessing the correct upturned side of a coin thrown randomly.

¹⁴ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

¹⁵ *OBP*, 23 Oct., 1837, George Smith (t18371023-2323).

of trust for not honouring custom was cause for a dispute and plebeian honour fight. If the accusation was unfounded, then one party or the other was either being played for a fool or made to appear as one.

Similarly, a plebeian honour fight could also be used to resolve disputes over property, even over a sack. *The Bird-cage* public-house held a sack jumping competition in 1823 where a quarrel over ownership of a sack led to a plebeian honour fight.¹⁶ A brother of one of the men who fought described how the conflict came to be:

there was a party of people at the Bird-cage, public-house, jumping in sacks - my brother and his companions came there - the prisoners were there. George went to my brother, and took a sack which laid by his side and said it was his; my brother said it was not; there was a quarrel about it, and Fawcett said, 'My George shall fight you for a leg of mutton and trimmings.' One shilling was put down by each party to bind the fight - they were to stake the money on the Wednesday following to make up the mutton.¹⁷

On this occasion, a dispute over ownership of the sack to be resolved by a plebeian honour fight was further 'sweetened' by the additional stake of meat and money. The fight was agreed to take place at the Pitt's Head Yard in Lucas Street the following Monday and was said to have been attended by 'about seven hundred people'.¹⁸ Although difficult to gauge for sure, it would seem that the competitiveness of the sack racing may have contributed to widening what was a personal dispute over a sack to a fight that resembled in organisation and attendance levels a professional prizefight. It is also likely that the original reaction to physical violence centred more upon issues of trust than the material value of a sack. Nevertheless, this case suggests that for some the plebeian honour fight was a popular recourse to disputes over ownership of property.

In 1832, *The Bury and Norwich Post* reported on a fight between two men both in the employ of Mr E. Scrimshaw of Murrow, who, paying them for their week's work, gave them 10s to divide between them. After leaving their employer's house and being unable to come to an agreement over the division, the two men 'quarrelled, and stripped to fight'.¹⁹ To note here

¹⁶ *OBP*, 3 Dec., 1823, Thomas George (t18231203-81).

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *The Bury and Norwich Post*, 7 Mar. 1832.

was the immediate recourse to a plebeian honour fight to resolve the dispute. Both men were willing to settle the dispute over the money by reverting to fighting, where the winner decided how the money should be divided.

In 1787, Richard Simmonds heard a cry of murder coming from the *Falstaff* as he was walking home down White-cross-street.

...they was [sic] having words; Weston said he was as good a man as the deceased; and the deceased said he was as good a man as Weston.²⁰

The exchange between the two combatants stemmed from an argument over a financial transaction. Weston and Cuit's dialogue during the fight emphasises the importance that both put on the other's regard since each stated that they were as good a man as each other. Although prompted by financial irregularity, the argument can be seen to incorporate the questioning of honesty, honour and reputation. If there was not a genuine mistake made over the financial irregularity, then one of the men would have also been guilty of a betrayal of trust. Disputes like this suggest that early modern ideas concerned with reputation, credit worthiness, honesty and honour still resonated amongst plebeians in the Georgian period.

Disputes between combatants of different social classes

Disputes over services also featured in plebeian honour fights and by the nature of service often involved disputes that crossed class boundaries. Such disputes are interesting because they highlight the differences in approaches to dispute resolution between the upper, middle, and lower classes. As mentioned earlier, the middle-classes chastised both the aristocratic and plebeian propensity for violence, as they took on the role of moral guardians of both classes above and below.²¹ In 1724, Cesar de Saussure noted the tendency for some elites, dissatisfied with their coach driver or carter's service or manner, to challenge them to a fight in which they adopted the conventions similar to that of the plebeian honour fight:

²⁰ *OBP*, 12 Sep., 1787, James Weston (t17870912-96).

²¹ Andrew, *Aristocratic Vice*, pp. 2,13; Tosh, 'Masculinities in an Industrializing Society', p. 342; Wood, *Violence and Crime*, p. 37.

The insolence of the populace is so great that as soon as an honest man has any disagreement with one of their kind, he is at once invited to strip and fight. It would be dangerous to retaliate with a cane or sword; the lookers-on would at once be against him, and things might end badly for him. Noblemen of rank, almost beside themselves with anger at the arrogance of a carter or person of that sort, have been seen to throw off their coats, wigs, and swords, in order to use their fists. This sort of adventure often befell the Duke of Leeds, and he even made it into an amusement. My Lord Herbert, who is a very strong and robust man, recently fought a porter, and punished him well; the man was so surprised that he exclaimed, ‘you are the son of a porter, not of a lord; D... the man sure; you know how to use your fists too well’.²²

According to Saussure episodes of plebeian fights were frequent and it is likely elites would have been familiar with the structure and rules of plebeian fights as in London, particularly those who were prepared to fight plebeians at their own game. For elites to compete on a level with plebeians they must first divest themselves of the advantages of rank; their sword. However, the advantages of an elite diet would be one that contributed towards a physical robustness and would not be so easily discarded. This may have influence of the tendency for elites to win such fights as noted by the sources.

Some physical disputes between plebeians and elites were also over payment. However, unlike the betrayal of trust in plebeian disputes over money the following extract suggests a motive more likely to of proving elite masculinity. In his *Letters written during a residence in England* in the early eighteenth century, Henry Misson described a coachman and gentleman entering a dispute over payment of a fare and fighting to settle the matter.²³

If a Coachman has a Dispute about his Fare with a Gentleman that has hired him, and the Gentleman offers to fight him to decide the quarrel, the Coach-man consents with all his Heart: The Gentleman pulls of his sword, lays it in some shop, with his cane, Gloves, and Cravat, and boxes in the same Manner as I have described above. If the Coachman is soundly drubbed which happens almost always, that goes for payment; but if he is the Beator, the Beatee must pay the Money about which they had quarrell’d. I once saw the Late Duke of Grafton at Fisticuffs, in the open Street, with such a Fellow; whom he

²² Saussure, ‘The Letters of Monsieur Cesar de Saussure to His Family: Letter VIII (London, 1727)’, in Muyden (ed.), *A Foreign View of England*, pp.180,181.

²³ Henri Misson, *M. Misson’s Memoirs and Observations*, pp. 304–6.

lamb'd most horribly. In France we punish such Rascals with our Cane, and sometimes with the flat of our Sword; but in England this is never practis'd; they use neither Sword nor Stick against a Man that is unarm'd, and if an unfortunate Stranger (for an Englishman would never take it into his head) should draw his Sword upon one that had none, he'd have a hundred People upon him in a moment, that would perhaps lay again till the Resurrection.²⁴

Elites may well have had sincere doubts about their coachman's estimations of the fare. However, it seems the processes outlined above by the two foreign visitors presented more options to elites. Plebeian honour fights settled disputes independent of authority. It would be most likely the coachman would have had to fight for his disputed fare whatever the class of his passenger. If another avenue was sought to resolve this matter without violence it would be unlikely a coachman's word would be taken over a gentleman's. Unlike the plebeian, the elite male would have had more options open to him to resolve the dispute. Disputes such as these afforded an elite male the opportunity to test his manhood against a coachman. The disagreement over a fare, sincere or not, would excuse the elite to fight if he had a mind to.²⁵ If the coachman was sincere, then he would be fighting just to secure what he had rightfully earned in the first place.

The travellers' observations regarding these fights highlight some key points. It was not unusual to for elites to fight plebeians over a dispute and the resulting fights demonstrate that plebeians were not the only class willing to settle such matters by fighting publicly. Unlike the French elites, whom Misson notes would not hesitate to use their cane or sword in the same situation, English gentleman were prepared to observe rules similar to that of the plebeian honour fight regarding fair play by disarming themselves and engaging in boxing only. Furthermore, the occasions of gentlemen demonstrating their manliness by fighting in public with plebeian porters is reminiscent of the arguments made earlier in chapter 2 regarding the conflict between hard and soft masculinities that elites were experiencing in this period.

²⁴ Ibid.

²⁵ Chapter 4 identifies trades who navigated public spaces such as streets as ones likely to become involved in disputes resulting plebeian honour fights.

The plebeian practice of settling disputes over services provided to all classes by fighting was not welcomed by all in the various social strata. As noted earlier, those of the middling sorts were not so eager as plebeians and gentlemen to resort to fighting as the following article from *The Times* in 1816 illustrates:

William Bird, the driver of the hackney-chariot No. 15, was charged by Jacob Hart, master of the *Rose and Crown* public-house, Lower Sloane-Street, Chelsea, under the following circumstances: - Last night the defendant brought home, in his carriage, to prosecutor's house a man who is billeted on him and lodges in his house, and who was so much intoxicated as to not be able to say where he was taken up. The defendant demanded 5s 6d. for his fare, and the complainant, not choosing to pay it till he could learn from his inmate what distance he had been brought, the defendant stripped off his clothes, abused the witness very much, and challenged him to fight, which refusing to do, the coachman struck him. Several persons residing in the neighbourhood, who were in the house at the time, expressed their indignation at his behaviour, and advised Mr Hart to summon him before magistrates, which he promise to do.²⁶

The incident is similar to the situations that Misson recorded in his diary. A coach fare was disputed; the plebeian driver moves to settle the dispute by fighting, but events after that contrast starkly. The landlord of the *Rose and Crown* in Chelsea would not pay the coach driver's fare for the passenger who was his guest without confirmation of the distance travelled. However, the passenger was too drunk to remember where he had been picked up and the landlord would not take the word of the coachman. As the passenger was insensible the coachman's dispute of the fare had centred on Jacob Hart, the landlord, who had assumed negotiations with the driver. A close reading of the article suggests that Jacob Hart's social standing was a little higher than the driver's since he was a property owner and ran a successful business with respectable clientele. That Hart was likely neither a gentleman nor a plebeian is also borne out by his refusal to fight the coachman, preferring to call the magistrate after he was challenged and struck:

The defendant, who could not deny the charge, was ordered to make such compensation to Mr Hart as should completely satisfy him, or he would be committed for assault. Mr Hart, in consideration of his having a wife and four children to maintain, agreed to let him off on his publicly asking his pardon, and paying for the insertion of it in *The Times*

²⁶ *The Times*, 20 Jul. 1816.

newspaper (which he takes in at his house), in order that all the customers who frequent his house, and were present when the affair took place, may see that he has acted according to their wishes.²⁷

As noted earlier, the middle-classes were known for their chastisement of plebeian and elite vices and accordingly middle-class notions of manhood would not value settling disputes by violence.²⁸ Hart likely felt no aspersions cast upon his manliness when not replying in kind to the coachman's strike. Hart's idea of a successful demonstration of his manliness was apparent in the condition integral to his offer of clemency. A public apology inserted in *The Times* to be viewed by 'all customers who frequent his house', would be a testament to the victory of law and middle-class masculinity over the violence associated with plebeian and elite masculinity. Consequently, these cases support the notion that although confrontation similar to plebeian honour fights were a usual recourse for service disputes, they were less effective when interacting with members of the middle-classes who subscribed less to ideals of martial masculinity.

Male sexual honour

Historians mark changes in meaning to male sexual honour from the early modern period to the nineteenth century.²⁹ Manhood in the early modern period that was predicated on control over women's sexuality gave ground to a polite and civil masculinity during the eighteenth century.³⁰ Men's attitudes changed from one focussed on violence to defend patriarchal honour to one engaged with 'polite' sociability. However, this historiography's focus is that which is concerned with elite and the middle classes. Eighteenth-century sources suggest that plebeians were still influenced by the patriarchal model as they were also still likely to defend male sexual honour through violence. The defence of male honour sexual honour involved men taking over disputes between women and settling them violently with their partners.

²⁷ *The Times*, 20 Jul. 1816.

²⁸ Andrew, *Aristocratic Vice*, pp. 2,13.; Tosh, 'Masculinities in an Industrializing Society', p. 342; Wood, *Violence and Crime*, p. 37.

²⁹ Karen Harvey, *Reading Sex in the Eighteenth Century: Bodies and Gender in English Erotic Culture* (Cambridge, 2004), p. 10.

³⁰ For more on Male sexual honour please see: Foyster, *Manhood in Early Modern England*, Carter, *Men and the Emergence of Polite Society*; Michèle Cohen, "'Manners" Make the Man: Politeness, Chivalry, and the Construction of Masculinity, 1750–1830', *Journal of British Studies*, 44 (2005), pp. 312–29; Tim Hitchcock and Michèle Cohen (eds), *English Masculinities, 1660-1800: Women and Men in History* (London, 1999).

These actions also reflected the undermining of patriarchal control over women when men felt threatened by women's cordial behaviour towards other men. Also, important to plebeian masculinity was the protection of women from other men's violence or their reputation from sexual advances.

Disputes originating between women could widen to involve their male partners. In 1834, the Old Bailey heard how a dispute within a family between wives quickly escalated to include their husbands. Thomas Hingley testified how his brother's wife had been arguing with his aunt when his Uncle asked: 'Who has been ill-using my wife?' To which his brother answered 'if your wife does not ill-use us, my wife shall not ill-use yours' at which both men then fought each other.³¹ *The Lancaster Gazette and General Advertiser* reported on a fight in Manchester, 1826, over an argument between two women that was taken up by their partner/husbands with fatal consequences. On the morning of the 10th October 1825, Anne Jones quarrelled with a lodger who was staying at Elizabeth Boardman's residence. Mrs Boardman testified in court that she went to Anne Jones' house to complain but was met by Jones' partner, James Morgan who told her that 'he would not speak to me, but to my husband.' While there Mrs Boardman's husband John Boardman 'came to fetch me out' whereby after a few words James Morgan 'flew at him [Mr Boardman]'.³² Although the original argument was initiated between the two women, it was men who acted to protect their partner's honour and well-being. James Morgan would not speak to Elizabeth Boardman to resolve the dispute when she later knocked on his door. Morgan's business was with Mr Boardman whom he fought at the first opportunity. Rather than directing their ire at the other woman the men transformed the original dispute between the two women into a male-only dispute. The focus of the dispute had shifted from the original case between their partner/wife to one where the men's sexual honour was at stake and that had to be defended with male-on-male physical violence.

Men's sexual prowess was important to masculine identity. In 1820, the OBP heard how a fight started over a man dancing with another's women. Sarah Williams testified that two young women were dancing with a man called Edward Callaghan at the *George* public house around nine o'clock when a fight resulted over one of the women asking another man, Jerry

³¹ *OBP*, 4 Sep., 1834, John Bedford (t18340904-161).

³² *The Lancaster Gazette and General Advertiser*, 11 Mar. 1826.

Carthy, to join them.³³ Callaghan considered the women with him and interpreted Carthy's intrusion as an affront to his manhood even though Carthy had been invited by one of the women. Another occasion was noted in his memoirs by a carpenter, John Brown, who told how he met a group of young men while walking with his 'fair partner...[and] considered that the young woman had been grossly insulted by the unmanly remark addressed to her in the public street.' He pledged his word to the man who had made the remark 'to return to give you satisfaction as you seem to think called for this stupid brawl' after he had seen this young lady home.³⁴

The protection of women's honour was an important character of plebeian masculine identity, even for women they had only just met. In Stepney 1769, Richard Belcher was drinking for the first time with a man called Howard and two girls whom he had met that evening. When Belcher's new drinking companion, Howard, struck one of the girls Belcher told him that this 'was not a manly action.'³⁵ Howard replied 'You dog, Ill strike you' to which Belcher replied by pulling off his coat signifying an intention to fight. Seeing this Howard then '...ran away.'³⁶ Although Belcher and Howard had engaged in the manly ritual of drinking 'in company' (examined in detail in chapter 6), Belcher was offended at Howard's 'unmanly' striking of the woman. Through examination of plebeian honour fights one can see that ideals of plebeian manliness were predicated on fair-play and the self-control of consensual violence. Howard's honour was undermined by his loss of self-control in striking a woman who was hardly a fair match in public and then by quickly exiting when his behaviour was challenged. Both of these cases illustrate that the plebeian honour fight was deployed in matters of male sexual honour and in order to protect women and defend their honour.

Whereas a man's honesty, courage and fighting prowess were insulted by other men, women's questioning of men's sexuality could also provoke a violent reaction. In 1786, Robert Clark was tried for the murder of John Delew, the landlord of the *Black-boy* in London, who had tried to protect his wife from Clark's amorous advances.³⁷ According to Elizabeth Delew, Clark joined a Mr Trott in the back room and when she went to settle for the drinks:

³³ *OBP*, 18 Sep., 1820, Edward Callaghan et al (t18200918-29).

³⁴ John Brown, *Sixty Years' Gleanings from Life's Harvest*, p. 189.

³⁵ *OBP*, 28 Jun., 1769 Robert Merry, Richard Belcher, Samuel Cornwall (t17690628-46).

³⁶ *Ibid*

³⁷ *OBP*, 13 Dec., 1786, Robert Clark (t17861213-107).

[Clark] behaved very rude to me, and put his hand under my handkerchief; I pushed him off, and bid him keep his distance; he then took hold of Mr. Trott and kissed him; after that Mr. Trott and he had some blows, and Mr. Trott knocked him over the table, and broke a wine-glass; after that they got a little peaceable, and called for another bottle of wine.³⁸

Although the violence had quietened, the trouble was to flare later upon closing when Clark and Trott would not leave. In the process of confiscating their wine, trouble flared again when Mrs Delew:

told him I did not think he acted like a man, first in taking liberties with me, and next in kissing a man; and then he called me an impudent saucy b - h; then I gave him two or three good slaps on the face, and my husband got between us that he might not strike me.³⁹

Although not in the original argument Mr Delew, the landlord, rose to his wife's defence calling Clark 'a dirty scoundrel and that he ought to be charged by the watch.'⁴⁰ Thomas Hale, an eyewitness, swore that Mrs Delew 'told him [Clark] he was a molly for serving a man so'.⁴¹ However, the threat of the watch was not sufficient, and a fight broke out between Clark and Mr Delew, with Mr Delew coming off worst. Although there are not many instances of women insulting men it is interesting that at one time Clark, according to the witness Hale, is 'putting 'his hand into Mrs Delew['s] bosom' and the next minute planting a kiss on his friend Mr Trott. Neither sexual advance to the man or the woman was welcomed and seem at odds with each other. It may be that high spirits were at the root of both actions as Clark's reaction to being called a 'Molly' was a violent one.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ *OBP*, 13 Dec. 1786, Robert Clark (t17861213-107).

⁴¹ Ibid.

The challenge's sanctioning of plebeian honour violence

The challenge was important to the plebeian honour fight because it served to signify the possible escalation of a dispute or an attempt to demonstrate manhood using violence. An accepted challenge led almost ineluctably into a serious fight. However, a challenge or oral exchange was needed to justify recourse to violence so that onlookers as well as fighters would recognise and understand that this violent confrontation was 'legitimate'. Friends or associates who had challenged and fought often sealed the resolution by drinking with each other afterwards. Even strangers who had fought fairly and observed the rules and customs would often follow suit and reconcile by drinking in the nearest alehouse. These post-fight rituals are assessed in more detail in chapter 5, but what is important to note here is that reconciliations were aided by the observance of ritual challenges and violence that followed customary notions of fair play. As this chapter goes on to demonstrate, the violence in a 'successful' plebeian honour fight, that is, one which enabled the resolution of a dispute, was characterised by the plebeian fighters' self-control. It is thus easily distinguished from violent attacks with no preamble or that of violence likely to be identified as one motivated by criminal intent.

It is difficult to locate the controlled violence of the plebeian honour fight into the existing historiography which distinguishes between different forms of plebeian violence. None of the existing categories and distinctions fully account for the rituals, timing, and control of violence often seen in the plebeian honour fights investigated in this study. For example, Eva Lacour, in her study of peasant violence in Germany through the fifteenth to the eighteenth centuries, has argued for three dimensions of violence. The first is concerned with motivation from either anger or self-interest, the second focuses upon ritualised violence controlled by social rules or conventions, and the third dimension includes forms of planned violence such as calculated robbery or murder.⁴² The violence enacted in plebeian honour fights fits into Lacour's first and second dimensions: fights were ritualised and governed by social rules, yet plebeians often displayed anger, although channelled, and they were motivated by self-interest in attaining status. Gert Muchembled highlights the important social roles that various forms of peasant violence played within the peasant community in early modern

⁴² Lacour, 'Faces of Violence Revisited', pp. 653–54.

France. However, fatalities resulting from peasant violence in such ‘social roles’ were not infrequent as sixteenth-century Arras alone recorded that 45 percent of all 99 plebeian deaths that took place there occurred in or just outside the tavern.⁴³ The importance of the ‘social aspect’ of plebeian honour fights is a theme that continues throughout this thesis. Drawing on seminal works by Natalie Zemon Davis regarding violence and ritual Pieter Spierenburg categorises violence as being impulsive, ritualised or possessing criminal intent.⁴⁴ Spierenburg argues that in general criminal violence was often impulsive as opposed to occasions of ritualised violence. Gerd Schwerhoff also argues for a distinction between plebeian violence with criminal intent and that of ritualised confrontation. Gestures, challenges, teases and insults contributed to a ‘highly ritualised dramaturgy’ that Schwerhoff notes often escalated to fights ending in injury or manslaughter.⁴⁵ Plebeian honour fights do not sit well with Spierenburg’s classifications since they could be both ritualised and impulsive. Although these categories of violence are not exclusive there seems to be a consensus that in general, unlike the plebeian honour fight, impulsive and criminal violence lacked ritual.

Although not without problems, these categories are useful for this research in identifying the purpose for violence and assessing their meanings. They allow for the differentiation between violence that may have little or no oral interchange with violence that does. A street robbery or mugging may demonstrate criminal violence where the intent was to incapacitate the victim to procure valuables and escape capture. If the calculated intent was murder, then it too may have had no preamble. Verbal interchange was present during certain crimes such as the highwayman’s infamous ‘stand and deliver’ or a street muggers demand for valuables. However, unlike most of the plebeians involved in honour fights, a mugger or highwayman were unlikely to have any wish to normalise their relationship with their victims or reintegrate themselves publicly back into society. Thus, compared to the preamble of plebeian honour fights such exchanges were more simplistic in their goals. Oral interchange allowed plebeian honour fight participants to resolve disputes or challenges through violence and then to be reintegrated back into the plebeian social structure as long as the rules and rituals that governed these fights had been observed.

⁴³ Robert Muchembled, *Violence au village: sociabilité et comportements populaires en Artois du 15e au 17e siècle*. (Paris, 1989), pp. 7–8, 94.

⁴⁴ Spierenburg, ‘Faces of Violence’, p. 1; Natalie Zemon Davis, ‘The Rites of Violence: Religious Riot in Sixteenth-Century France’, *Past & Present*, 59 (1973), pp. 51–91; Muchembled, *Violence au village*.

⁴⁵ Schwerhoff, ‘Criminalized Violence and the Process of Civilisation’, pp. 12,31.

Universally challenged

Having established that the plebeian honour fight was a popular way to resolve disputes arising from a variety of disagreements, this chapter turns to the ways in which challenges progressed into plebeian honour fights. All challenges were universal in their aim to provoke a fight from the challenged. However, this chapter identifies various types of challenges issued by plebeians that suited different situations and aims of the challenger: the direct challenge; the impersonal challenge; and the insult. These challenges are assessed in both their application to resolve a dispute as well as those aimed at status attainment.

The phrases ‘Come and have a taste on the stones’⁴⁶ and ‘I should like to have a round or two with you’⁴⁷ are representative of challenges that this thesis terms ‘direct’ verbal challenges. These were challenges that were directed at another specific plebeian male. Such a direct challenge was used to settle a dispute in 1792 between two butchers who had differed over the payment for goods. As there was no written contract, the word of both men was called into question. Subsequently one of the men challenged the other to ‘Come and have a taste on the stones’, meaning to settle the dispute by fighting.⁴⁸ In 1827, *The London Standard* reported on a fight where, after being told by George Boardman ‘to go about his business’ James Cooke ‘stripped to the waist and challenged Boardman to fight’.⁴⁹ The *Preston Chronicle* reported on a disagreement between two street traders in February 1832 where a fight ensued after one trader had said the other ‘challenged him to fight’.⁵⁰ Being only an invitation to fight, direct challenges are distinguished from other forms of verbal interchange examined below because they offer no threat, insult, or gesture. Direct challenges were also issued as a precursor to test manhood or attainment status. James Fyne told the *Old Bailey* in 1800 that ‘Richard Meeking, the deceased, began quarrelling with me, and challenged me to fight.’⁵¹ In 1831, Thomas Baines and Arthur McGinnis were on their way to an alehouse from Orchard Street when John Irving, without provocation, approached McGinnis and challenged him saying ‘I should like to have a round or two with you’.⁵² Both men entered into a fight that was stopped later by a policeman although McGinnis eventually died from

⁴⁶ *OBP*, 15 Feb. 1797, John Painter (t17970215-16).

⁴⁷ *OBP*, 30 Jun. 1831, John Irving (t18310630-65).

⁴⁸ *OBP*, 15 Feb., 1797, John Painter (t17970215-16).

⁴⁹ *The London Standard*, 3 Sep. 1827.

⁵⁰ *Preston Chronicle*, 4 Feb. 1832.

⁵¹ *OBP*, 3 Dec., 1800, Thomas Dawes (t 18001203-68).

⁵² *OBP*, 30 Jun., 1831, John Irving (t18310630-65).

his injuries incurred during the fight. These examples of straight challenges were issued directly to either one whom the challenger was having an argument or disagreement with as a form of dispute resolution or they were used by plebeians who, by fighting, sought to increase either their own and/or their peers regard for their manhood.

Impersonal challenges were distinct from direct challenges as they were issued to all within hearing distance but not directed at anyone in particular. In 1823, John Penen explained to the court how he witnessed an inebriated and angry Samuel Shutter come ‘down into the yard with his waistcoat and coat off and challenged the whole of the yard to fight.’ It turned out that Samuel had been ‘quarrelling with a number of low women who inhabit the yard’ and had become so angry that rather than escalate the argument to violence with the women offered to fight any man in the near vicinity.⁵³ Another, more common impersonal challenge was one that was issued to all in earshot for the purpose of a physical test of manhood, wager, or both. In his memoirs, William Green recounted an occasion when his good friend Aaron Jessell, challenged ‘a powerful fellow’ whom he had no quarrel with to fight with for a fiver.⁵⁴ In 1803, at an alehouse called the *Plough* in Fleet Street, Richard Toon challenged Samuel Godman to ‘fight him for five shillings, or any of his family.’⁵⁵ In 1786, John Harrison drinking in the *Coach and Horses* near Somerset House gave a general challenge not directed at any individual but ‘offered to fight any man for twenty guineas and to give him five’.⁵⁶ A close reading of these cases reveals that these challenges were not made out of anger or over any desire to resolve a dispute. This type of impersonal challenge was not uncommon in alehouses as men, emboldened by alcohol sought to affirm or attain status within their peer group and did not mind upon whom they performed it with. Many such instances also served as a platform for entertainment as men, particularly in Harrison’s case, seemingly enjoyed the confrontation.

⁵³ *OBP*, 3 Dec., 1823, Samuel Shutter (t-18231203).

⁵⁴ Green, *The Life and Adventures of a Cheap Jack*, 107–9.

⁵⁵ *OBP*, 26 Oct., 1803, Samuel Goodman (t18031026-44).

⁵⁶ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

Adding insult to challenges

Insults were often added to a challenge if the disagreement had become personal or as a way to provoke the challenged to fight. Insults about honesty continued to be a common precursor to plebeian fights throughout the Georgian period and usually took the form of accusations of thievery, knavery and lying. Insults intended to question plebeian manhood usually challenged a man's courage with accusations of cowardice. In his study of German peasant violence, Schwerhoff notes the powerful effect insults had in that they 'often heralded a spiral of violence'.⁵⁷ Indeed, In September 1829, William Davis fought Frederick Winkworth as 'he had been so grossly insulted he could not brook it any longer.'⁵⁸ Alexandra Shepard argues that having one's honesty questioned or slandered could have potentially disastrous effects and was one of the main reasons honour was fiercely defended.⁵⁹ Although based mainly upon the actions of elites, Robert Shoemaker argues that the effect of insult upon reputation declined in the eighteenth century as definitions of honour became less dependent upon others' views.⁶⁰ Both types of insults aimed at manhood and honesty may incite a response yet it was insults that questioned honesty that were the more effective at provoking plebeians to fight.

Insults to challenges questioning manhood were often couched in expectations of how a man should react when challenged by another man to fight. In 1834, Henry Horn testifying at a manslaughter trial at the Old Bailey, stated that 'there was a great deal of quarrelling between them and then one said "Come out like a man, and fight"'.⁶¹ In 1821 at the *Marquis of Granby* alehouse a 'tipsy...[Rowbottom] went through a ring of marbles and happened to kick one of them'. Rowbottom's disturbance of the men's game provoked Meredith Dolbin to challenge Rowbottom to fight. Initially ignoring Dolbin's challenge Rowbottom carried on his way until stopped by Dolbin's insult: 'Do you call yourself a man?' Unable to stomach the rebuke and compelled to prove his manhood he turned and engaged Dolbin in a fight.⁶² Although Rowbottom could ignore the initial challenge, the insult questioning his manhood proved harder to resist. Similarly, a challenge accompanied by insults to a man's ability to

⁵⁷ Schwerhoff, 'Criminalized Violence and the Process of Civilisation', p. 31.

⁵⁸ *OBP*, 10 Sep., 1829, William Davis, Patrick Flynn, Michael Driscoll (t18290910-51).

⁵⁹ Shepard, *Meanings of Manhood*, chap. 7.

⁶⁰ Shoemaker, 'Male Honour and the Decline of Public Violence', p. 204.

⁶¹ *OBP*, 4 Sep., 1834, Richard Davidson (t18340904-143).

⁶² *OBP*, 18 Jul., 1821, Ames M'Carthy, Richard Rowbottom, William Hardy, Thomas Lee, James Jones (t18210718-58).

fight also elicited the response intended. When a dustman, Francis Jenkins, took offence in the summer of 1786 at his colleague William for refusing to pay back a small loan, Jenkins challenged William to fight but also added that he ‘only needed one hand to best him.’⁶³ The suggestion that William could be bested by an adversary who would only use one arm insinuated a physical weakness that was insulting to his manhood. It was unlikely that Jenkins had any intention to use only one arm yet the insult was belittling enough to provoke William into fighting.

As argued earlier, engaging successfully in a plebeian honour fight allowed men the opportunity to display positive ideals of plebeian manliness such as fair conduct, strength, skill and self-control. Thus, it was seen as manly to fight when challenged and refusals to fight could lead to accusations of cowardice as the following cases illustrate. In the spring of 1828, Palmer eventually fought William Ford who had ‘insisted on his fighting, much against his [Palmer] own inclination, but that he, at last, agreed to meet him, having been repeatedly called a coward.’⁶⁴ In 1809, William Orb was challenged to fight by James Aryes who refused as he had to go to work. Orb’s brother later testified that ‘every night after that when they could get sight of him anywhere, they were calling my brother a coward.’⁶⁵ These accusations of cowardice eventually led to a fight where William Orb died.

Challenges made in front of onlookers could compel the challenged to fight for fear of being considered cowardly. In his memoirs, John Brown recounted an incident where a tramp had come to his shop to be paid for some work he had out-sourced to him. When the tramp realised that Brown was not going to pay him for his sub-standard work the tramp caused a ruckus where:

a number of persons had congregated before the shop, and amongst them one whom I had fought with when a boy: who seeing the annoyance to which I was subjected, called out- ‘Master John, you don’t put up with that nonsense, do you?’ As there seemed no other way of getting rid of the nuisance, but by accepting his challenge, I stepped into the Crescent; and on my giving him ‘one for his nob,’ down he went.⁶⁶

⁶³ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

⁶⁴ *OBP*, 29 May, 1828, Joseph Palmer (t18280529-28).

⁶⁵ *OBP*, 26 Jun., 1809, James Ayres, William Robinson (t18090626-29).

⁶⁶ John Brown, *Sixty Years*, pp. 299-300.

Even though Brown thought a fight with a tramp beneath him, he could not risk appearing fearful of the confrontation in front of the crowd that had gathered.

In the above cases, the original challenge was at first ignored or declined, and it was not until an insult was given or the potential to look cowardly had arisen that the challenge was accepted. That some of these men needed further insulting suggests that there were times when normal challenges were successfully ignored. Available records of plebeian honour fights are predominantly ones that have ended in fatalities, challenges that were ignored are more statistically less visible. Thus, the ratio between failed challenges and those that ended in physical confrontation is not clear. What is clear is that a challenge was more difficult to resist if it was accompanied by an insult directed at manhood.

A question of honesty

Typical insults directed at a man's honesty include 'are you not a rascal, and a villain, and a thief?';⁶⁷ '[you are] a rascal and a swindling thief';⁶⁸ and accusations of 'liar'.⁶⁹ Casting aspersions upon a man's honesty, not just his fighting prowess or manhood, was an effective insult that acted as a catalyst for plebeian honour fights. In 1792, William Palmer's insulting line of questioning; 'Are you not a rascal, and a villain, and a thief?', to a Richard Mann outside the *Cock and Castle* public house provoked a fight.⁷⁰ In 1797, during a game of rackets, David Williams insulted William Payne by accusing him of being 'a rascal and a swindling thief' and 'said everything that could exasperate a man' to provoke William Payne agreeing to a fight that led to his death.⁷¹ In 1791, Robert Smith fought William Johnson after Johnson accused him of cheating and that 'he would knock his head off'.⁷² In 1823, a witness to a fight testified that William Latham warned William Tate that 'if he called him a liar again, he would strike him; he did so, and Latham hit him on the side of his face.'⁷³ The questioning of a man's honesty with such accusations of cheat, thief, liar or rascal, were taken

⁶⁷ *OBP*, 15 Dec., 1792, William Palmer (t17921215-43).

⁶⁸ *OBP*, 20 Sep., 1797, David Williams (t17970920-11).

⁶⁹ *OBP*, 14 May, 1823, William Latham (t18230514-31).

⁷⁰ *OBP*, 15 Dec., 1792, William Palmer (t17921215-43).

⁷¹ *OBP*, 20 Sep., 1797, David Williams (t17970920-11).

⁷² *OBP*, 13 Apr., 1791, Robert Smith (t17910413-42).

⁷³ *OBP*, 14 May, 1823, William Latham (t18230514-31).

seriously and were likelier to provoke a spontaneous violent response than insults to manhood.

In a case in 1786 one can see that challenging an individual directly and questioning his honesty was more effective than an impersonal challenge that nobody took up.⁷⁴ Harrison was described by one witness as a ‘very powerful man’ who was ‘able to fight two [men simultaneously]’. The promise of a guaranteed sum of five guineas to any man who fought him, win or lose, was not tempting enough for his challenge to be met. Even when Harrison qualified his general impersonal challenge by promising to handicap himself, thereby subtly insulting every other man’s manhood, nobody answered his challenge. Harrison then switched tactics and changed his focus to that another drinker, William Stone, saying ‘he would tie one hand behind him [to fight him]’⁷⁵ Although singled out as an individual by name, Stone still refused to fight or respond to the insult to his manhood. It was not until Harrison insulted Stone’s honesty when he called Stone and his friends ‘a parcel of thieves’ that his challenge was met.⁷⁶ A general challenge to the alehouse by this ‘powerful man’ could be ignored by other drinkers at little cost to their own masculinity. Even Harrison’s offer to fight one handed was rebuffed. No one man had their manhood individually questioned as all the men in the alehouse were challenged at the same time and their refusal to fight weighed equally on them all. However, the direct challenge coupled with insults directed specifically at Stone’s honesty was too much and provoked the reaction that Harrison hoped for from the smaller man.

Refusals and negotiation

As noted earlier not all challenges were accepted, and insults were needed at times to goad reluctant fighters into action. A verbal refusal to fight did not always guarantee the challenge had failed as, in the eyes of some plebeians the act of a challenge, accepted or not, was sufficient to sanction an attack. In 1834, James Hicks challenged George Gowan, who was standing on his doorstep in his ‘shirt sleeves’. George replied ‘It is a pity we should quarrel, we never had any words - let us make peace and quietness.’ Hicks refused to back down,

⁷⁴ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

saying, 'No; I will have it out,' and subsequently 'struck him in the mouth.'⁷⁷ Certain refusals to fight echoed the legal and moral consequence of fatal outcomes in plebeian honour fights. Timothy Brian's reply to a challenge, 'if you knock my brains out, what will become of you?' was most likely aimed at curbing violence since, in the majority of cases, plebeian fighters did not intend to kill an opponent, either for moral reasons or for the legal consequences.

Successful refusals to fight centred upon food and religion. In 1827, Benjamin Byfield was enjoying his steak at the *Mulberry Tree* alehouse when John Williams struck him twice across the table. Byfield said 'he would forgive that, if he could get his dinner comfortably'.⁷⁸ Byfield was allowed to continue to eat his dinner. However, after a short while trouble erupted again and this time Byfield retaliated, causing Williams to fall backwards and fatally gash his head against a fender (fireguard). In 1826, John Lee and Edward Lavey were walking home together when they had a drunken disagreement during which Lavey took offence at being called 'spungy' by Lee. It is unclear from the testimony what 'spungy' implied, but it certainly provoked Lavey into fighting. After fighting for only two rounds they were interrupted by members of the watch and forced to stop. Lavey then challenged Lee to reconvene the following morning. However, he refused because the next morning was a Sunday and as he declared, 'I said I did not like to fight on Sunday, as my master always wished me to go to the Poultry Chapel.'⁷⁹ In the testimony of both these cases, there is no suggestion that the court or any of the plebeians who testified deemed Byfield or Lee's actions unmanly. Although it has been shown that a man who rejected a challenge to fight could face imputations against his manliness, the last two cases discussed suggest that there were certain times, such as eating or through religious obligations, where plebeian men could refuse a challenge without losing standing amongst their peers or facing accusations of cowardice.

A more complex case of a refusal to fight took place in the *George the Fourth* alehouse, Duke Street, Lisson-grove, in 1834, over who would buy the next round. It was agreed to flip a coin for it, but after losing the toss, George refused to pay up for the ale and was subsequently challenged to fight by John Moulton. A witness testified that George 'would not

⁷⁷ *OBP*, 4 Sep., 1834, Anne Brown (t18340904-58).

⁷⁸ *OBP*, 25 Oct., 1827, Benjamin Byfield (t18271025-67).

⁷⁹ *OBP*, 14 Sep., 1826, John Lee et al. (t18260914-25).

fight but kept his hands in his pockets'.⁸⁰ Moulton turned around and sat at another part of the bar for ten minutes until the dispute arose once again off premises. Of note here is that by keeping his hands in his pockets George's body language emphasised his verbal refusal to fight. He made this clear by not having his hands out in front of him to protect himself, thus presenting an undefended target, which an opponent would be unlikely to punch. As George left the alehouse, Moulton once again challenged George and witnesses stated that in going to talk to Moulton George took his hands out of his pockets. Before he had a chance to put them up, Moulton hit him hard enough to knock over George. Due to the awkward fall George broke his leg, an injury that surgeons later testified led to his eventual death ten days later. Although George had not accepted the challenge verbally, Moulton took it that George was able to defend himself when he took his hands out of his pockets and promptly struck him.

Influences of location and space

It is difficult to place the violence and fatalities of the plebeian honour fight within the current historiography of violence that is concerned with physical location in terms of urban versus rural. For example, Marx's concept of a transition from feudalism to capitalism, Weber's theory of the 'rational society' developing out of the 'traditional society,' as well as the Tönnies shift from *Gemeinschaft* to *Gesellschaft*, all suppose a transition between a stable, rural, preindustrial society to an unstable, urban, industrial one.⁸¹ Howard Zehr also ties violence and crime to the 'modernisation' of society from the peaceful rural setting to the growth of urban sprawl and the industrial revolution, suggesting that disorder resulted from processes of urbanisation.⁸² However, other historians argue that towns and cities were civilising areas. Eisner, Monkkonen and J.A. Sharp reveal statistics that show lower murder rates per capita in urban rather than rural areas.⁸³ Unfortunately, a comparison between rates of rural or urban plebeian honour fights is beyond the remit of this thesis. Nevertheless, what can be argued is that the plebeian honour fight was similarly performed in rural settings such as country fairs and villages as it was in urban areas.

⁸⁰ *OBP*, 10 Apr., 1834, George George (t18340410-187).

⁸¹ Sharp, 'Crime in England', pp. 22-24

⁸² *Ibid.*

⁸³ Eisner, 'Long-Term Historical Trends in Violent Crime', pp. 131-32; Sharp, 'Crime in England', pp. 20-22; Eric A Johnson and Eric H Monkkonen, eds., *The Civilization of Crime: Violence in Town and Country Since the Middle Ages* (Illinois, 1996).

It is space, rather than the urban/rural debate that bears more relevance to processes and applications of the plebeian honour fight. Michel de Certeau first posited the argument that space is a practised place, arguing that space can be defined by the event that takes place in that location at that precise time.⁸⁴ Joanne Begiato (Bailey) also argues that the terms ‘private’ and ‘public’, in the context of wife beating, were understood less by contemporaries in geographical terms and more by what type of action took place in that space. Thus, ‘private’ abuse could occur outdoors in secret while ‘public’ abuse could occur indoors as long as it was witnessed.⁸⁵ Others have also identified the permeable boundaries between public and private when correlated with indoors or outdoors. Shoemaker notes that many of the smaller alleys, dead end lanes, and courts in London were utilised as private spaces that only the inhabitants made use of and thus argues that not all outside areas in the metropolis were considered public space.⁸⁶ Woods argues that not all indoor living areas could be considered as private in the nineteenth century, since working class urban areas were overcrowded, with small rooms separated by ‘flimsy partitions’.⁸⁷ Thus, plebeian work areas such as shops, alehouses, and services such as washing and sewing all encouraged a public use of space in areas that routinely doubled as private space. It is within the context of these blurred distinctions of spaces that the final part of this chapter examines the location of fights.

Most plebeian honour fights took place outdoors. Of the 110 murder cases resulting from plebeian honour fights heard at the Old Bailey between 1780 and 1840 nearly two-thirds were fought outside in public space. However, not all fights that took place outdoors started outdoors. Over three-quarters of fights whose processes began with challenges that were issued in indoor spaces relocated to an outdoor area. Alexandra Shepard has noted that male on male interpersonal violence within another man’s home was considered ‘shameful’ in the early modern period, since a man’s home was considered a place of patriarchal masculinity; anything that challenged that structure was considered a violation.⁸⁸ These figures suggest that the early-modern customary respect of restrictions on male on male violence within the home or private areas was for the most part still relevant to plebeians through the Georgian period.

⁸⁴ Michel de Certeau, *The Practice of Everyday Life* (Los Angeles, 2011), p. 117.

⁸⁵ Bailey, ‘I Dye [Sic] by Inches’, p. 273.

⁸⁶ Shoemaker, *The London Mob*, p. 5.

⁸⁷ Wood, ‘Locating Violence’, p. 30; Bailey, ‘I Dye [Sic] by Inches’, p. 273.

⁸⁸ Shepard, *Meanings of Manhood*, p. 148.

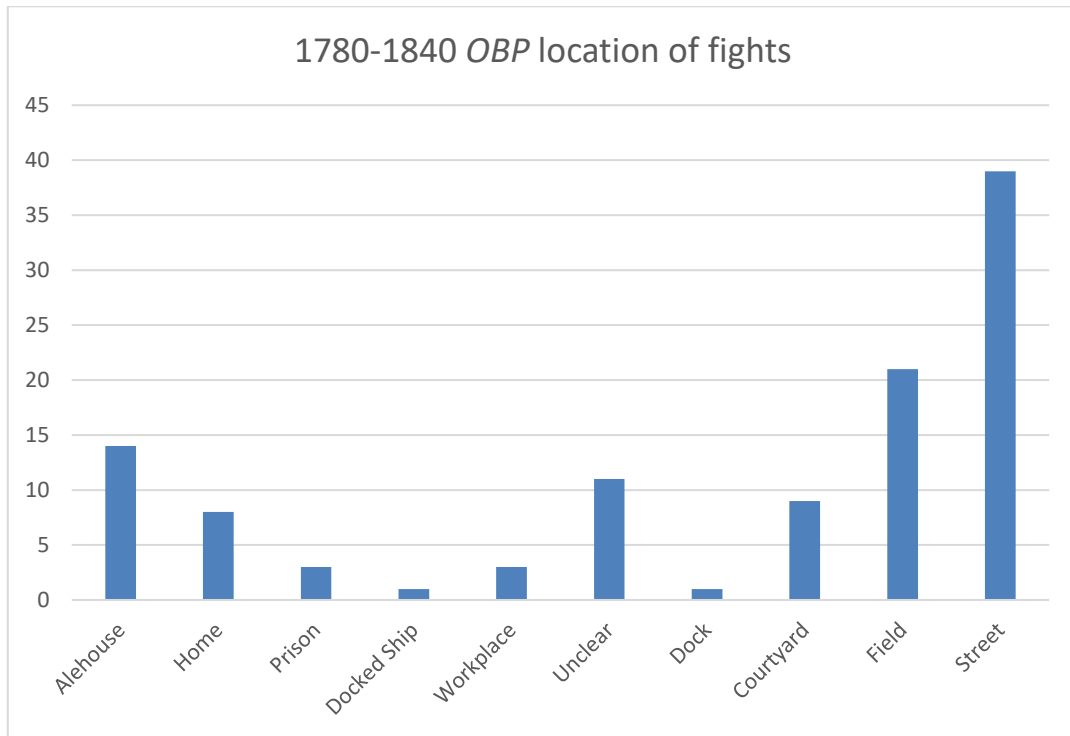


Chart 1: 1780-1840 OBP location of fights

Outdoor locations

Chart 1 shows the location of plebeian honour fights that ended in fatalities heard at the Old Bailey between 1780 and 1840. Fights that occurred indoors account for 26 percent of the total while 64 percent took place outside. It is clear from the table that outdoor venues were the most popular places for plebeian honour fights, with the street being the most frequent location, accounting for a little over 35 percent of all plebeian honour fights assessed. The bustling street was the both the place where the disagreement or insult originated, as well as the venue for the resolution process. In 1782, James Wellbeloved pursued John Barnard asking him why he had barged past him as they passed each other on West Street, Lombard Court. Not satisfied with the reply, Wellbeloved asked Barnard to give someone his dog to hold and then challenged him to a fight.⁸⁹ In 1831, Arthur Mc Ginnis was walking in Westminster with a friend when John Irving approached them and said to McGinnis, ‘I should like to have a round or two with you’.⁹⁰ Although the street was the venue for disputes

⁸⁹ *OBP*, 4 Dec., 1782, James Wellbeloved (t17821204-73).

⁹⁰ *OBP*, 30 Jun., 1831, John Irving (t18310630-65).

arising in the street, it was also usually the closest outdoor space for disputes that occurred indoors. In 1797, Joseph Jenkins a butcher, went to John Painter's home in Whitecross Street who was also a butcher, to discuss a disagreement over trade. Failing to agree Painter was invited by Jenkins to 'come and have a taste on the stones' to fight it out; to which he duly obliged.⁹¹ Worthy of note here is Jenkin's reluctance to fight Painter in his own home. Similarly, courtyards were frequent locations for fights. In 1822, after a disagreement in the *Cricket House*, Peter Doran and Thomas Waylan fought in the yard outside, where Waylan slipped and hit his head. Michael Donahoe witnessed the fight and later testified that 'the yard was slippery with the rain, and the deceased fell.'⁹² While a reluctance to fight within a private or semi-public area lends weight to the premise that male on male violence within a home or private space was to be avoided, it also resonates with the theme of plebeian self-control that runs throughout this thesis. These confrontations invariably involved heated arguments, yet plebeians often demonstrated self-control in observing custom and ritual by restraining their temper and passion enough to relocate the violence outside. Such behaviour also serves to distinguish the plebeian honour fight from acts of uncontrolled violence such as muggings or bar brawls.

The courtyards and streets often served as locations for spontaneous fights, yet it was the fields in which more organised fights occurred. As discussed previously in chapter 2 the organised plebeian honour fights that took place in fields began to increasingly resemble professional prizefights from the late 1790s. Unlike spontaneous fights the delay between challenge and fight allowed for more organisation and structure, which in turn facilitated larger audiences. In 1823, after an argument in a public house, a fight was organised for the next day 'in a field in Bow Parish, at ten minutes before three- about seven hundred people were present.'⁹³ Other outdoor venues of interest include that of a place of worship in Nottingham. In 1770's Robert Clifton noted the regular use of a church yard for numerous fights. The first account in 1772 involved 'Bully Palmer and Mr Bramstons...who fought a shoving bungling battle in ye church yard' and another account in 1778 of a 'bungling battle to night in the church yard between Jinks of Warminster and Franklin Kirby of Barnwell.'⁹⁴ Illustrating Certeau's argument of space being a 'practised place', the church by day was a

⁹¹ *OBP*, 15 Feb., 1797, John Painter (t17970215-16).

⁹² *OBP*, 11 Sep., 1822, Peter Doran (t18220911-140).

⁹³ *OBP*, 3 Dec., 1823, Thomas George, John Fawcett (t18231203-81).

⁹⁴ *Clifton's Day Books*, Northampton Record Office, Sat. 4 Jan. 1772, ZA-8739, *Clifton's Day Books*, Northampton Record Office Sat. 6 Jun 1778. ZA-8744.

place for worship, decorum, and reflection, yet by night it was a place for violence, gambling, dispute resolution, and status attainment. Nevertheless, although fights did occur indoors, sources clearly indicate the preponderance for outdoor locations, even in the most unlikely or suitable of places.

Indoor challenges and semi-public spaces

An example of intolerance for male on male violence within the domestic sphere is illustrated by the case in 1826 whereby the mistress of the house instructed the watch to ‘take up’ both her husband and his assailant. A vocal disagreement had turned into a physical confrontation between Mr Dalton and a lodger, and the woman instructed a nearby watchman to ‘take this vagabond out of the house.’⁹⁵ Mr Dalton was defending his own sexual honour and told the watchman that his wife had been struck by the man and that he would fight him outside, to which Ockenden replied: ‘you shall not fight, go indoors.’⁹⁶ However, Mr Dalton insisted on fighting, to which his wife encouraged the watchman to have both men ‘taken up’. In 1827, *The London Standard* reported on an incident where a drunken stranger, James Cooke, stumbled uninvited into a private dwelling and ‘fell over the maiden [a drying horse for clothes] into the fire and some clothes were scorched.’⁹⁷ Phoebe Wyatt was alone in the house as her mother was at work and when Cooke refused to leave, she went next door to ask her Uncle Boardman for help. When Cooke still refused to leave, Boardman tried to manhandle him out of the house. Cooke ‘stripped to the waist and challenged Boardman to fight, but the latter said he would have nothing to do with him.’⁹⁸ The Uncle did not want to escalate the violence in the home but when both were outside Boardman had little choice but to defend himself; witness John Chatterworth said that Cooke ‘then flew at Boardman with fist and foot’.⁹⁹ These cases indicate an intolerance or reluctance to escalate violence within the home.

A similar premise holds with privately owned dwellings that were open to the public for business. A plasterers’ labourer, John Dillon, used abusive language to a shopkeeper,

⁹⁵ *OBP*, 22 Jun., 1826, John Ockenden (t18260622-60).

⁹⁶ *Ibid.*

⁹⁷ *The London Standard*, 3 Sep. 1827.

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

Alexander Dobie, while outside his shop. Witnesses reported that Dobie was ‘at the back part of his shop, and seemed to wish to avoid him [Dillon].’¹⁰⁰ It appears the shopkeeper could ignore such abuse from outside his shop yet, according to a witness, when:

Dillon put his feet towards the shop door, as if to go in, but his feet did not touch the step - the prisoner then rushed out, and put himself in a fighting attitude. Dillon had been menacing, lifting up his arms, and saying, ‘D-n you’, before that. Dobie struck him several blows.¹⁰¹

As soon as Dillon set foot in Dobie’s premises a violent reaction ensued. It would seem likely that Dobie was outraged at this behaviour within in his own shop, in a way similar to how he might react if it were his own home. The response to the abuse and threats of violence within the shop demonstrates that categorising such spaces as public is too simplistic. The reaction to the violation was more one befitting a private space that lends weight to the argument that spaces such as shops were semi-public, retaining certain considerations reserved for private space.

Violence in alehouses

The alehouse was also a semi-public area, and likewise, violence or the promise of it was unwelcome. In 1787, upon hearing an argument on his premises, the landlord of the *Falstaff* was heard to say he ‘desired peace’ and that ‘he would not have his customers ill-used.’¹⁰² Landlords would try to stop trouble from escalating but if they were unsuccessful would intervene physically to prevent trouble. In 1834, the landlord of the *Birdcage* public-house in Wood Street observed two drinkers who, when refused more gin as it was closing time, began to argue with each other. One struck the other but before the other could retaliate the landlord ‘caught him by the arm’ and said; ‘My house is very peaceable, and I beg you will quit it.’¹⁰³ In 1834, William Clubb was at the *White Raven* talking ‘rather loud’ while a club, of which he was not a member, was holding a meeting. Richard Davison ‘told him to desist but he would, not - they got angry with each other’. Clubb then challenged Davison to ‘Come out,

¹⁰⁰ *OBP*, 8 Dec., 1825, Alexander Dobie (1825120-17).

¹⁰¹ *Ibid.*

¹⁰² *OBP*, 12 Sep., 1787, James Weston (t17870912-96).

¹⁰³ *OBP*, 4 Sep., 1834, Edward Fry, Joseph Ward, John Davis (t18340904-159).

like a man, and fight.’¹⁰⁴ This challenge led to a fight that happened off premises and brooked no interference from the landlord.

Although male-on-male violence was not tolerated by landlords, they would themselves initiate violence with abusive drunks or those that refused to pay their reckoning. As the semi-public space doubled as their dwelling and place of business no doubt landlords felt justified in defending their home and livelihood. An inebriated John Green refused to pay for his drinks at a public house in Hackney-marsh in 1820 resulting in the landlord pushing Green over backwards. Green suffered a cut to his head from the fall and upon getting up challenged the landlord to fight. However, the landlord ignored him and continued to ‘shove him... and dragged him into the yard by the shoulders.’¹⁰⁵ After two minutes Green got up and left the yard peacefully. On another occasion, Thomas Mann was at the *Cock and Castle* in Kingsland Road enjoying a drink after work when the landlord, William Palmer accused Mann of not paying his tab on another night. Although Mann professed his innocence, the landlord struck him twice. A witness testified that Mann, no longer on the landlord’s property said: ‘You struck me twice, now if you strike me a third time- I am off your premises- I will make you pay for it.’¹⁰⁶ It is interesting to note the role that space played in this altercation. The landlord had little compunction in using violence when on his property yet Mann exercised restraint in the face of Palmer’s strikes. It seems unlikely that Mann’s restraint was due to a disinclination to uphold his honour as once off the property he issued his challenge to the landlord. It would seem that within his alehouse the landlord felt justified in administering violence. Even though it was a semi-public space, the landlord exercised overall rights as it was in many ways his space. From the customer’s view, he did not wish to violate the landlord’s space even under the provocation of being punched twice in the face. Yet, as soon as he was off of the landlord’s property, he was no longer obliged to observe such custom and duly challenged the landlord.

¹⁰⁴ *OBP*, 4 Sep., 1834, Richard Davidson (t18340904-143).

¹⁰⁵ *OBP*, 28 Oct., 1820, John Lanaway (t18201028-67).

¹⁰⁶ *OBP*, 15 Dec., 1792, William Palmer (t17921215-43).

Conclusion

The plebeian honour fight was used to resolve a variety of everyday disputes between plebeians as well as a vehicle for a test of manhood. It has been suggested that disputes centred upon material things such as money-owed or the non-return of property were also obligations that when broken represented a betrayal of trust between plebeian men. As such, these disputes involved more than recouping a percentage of the reckoning of a bar bill. A plebeian honour fight was both a recourse to redress the materialistic balance and avenge offended ideas of honour. The plebeian honour fight was not a lesson in fighting, it was a lesson in masculinity.

The challenge played an essential role in the dispute resolution process. Challenges were functional, practical, and were one of the characteristics that distinguished the plebeian honour fight from other acts of violence used in murder, robbery, or assault. It signified an intent to fight adhering to a popular structure based on the principles of fair fighting. In requiring an answer, the challenge also sought an agreement from the opposing fighter that sanctioned the violence to follow. Reluctant fighters, might be provoked by their opponent to take up the challenge through an insult. Although insults to a man's courage or fighting ability were effective at provoking a reaction, none were more so than insults that questioned a man's honesty.

The fight process was at times fluid in its location. Challenges could be initiated indoors but if accepted the violence of the fight usually relocated outdoors. Violence in areas considered home or semi-private was not tolerated. For domestic dwellings, the promise of violence indoors brought swift responses with family members calling for the watch. Similarly, violence from disputes arising in alehouses was also unwelcome often relocating to the nearest outdoor area such as the street or the courtyard. In disengaging from the fight process and relocating to an outside venue plebeians demonstrated a self-control that was aspired to in ideals of plebeian manhood. In the case of relocating violence from alehouses, there may have been what can be termed as both push and pull factors. The pull can be seen as the respect for patriarchal authority, which was manifested in a reluctance to enact violence within another man's home. The push may well have been the tendency for landlords to deal

very firmly with violent situations on their property. Plebeian honour fights in the street, or other public spaces were often viewed as entertainment by the public and for the most part ignored by authorities. Plebeian recreational use of public spaces went virtually uncontested until authorities pushed for tighter control in the early nineteenth century; this is assessed in more detail in chapter 7.

Chapter 4: The plebeian fighters: age, occupation, and marriage

This chapter investigates the characteristics of plebeian fighters using both quantitative and qualitative methods in a broadly chronological order. Age, occupation, and marital status are important identifiers of plebeians revealed in the sources and are assessed to chart the common traits of those involved in plebeian honour fights. The quantitative research draws on all murder and manslaughter cases that qualify as plebeian honour fights heard at the Old Bailey between 1780-1840. Accounts of plebeian honour fights revealing details about age, occupation, and marriage are also qualitatively assessed from selected life-writings, newspaper reports, and cultural depictions of fighting from all over England.

This chapter first explores the meaning of generic terms such as ‘boy’, ‘youth’, and ‘old’ used in life writings and testimony to describe the age of fighters. It then makes comparisons between actual reported ages of fighters and argues that, although young boys and men in their sixties are evidenced as using the plebeian honour fight for dispute resolution, the most frequent fighters were in their teens and twenties. The occupation of plebeian honour fighters is then examined and the occupations who were most the frequent plebeian honour fighters appearing in the Old Bailey are assessed. These plebeian occupations are then compared to their reputations discernible from visual and textual sources. Lastly, this chapter assesses the effect of marital status on plebeian honour fighters. Data from the OBP suggests that married men were less likely to fight in plebeian honour fights than unmarried men. Furthermore, a qualitative assessment of sources also suggest that married men did not take part in as many plebeian honour fights as unmarried men out of a sense of responsibility to their wives and families.

In comparing details regarding plebeian males two datasets are used: the Old Bailey Proceedings (OBP) and the 1851 London and Wales Census.¹ A total of 218 plebeian fighters from 109 plebeian honour fights have been identified by name in the research of all murder and manslaughter cases heard at the Old Bailey between 1780- 1840. Official details of plebeian fighters included in the OBP were limited to the name of the defendant and

¹ Kevin Schurer and Edward Higgs, *Integrated Census Microdata (I-CeM): 1851-1911*, SN: 7481, (Colchester, Essex: UK Data Archive [distributor], 2014), <http://dx.doi.org/10.5255/UKDA-SN-7481-1>, accessed 5, Jun., 2015.

deceased. From 1789, the age of the defendant was recorded, but only for cases returning a guilty verdict.² Consequently, the official descriptions of who these plebeian fighters were provided limited details for an in-depth analysis. However, further details of defendants and the deceased have been compiled through a close reading of witness testimony. It would also be more ideal to have all the occupation, age, and marriage details for each of the 218 fighters. Nevertheless, cases where occupations have been identified number eighty-seven, ages identified totalled fifty-three, and twenty-two marital statuses were also identified and have all been compared to similar grouped data from the 1851 census.

It would be more ideal to compare the data from earlier England and Wales censuses taken decennially from 1801 as they correspond better to the 1780-1840 timeline of the data from the OBP. However, pre-1841 censuses do not offer enough details while the 1841 census does not provide marital status. The 1851 census contains various details of individuals in England and Wales and is the earliest that is freely accessible through Integrated Census Microdata (ICeM).³ Accessing the digitised census details using the Integrated Census Microdata (ICeM) programme enables the filtering of the 1851 census data to select categories that can be compared to the quantitative OBP data.⁴ However, the mid-point of the OBP data range is 1810, and by comparing the data from an 1851 census, this thesis adopts the following caveats. The total population levels between the mid-point of 1810 and 1851 will be different. However, this thesis uses certain age groups and occupations not as total numbers but as proportions to the whole.⁵ This would be important if for example, the proportion of those in the occupation of butcher changed significantly in the first half of the nineteenth century or if the age demographic shifted dramatically, such as the proportion of men in their 20s doubling. The considerable base of 1,006,136 males in London and Middlesex that the data is taken from also suggests that it is most probable that such fluctuations, if any, are likely to be insubstantial.

² Tim Hitchcock, Sharon Howard and Robert Shoemaker, 'Research and Study Guides - How to Read an Old Bailey Trial', *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 7.0, 03 November 2016).

³ Until 1841, the census only required the numbers, not the names of people, by parishes and these details were supplied by the overseers of the poor in England and Wales. From 1841 the census was undertaken by the General Records Office (GRO) who employed enumerators to go directly to households. This was the first census where individuals' names and occupations were taken and those living there were obliged by law to give them. The census of 1851 is deemed as the first useful census to social sciences as it mandatorily required more details of individuals including names, occupational status, marital status, age and place of birth. Edward Higgs, *Making Sense of the Census Revisited: Census Records for England and Wales 1801-1901: A Handbook for Historical Researchers* (London: Institute of Historical Research, 2005), 10-15, 40-4.

⁴ Schurer and Higgs, *Integrated Census Microdata (I-CeM); 1851-1911*.

⁵ *Ibid.*

A fighting age

An identifier of plebeians commonly used in testimony from the OBP records is that of age. Chart 2 displays the ages of fighters where available from the OBP dataset.

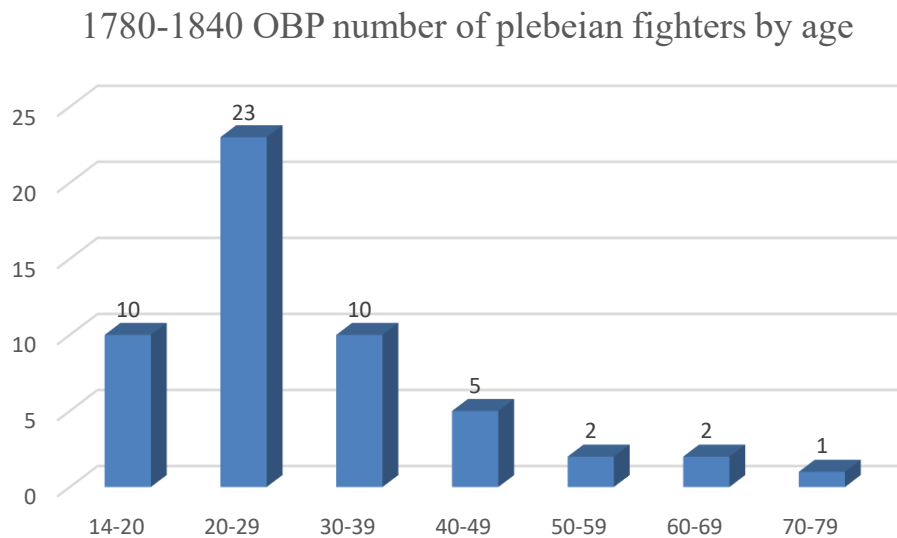


Chart 2: 1780-1840 OBP number of plebeian fighters by age

As noted earlier the age of a defendant was not officially recorded in the OBP until 1789 and then only if the defendant was found guilty. Consequently, only thirty-one ages were recorded from the official records, but a close reading of witness testimony revealed a further twenty-two specific references of age. There are also eight cases where terms such as boy, young, and old have been used to describe plebeian fighters. These terms are examined later with other qualitative approaches but have not been included in the data due to their ambiguity. As indicated by Chart 4 the age range of plebeian males covers seven decades, with the youngest recorded aged fourteen and the oldest of seventy-two. Although it is interesting to see that the over forties were represented the majority of males involved in fatal plebeian honour fights heard at the Old Bailey were under forty years old, with those under thirty years accounting for approximately two-thirds of fighters. These figures support contemporary opinions of young men being especially prone to fighting and Foyster's

arguments that the testing of manliness by younger men led to fights.⁶ The data is also in line with Alexandra Sheppard’s arguments that young men were the most likely to rebel against patriarchal norms by violent behaviour and excessive drinking.⁷

Chart 3 makes this distinction even starker as it incorporates a demographic breakdown by age of males in London and Middlesex from the 1851 census.

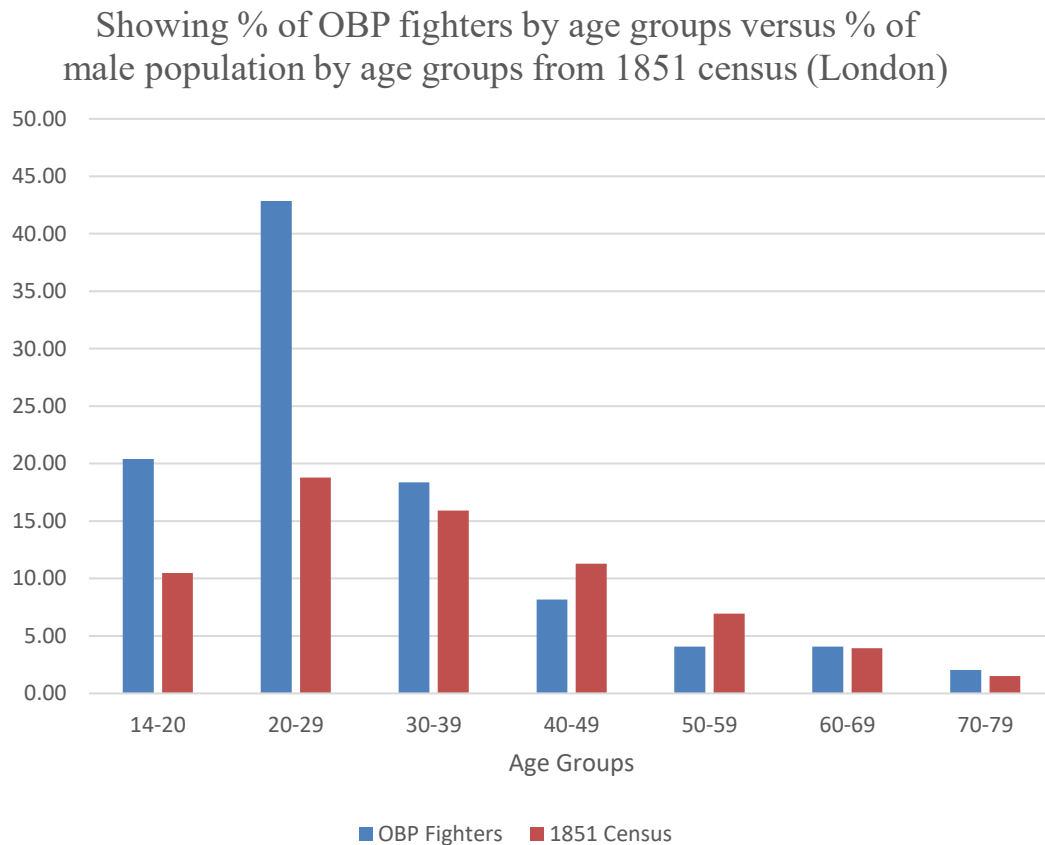


Chart 3: Showing % of OBP fighters by age groups versus % of male population by age groups from 1851 census (London)

The census shows the population of this area at this date was 2,336,727 of which 1,006,136 were males.⁸ The census also breaks down this population by age that for example gives the number of males between fourteen and twenty as 124,480.⁹ This detailed breakdown of age

⁶ Helen Berry and Elizabeth Foyster, *The Family in Early Modern England* (Cambridge, 2007), p. 104; Foyster, ‘Boys Will Be Boys?’, p. 166.

⁷ Shepard, *Meanings of Manhood*, pp. 94, 293.

⁸ On how to do this please see: Schurer and Higgs, *Integrated Census Microdata (I-CeM); 1851-1911*.

<http://icem.data-archive.ac.uk>, accessed 6, Nov., 2016.

⁹ *Ibid.*

enables a comparison between the overall percentage of male age groups living in London and Middlesex with the proportion of male fighters by the same age grouping taken from the OBP. Thus, males aged between fourteen and twenty comprised approximately of eleven per-cent of London's population but accounted for over twenty per-cent of plebeian honour fights. Similarly, males in their twenties accounted for a little under nineteen per-cent of London's population yet comprised forty-three per-cent of plebeian fighters in the OBP figures.¹⁰ Regarding ratio, males under thirty were twice as likely to be involved in plebeian fights as any other age group. The proclivity for fighting decreased for men in their thirties as they were only slightly over-represented in the OBP data compared to their demographic. For males in their forties and fifties, this trend reverses as they are featured less as plebeian honour fighters in the OBP data than the proportion of their corresponding age groups in the census.

It is difficult to delineate the exact difference in ages between terms such as boy and man, or young and old. The Lord Hardwicke 1754 Marriage Act set the age of consent at age 21 and could be viewed as the age where a male fully becomes a man. Yet, legally a male was responsible for his own behaviour long before then. In 1786, Mr Justice Gould tried a case of murder where the defendant Joseph Rickards was thought to 'between eighteen and nineteen' years old. Addressing the jury, Gould noted a lack of direct evidence and warned them not to make any decision based solely on Rickards' earlier confession 'though he is very near the state of manhood... he is not at full age, though he is above that age of discretion, which the law assigns to be at the age of fourteen years...'.¹¹ Mr Justice Gould's comments suggest that a male below fourteen years old would be classed as a boy but males between fourteen and nineteen years were yet to achieve full manhood status. In 1834, sixteen-year-old Patrick MaCarthy [sic] was called a boy by the two older men Reilly, in his thirties and Maconolly aged twenty-one. An argument ensued where MaCarthy had taken offence that the older man, Reilly, would not take a drink from him. The argument escalated to point where Reilly challenged the sixteen year-old MaCarthy to a fight but was prevented in doing so by the twenty-one year-old Maconolly who in turn challenged the thirty-five year-old Reilly declaring: 'Don't fight a boy, fight a man'.¹² It seems likely that this ambiguity of what age full manhood was attained contributed towards the motivation for younger males such as

¹⁰ Ibid.

¹¹ *OBP*, 22 Feb., 1786, Joseph Rickards (t17860222-1).

¹² *OBP*, 3 Jul., 1834, Patrick MaCarthy (18340703-145).

MaCarthy and Maconolly to fight. Being only twenty-one himself, Maconolly may have been keen to highlight the manly distinction between his age of majority and that of one MaCarthy- five years his junior. This case also shows that although MaCarthy was two years over the legal age of responsibility, fourteen, he was still called a 'boy'. This outlines the difficulty in defining what contemporaries thought the age range of a boy with a legal definition. Emotive situations such as those involved in fights could blur such distinctions.

Accounts of boys fighting in life writings are equally ambiguous as to defining the exact ages of the boy, but interestingly these boys are at times also identified like their elders by occupation as well. In 1773, John Clifton a carpenter from Northampton remarked in his 'day book' of 'a famous battle to day between a little chair bottomer and a sweep'.¹³ There are accounts that suggest some boys were trained by their fathers in fighting from an early age. James Dunn recounts trips with his father driving the 'Bank-note' van to London. Where he 'not only had to witness his father fight but often fought lads himself, his father teaching him how to defeat them.'¹⁴ An extract from an autobiography of a Dundee factory boy reveals how he had to fight on his first days of working at a mill. The fight on his first day of work is reminiscent of a rite of passage that he needed to fulfil to be accepted by the other boys. Interestingly, the man in his memoirs also recalls the connection between fighting and honour:

...[they] challenged me to fight; and I soon found I would get no peace to live until unless I risked the contingency of a battle. As there is honour among thieves, so I found a modicum of honour amongst mill boys, as one about my own age was selected to be my adversary. Accordingly, we adjourned to a park near the Dens, and had a regular 'mill'.¹⁵

These cases suggest that the plebeian honour fight's use and practice may well have been generic across the majority of the plebeian male life cycle including the younger years. The importance of occupation and fighting in plebeian manhood resonated to an extent in ideals of plebeian 'boyhood' as it was not only mature plebeian males who valued the function of the fight to attain status or resolve disputes. Boys and younger males were noted as either having emulated older plebeian ideals of manhood or had learnt from their elders or fathers.

¹³ *Clifton's Day Books*, Northampton Record Office Sat. 19 Jun 1773. ZA-8740.

¹⁴ James Dunn, *From Coal Mine Upwards: Or Seventy Years of an Eventful Life* (London, 1910), p. 63.

¹⁵ James R. Simmons (ed.), 'Chapters in the Life of a Dundee Factory Boy', in *Factory Lives: Four Nineteenth-Century Working-Class Autobiographies* (Plymouth, 2007), p. 240.

Sources do not suggest stark differences between immature and mature male plebeian fights. Clearly youths' fighting was also at times as serious a business as mature men's fights with fatal results. The *General Evening Post*, reporting in 1747, noted that '...two Boys fell out on the Blind-Quay, and immediately fell to Boxing, when one of them was killed on the spot.'¹⁶ Life writings also support the notion that fighting played an important role in the life of a male whether he was a boy, youth, young man or a man. In his autobiography (1910), Dunn comments on the qualities that a male 'youth' needed to display when courting:

He must be a good drinker himself and to supply the girl and her friends with beer; and above and beyond all he must be able to fight, so that if anyone offended or insulted her, and she asked him to defend her honour, he must be prepared to fight, or be at once discarded.¹⁷

Dunn described a model of manliness that provided for and protected the honour of the girl and her friends. It would seem that these manly ideals were aspired to by boys, youths and men alike.

Although these ideals of manhood may well have had currency across age groups fighting across age groups in some cases was not acceptable. Out of 109 cases of fatal plebeian honour fights heard at the Old Bailey between 1780 and 1840 there are ten cases of plebeian honour fights with fighters aged twenty or younger, yet only one of those fights are against an opponent over the age of twenty. Furthermore, this was the case involving the aforementioned sixteen-year-old MaCarthy who provoked a twenty-one year-old to challenge the older man not to 'fight a boy, but fight a man!'¹⁸ The lack of cases involving men aged twenty and under fighting with older men does suggest that younger men did not want to fight with older men, or, that older men did not want to fight with younger men or those that seemed younger than the age of majority, or both. The following case suggests that men did not treat such younger men as equals when it came to fighting. Samuel Bromley, drinking in the *Marquis of Granby* in 1791 was seen to have 'struck a young man in the face without provocation'. The young man declared he would not be treated so and attacked Bromley with a broom knocking him

¹⁶ *General Evening Post*, 30 May, 1747.

¹⁷ Dunn, *From Coal Mine Upwards*, p. 101.

¹⁸ *OBP*, 3 Jul., 1834, Patrick MaCarthy (18340703-145).

to the ground and killing him.¹⁹ This case suggests that the ‘young man’ was treated more like a boy to be slapped or corrected by a mature man rather than afforded the respect and customs that men observed in the honour fight. The paucity of fights between males over and under 20 does not contradict this notion. Such treatment clearly offended the young man who, perhaps not as fully developed as a mature man or shown the proper practices of the plebeian honour fight, felt the need to arm himself with the broom handle against the fully-grown man. It could be that older men did not confer full manhood status on those under twenty and refrained from engaging them in plebeian honour fights. This would leave confrontations to follow other forms of fighting such as used by the young man slighted by Samuel Bromley. It seems likely that there comes a time when a boy or youth would no longer feel it appropriate to be the recipient of such correction or admonishment. The sources suggest that although males under twenty desired to be treated on an equal footing for fighting like a man, it was not until they were deemed over the age of majority or approximately twenty or over that they were included as equal combatants.

Chart 4 below shows the age difference of the protagonist involved in fights in years. This chart shows that by far the majority of fights took place between males with age differences of ten years or less. It has been shown that there is only one account of males over twenty fighting young men under twenty. However, the highest differential in fighting ages is between 40 and 50 years. Although men over 20 were more likely to fight those within ten years of their age, there is evidence that fights occurred with men who were much older.

¹⁹ *OBP*, 26 Jan., 1791, Samuel Bromley (t17911026-50).

1780-1840 OBP age difference of fighters

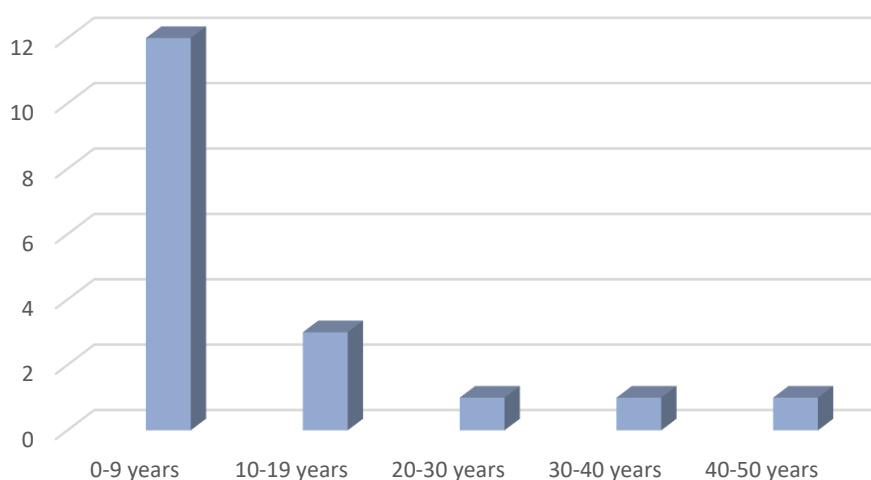


Chart 4: 1780-1840 OBP age difference of fighters

Terms like old, old man and older man are used in the sources, but as with the terms boy, young and youth, it is difficult to narrow down the exact ages inferred. There is one OBP case where a man is described using such terms, and then his exact age revealed. In 1799, Thomas Lyne, a carpenter, was on trial for the manslaughter of his fellow co-worker, Houghton, resulting from a fight over a work matter. Lyne had set aside some wood but later found it missing.²⁰ He accused Houghton of giving it away and was heard to say he ‘would knock his d---d old head off.’ The Judge asked ‘Was Houghton an old man?’ to which Lyne replied ‘Fifty-five years of age, and rather hard of hearing.’²¹ Lyne was found not guilty of manslaughter, so his age was not recorded. However, Lyne was not referred to as young, so it is most likely he was older than 20, but younger than 55 to consider Houghton old. This is the youngest age that is referred to as old in the OBP sources. However, it would be wrong to assume that younger men gave older men any dispensation such as refraining from using their full force against them in plebeian honour fights. Houghton was thought by witnesses to get the better of the younger man Lyne in the fight but died later.

On July 21, 1825, John Dillon, whom witness Hannah Plamer described as ‘an old man’, was using abusive language towards a shop owner in Upper Dorset-street that provoked a full

²⁰ *OBP*, 11 Sep., 1799, Thomas Lyne (t17990911-32).

²¹ *Ibid.*

plebeian fight between himself and the younger shopkeeper.²² Throughout the case, there is little dispensation evident for Dillon's longevity and the fight's parameters of violence no less robust. In East Smithfield, 1834, a 'lumper' in St Katherine's Dock called Frederick Jacob Shubert, 'aged between sixty and seventy years old', was involved in a fight helping his son-in-law against three other men.²³ Henry Burton aged sixty-six, while collecting glasses in *The Bell* public house in Battlesbridge, 1798, got into a fight with a younger man who accused him of taking a full glass.²⁴ Described by his son-in-law as 'a very hearty man' the fight finished as Burton fell on his ribs onto a sand bin. A witness, Samuel Brooksby, helped the older man Burton up and heard him say 'I really believe it is my death-wound; but to do it willfully, with malice in his heart, to do the man an injury, I do not believe he did.'²⁵ Evidently, an older plebeian could still fight to defend his honour, and other male fighters were not hesitant to bestow upon them equal status in the plebeian fight. From these examples of older men involved in plebeian honour fights, it is apparent that they neither expected nor desired any special treatment or dispensation for their older years when engaging in a plebeian honour fight. Unlike youths below twenty years old, it would seem that advancing years did not herald a retreat from engaging with men in their prime in dispute resolution or the defending their manhood.

Occupation

Occupation can be found used as an identifier in newspapers, court proceedings, and life writings. It was used not only by authorities to identify plebeians but also between plebeians themselves. The relationship between occupation and identity to those of middling ranks has been the focus of various research interests. For Georgian men of middling rank, their occupation brought political as well as economic rewards. Matthew McCormack argues that for the middling ranks work promoted both independence from patrician patronage as well as access to the political sphere.²⁶ John Tosh, highlighting its importance during the Victorian period, terms occupation as the 'nub of middle-class identity'.²⁷ Of course, occupation and

²² *OBP*, 8 Dec., 1825, Alexander Dobie (t18251208-17).

²³ *OBP*, 4 Sep., 1834, Ann Brown (t18340904-58).

²⁴ *OBP*, 23 May, 1798, John Keay (t17980523-27).

²⁵ *Ibid.*

²⁶ McCormack, *The Independent Man*, p. 17.

²⁷ John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven, 2008), pp. 24, 112.

plebeian identity after the 1830s was influenced by the beginning of a working class cohesive identity. The focus on the role that occupation played in Georgian plebeian identity before the 1830s tended to run along occupation specific lines such as guilds and later trade societies.²⁸ Such traits encouraged occupational solidarity and cases are identified particularly in the building trade. However, McCormack's observation that for the middling sorts work was 'a sphere in which men could prove their manhood' can be applied to plebeians too.²⁹ As noted in chapter 2, paid employment for plebeians often involved a process of 'body hardening' which could act as a personal and collective identity.³⁰ The physicality associated with certain occupations encouraged expectations of those as fighters. Butchers, soldiers, sailors and carmen's reputations for fighting are seen in textual and visual cultural sources and are compared to their proclivity to fight from the OBP cases.

The occupation of fighters was an important identifier to plebeians when describing fights, they had witnessed. In 1778, Robert Clifton, a carpenter in Norwich, wrote in his diary of a 'most Sever Battle fought to Night Opposite my Door as I ever saw in my life, between One Shepherd who works in Mr Wallit's Farnyard and a labourer, Name Austin Bennet.'³¹ The practice of emphasising an occupation as well as a name was also a regular feature in volunteered plebeian court testimony. When testifying at a trial of a fatal plebeian honour fight in 1786 Joseph Montague, instead of calling the defendant by his name, William Stone, told the court he 'saw the joiner stripping to fight with the deceased.'³² George Gibson, when testifying to a fatal fight tried at the Old Bailey in 1823 offered his occupation and that of others involved impromptu in his opening statement: 'I am a baker, and live in Bethnal-green-road. The prisoners are bakers, and so was my brother Charles, the deceased.'³³

Newspapers and Old Bailey court proceedings similarly noted fighters' occupations in their reporting of fights. In 1839, the *Northern Liberator* did not name the protagonist of a fight instead their occupations as an officer of the 'Royal Blues' and an officer of the 'Dragoons' were used as an identifier.³⁴ In 1808, *The Lancaster Gazette* stated that two middle-class

²⁸ Anna Clark, *The Struggle for the Breeches: Gender and the Making of the British Working Class* (London, 1995), pp. 36,220,267.

²⁹ McCormack, *The Independent Man*, p. 17.

³⁰ Hogarth sees 'Body Hardening' as contributing towards class-identity, Hogarth, 'Reluctant Patients', pp. 33–48.

³¹ *Clifton's Day Books*, Northampton Record Office Thur. 9 Jun. 1778. ZA-8744.

³² *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

³³ *OBP*, 3 Dec., 1823, Thomas George, (t18231203-81).

³⁴ *The Northern Liberator*, (Newcastle upon Tyne) 20 Apr., 1839.

males involved in a spitting incident were ‘Mr Granger, an eminent merchant and Mr Skelton, an attorney’.³⁵ A record of the defendant’s or the deceased’s occupation was not a mandatory requirement for the Old Bailey but was evidently of interest to the proceedings. In 1783, Mr Justice Heath enquired of one witness as to the identity of the defendant when asking ‘What is Luke Murphy?’ to which the witness replied, ‘He is a labourer.’³⁶ In 1784, William Garrow was told by a plebeian witness that the men involved in a fatal fight ‘were chairmen, and butchers with cleavers.’³⁷ Chart 5, shows the results of identifying occupations of fighters from 109 cases of plebeian fights that ended in the death of one of the protagonist from 1780 to 1840.

Numbers of OBP fighters (1780-1839) per occupation

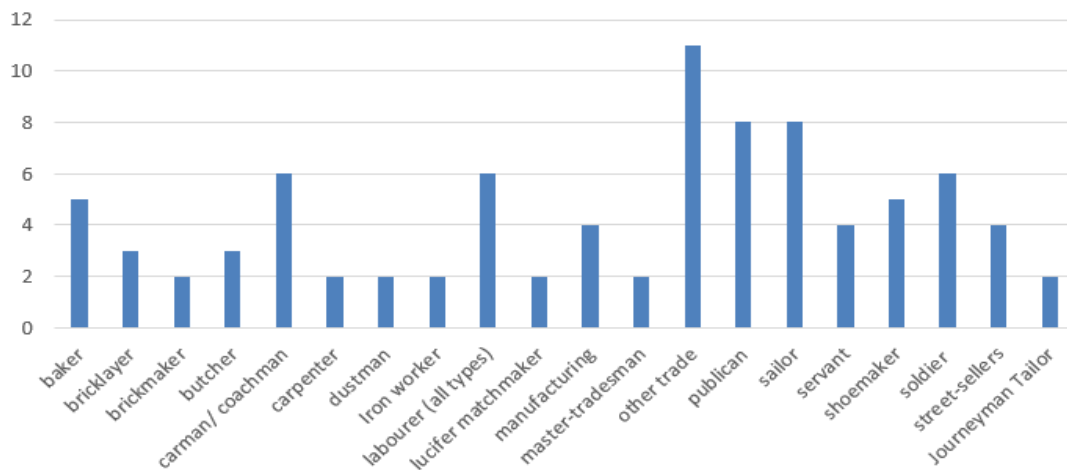


Chart 5: Numbers of OBP fighters (1780-1839) per occupation

Taking into account that there were two fighters (one deceased and one on trial) for each fatal case a total of 87 occupations out of a possible 218 have been identified. Occupations that only appear once have been grouped together into three general groups: manufacturing;³⁸ other trade;³⁹ and street-sellers.⁴⁰ The highest category of fights in *Chart 5* is that of ‘other

³⁵ *The Lancaster Gazette and General Advertiser, for Lancashire, Westmorland, &c.*, 4 Jun., 1808.

³⁶ *OBP*, 23 Jul., 1783, Patrick, Luke Murphy, Thomas Murphy (t17830723-26).

³⁷ *OBP*, 1 Jun., 1784, Patrick Nicholson, James Ward, Joseph Shaw, James Murray (t17840601-1).

³⁸ Manufacturer consists of a: coach-smith; piano forte worker; and surgeon instrument maker.

³⁹ Other trade’ comprises of a: constable; weaver; engraver; printer; lamplighter; gas factory worker; metal sharpener; shopkeeper; sawyer; stonemason; and brokers assistant.

⁴⁰ ‘Street-sellers’ include a: costermonger; market-worker; sawdust-seller; and a tinker

trade' as it is drawn from the combined workforce of 11 categories. Analysis is concentrated upon occupations that show at least more than one occurrence of fighting in the OBP. Publicans, sailors, labourers, soldiers and bakers in that order are the most frequent trades of plebeian honour fighters appearing in OBP trials for murder or manslaughter.

Below in Chart 6, occupations and their occurrences from the 1780-1840 OBP data have been converted to show a percentage of the total occurrences of fighters by occupation (in blue). The second column is the 1851 census data (in red) that represents the proportion of male workers in that occupation as a percentage of all male workers according to the enumerator's books in 1851. In organising the data this way, the propensity to fight for one trade can be measured against another. For example, the number of publicans involved in plebeian honour fights is just over four per-cent in the OBP data, while the proportion of publicans from the 1851 census is just under one per-cent of the total workforce. Thus, publicans are overrepresented by approximately three per-cent suggesting that they as a trade were more likely to become involved in plebeian honour fights than trades who were comparatively underrepresented in the OBP figures.

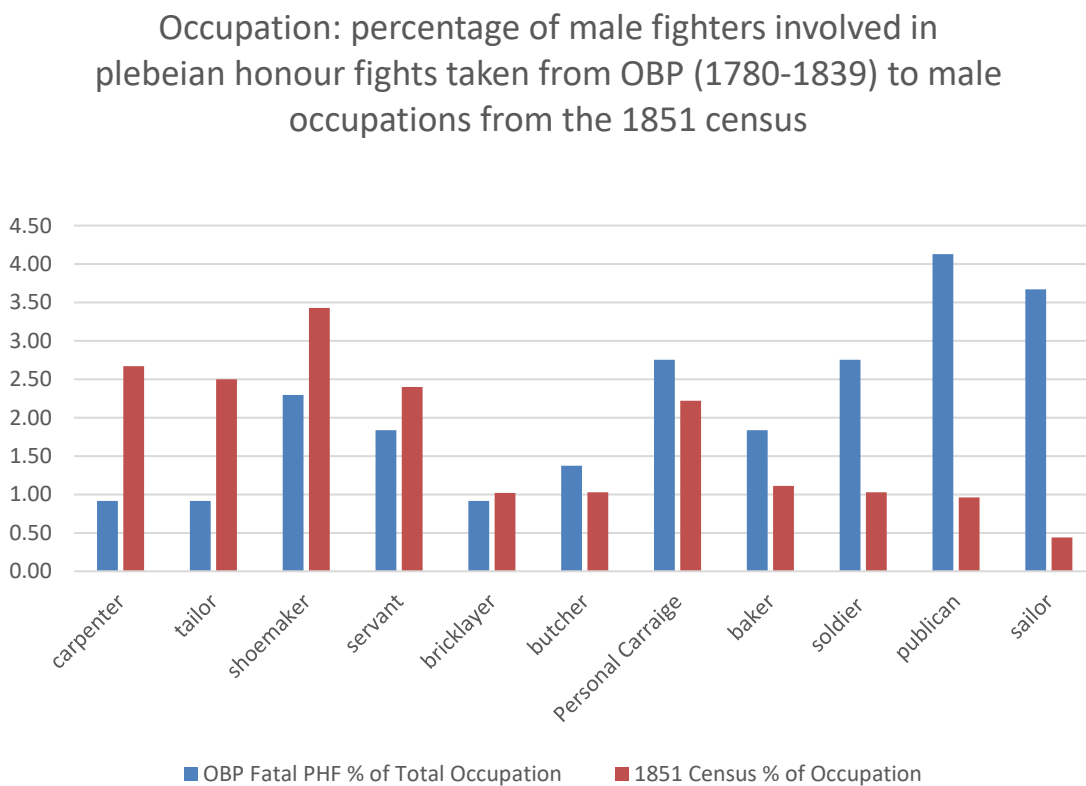


Chart 6: Occupation: percentage of male fighters involved in plebeian honour fights taken from OBP (1780-1839) to male occupations from the 1851 census

Trades that were underrepresented as fighters, i.e. appear less per capita in the OBP, were carpenters, tailors and shoemakers with a negative differential of -1.75%, -1.58% and -1.14% respectively (these figures are derived from subtracting the census percentage of their trade from that trade's percentage of plebeian fighters recorded in the OBP). Taking the occupation of carpenter for example; plebeian honour fighters who were carpenters and who appeared in the OBP between 1780-1839 consist of 0.92 % of all fighters, but carpenters who appear in the 1851 census for London contribute 2.67 % of total occupation. This suggests that carpenters were underrepresented as plebeian fighters when comparing both sets of data. Occupations that were most overrepresented as fighters in the OBP were sailors, publicans and soldiers with positive differentials of 3.23%, 3.17%, and 1.72% respectively. These figures suggest that sailors, publicans and soldiers were more likely to become involved in plebeian honour fights than carpenters, tailors, and shoemakers.

Before moving on to assess the most frequent occupations that appeared in the OBP for plebeian honour fights this section first looks at the occupation of the butcher and compares the occupation's modest statistics for fighting to its considerable reputation. There are many varied accounts of visual and textual culture that associate butchers with a capacity for violence and an esteemed fighting prowess. It may well be that such a reputation stemmed from butchers who organised together playing rough music at weddings or when acting as political 'muscle' at hustings. J Archer notes the butcher's reputation of being a 'desperate and vicious set of men' quoting an article from *The Porcupine* that states their neighbours 'fear and avoid them, and policemen know them too well to interfere freely in their quarrels.'⁴¹ Shoemaker recounts how a group of young men known as the 'butcher boys' or 'Bridewell boys' had a reputation for violence. He cites two occasions; an attack on a constable searching disorderly houses, and a liberation of some recently impressed seaman. As well as a reputation for fighting, butchers were also known for their disruptive and threatening behaviour.⁴² John Gillis notes the practice of rural butchers playing 'rough music' in the streets and at events using 'drums, tin pans, and horns', while in London the 'butcher boys, armed with marrow-bones and cleavers, claimed the privilege of serenading newlyweds

⁴¹ *The Porcupine*, 19 Feb., 1870 cited in Archer, 'Men Behaving Badly?', p. 53.

⁴² Shoemaker, 'Male Honour and the Decline of Public Violence', p. 199.

up through the early eighteenth century.’⁴³ Published in 1807, James Peller Malcolm’s , *Anecdotes of the Manner and Customs of London During the Eighteenth Century* has several references to butchers whom he notes were known for playing rough music at events such as weddings and not leaving until paid to do so.⁴⁴ Malcolm also uses phrases such as ‘fought like a pair of butchers’ and tells of occasions when marching butchers would ‘ring their discordant cleavers with leg-bones of oxen in a sort of chime.’⁴⁵ The reputation of butchers for fighting is also evidenced in ballads, and although such texts are likely to be fictional, they do contribute towards a cultural construction of the butcher as a fighter. *The Fighting Butchers*, tells of two ‘jolly butchers in Skinner Street’ who set to fighting for very little apparent reason other than the joy of the combat. One of the butchers issued a challenge ‘Come along black pudding with you I’ll now have a round’. It is not clear how the fight is stopped but they both end up facing a magistrate and ‘he bound them down to keep the peace for six months and a day’. The ballad concludes by saluting the butchers and remarking in a positive way the repetition of the event:

So now we’ll drink and smoke my boys and then gaily sing
 ..ores [sic] a health to the jolly butchers the champions of the ring

So to conclude and make an end good people around
 Sheppard says he’ll do it o’er again from 1 to 50 pound
 In Bell’s life you will notice and won’t it be a treat
 To see two jolly butchers fighting up and down Skinner Street.⁴⁶

The last line concerning ‘two jolly butchers’ is reminiscent of the caricature of John Bull who was the epitome of stout, honest, protestant Englishness. The character traits exemplified were good cheer and being well-fed. Indeed, the name John Bull has itself a patriotic connection with beef. The role of beef in an Englishman’s diet was associated with strength and health and butchers, in particular, had steady access to this staple. A connection with beef and victory is made in the cartoon below by James Gillray (Fig. 8). John Bull is seen

⁴³ John R. Gillis, *For Better, for Worse: British Marriages, 1600 to the Present* (New York, 1985), p. 68.

⁴⁴ James Peller Malcolm, *Anecdotes of the Manner and Customs of London During the Eighteenth Century: Including the Charities, Depravities, Dresses, and Amusements, of the Citizens of London, During That Period: With a Review of the State of Society in 1807; to Which Is Added, a Sketch of the Domestic Architecture, and of the Various Improvements in the Metropolis* (London, 1810), pp. 241–42.

⁴⁵ *Ibid.*, p. 261.

⁴⁶ Harding B. ‘*The Fighting Butchers*’, Bodleian Library Broadside Ballads (London, presumed 1800-30). www.bodley.ox.ac.uk/ballads (accessed 3 Aug., 2011).

victoriously holding Napoleon's severed head on a fork declaring to the onlookers the foolishness of Bonaparte on his attempt to subdue England and 'become King of England's Roast Beef & Plumpudding [sic]!'⁴⁷

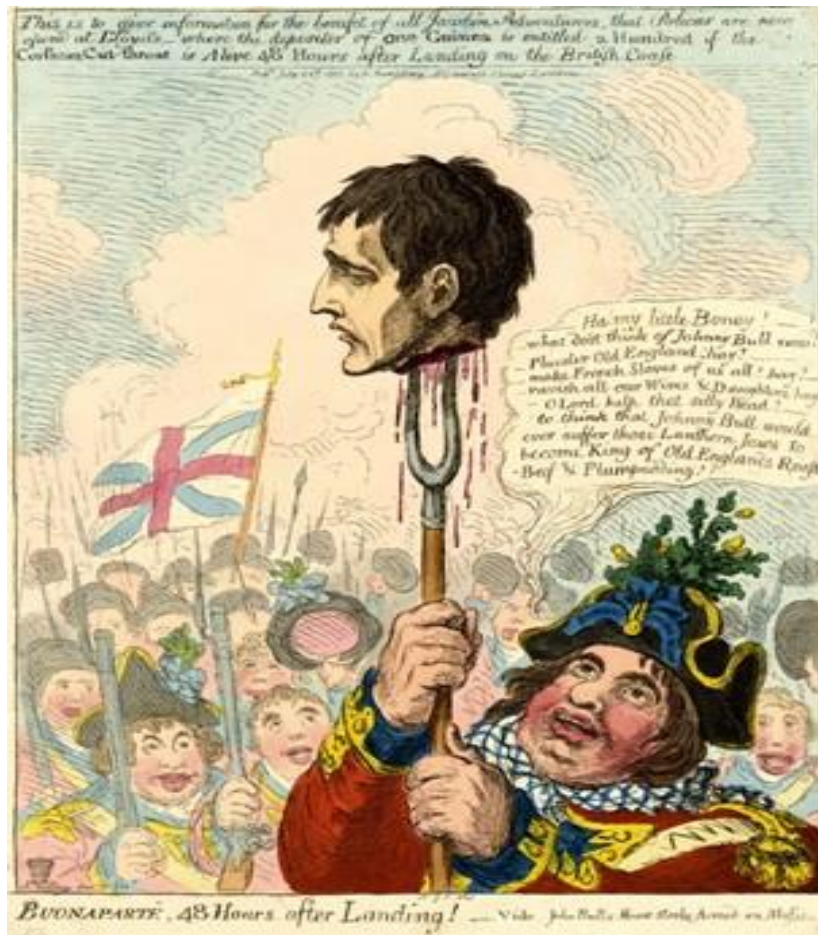


Fig. 8: *Buonaparte, 48 Hours after Landing*, James Gillray (London 1803)⁴⁸

The connection between victory, strength, manhood and beef is seen again in the life writings of William Green who wrote of a fight between his friend Fred and a 'mumper [a half bred gypsy], who Fred dispatched with ease'.⁴⁹ Fred exclaimed as he gave him the finishing touch, 'You don't eat beef enough for me, my covey', suggesting a connection between fighting

⁴⁷ James Gillray, *Buonaparte, 48 Hours after Landing*, (London 1803), Courtesy of The British Museum. http://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=1638579&partId=1&searchText=james+gillray&page=1, accessed 12 Jun., 2015.

⁴⁸ Ibid.

⁴⁹ William Green, *The Life and Adventures of a Cheap Jack* (London, 1876), p. 64,.

pro prowess and the consumption of beef.⁵⁰ A butcher's diet would have access to beef affording the nutrition for a strong physical development.

It was not just cultural sources that celebrate the reputation of the butcher for fighting. A butcher was one of the combatants at what was generally accredited the first published account of a boxing match. *The True Protestant Mercury* of January 1681 wrote:⁵¹

Yesterday a match of boxing was performed before His Grace the Duke of Albemarle between the Duke's footman and a butcher. The latter won the prize, as he hath done many times before, being accounted, though a little man, the best at the exercise in England.⁵²

Other publications and court records also attest to the pugilistic character trait of butchers. The *History of the Westminster Election* featured a piece where butchers as well as chairmen, were involved in the affrays associated with the Westminster elections of the 1780s. Violence was noted at the election where radical candidates were standing for seats for Parliament. At the trial for the murder of Nicholas Casson in 1784, witnesses testified to a large number of butchers and chairmen armed with cleavers and marrowbones.⁵³ They had congregated in opposition to Westminster constables armed with staves whose numbers had been swelled from constables from neighbouring districts. It was inferred that some of these constables had an ulterior motive in deterring voters for the radical candidates and had violence in mind. Witnesses noted the butchers and chairmen's support for Mr Fox armed with 'marrow-bones and cleavers' while other witnesses noted the 'marching of the marrow bones' as butchers in formation pounded the streets accompanied by the clashing percussion of marrow bones.⁵⁴ However, none of this textual and visual evidence for a butcher's proclivity to fight is evidenced in the statistics from the Old Bailey. This may mean that the butcher, by his association with public demonstrations of rough music and political marches, was attributed an exaggerated reputation for boxing. It is also likely that, through their obvious association

⁵⁰ Ibid.

⁵¹ Jack Anderson, *The Legality of Boxing: a punch drunk love?* (New York, 2007), p. 11.

⁵² *True Protestant Mercury or Occurrences Forein and Domestick*, 28 December 1681.

⁵³ *History of the Westminster Election: Containing Every Material Occurrence, from Its Commencement [!] On the First of April, to the Final Close of the Poll, on the 17th of May. To Which Is Prefixed a Summary Account of the Proceedings of the Late Parliament, so Far as They Appear Connected with the East India Business, and the Dismission of the Portland Administration ...* (Printed for the editors, 1784), pp. 9–12.

⁵⁴ Ibid.

with beef and John Bull, they were similarly identified with a construction of martial national identity.

Unlike the butcher, the sailor seemingly deserved his reputation for fighting. Sailors figured prominently in plebeian honour fights ranking equal first with publicans for the frequency of fatal fights heard at the Old Bailey between 1780-1840. Judith Rowbotham notes that alcohol consumption was a stimulus for episodes of violence, and sailors returning on limited shore leave with back pay in their pockets were known to celebrate their limited shore leave by drinking and playing hard.⁵⁵ In 1824, Francis Place suggested the potential danger in sailors' socialising practices when he warned how 'decent people' were likely to be ill-used in places like St Catherine's Lane close to London's docks since they 'are mostly inhabited by dissolute people, miserably poor people, and by whores for the sailors.'⁵⁶ In 1810, OBP witness testimony to a fatal fight between sailors in Wapping, depicted sailors of several nationalities drinking, womanising, and fighting. One English sailor, Peter Jacobs, who witnessed the fight between a Welsh sailor, John Jones, and a Portuguese sailor, Emanuel Joseph made a note of the presence of 'women and sailors' in the public houses 'and alleys' leading up to the fight.⁵⁷ Another witness, Mr Gurney a lodging housekeeper in Wapping, testified that he generally heard sailors fighting adding that in particular 'the American sailors and the Portugueze sailors are always fighting.'⁵⁸ John Reylick, a Swedish sailor, also testified how he saw five or six Portuguese sailors throwing stones at a man that provoked a fight.⁵⁹ Such testimony from various witnesses creates a picture of the social conduct of sailors on shore leave. The social cocktail of hyper-masculinity, alcohol and national rivalry associated with sailors around London's docks seems likely to have contributed towards a comparatively high rate of confrontational behaviour.

⁵⁵ Judith Rowbotham, 'Stereotyping of Violence in England', in Shani D'Cruze (ed.), *Everyday Violence in Britain, 1850-1950* (Harlow, 2000), p. 164.

⁵⁶ Francis Place, BL. Add. MS, 27,828, 3 Sep., 1824, *Place papers. Vol.XL: Manners and Morals, vol. IV.*

⁵⁷ *OBP*, 19 Sep., 1810, Emanuel Joseph (t18100919).

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*



Fig. 5: John Bull taking a luncheon: -or- British cooks, cramming old grumble-gizzard, with bonne-chère, James Gillray (London, 1798)⁶⁰



Fig. 6: Fighting for the Dunghill or Jack Tar settling Buonaparte, James Gillray (London, 1798).⁶¹

⁶⁰ John Bull taking a luncheon: -or- British cooks, cramming old grumble-gizzard, with bonne-chère, James Gillray, London 1798 courtesy of the British Museum, http://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=1401433&partId=1, accessed 12 June 2015.

⁶¹ James Gillray, 'Fighting for the Dunghill or Jack Tar settling Buonaparte', (London, 1798). Courtesy of *The British Museum*, http://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=1638579&partId=1&searchText=james+gillray&page=, 1 accessed 12 June 2015.

The reputation of sailors fighting was also augmented by contemporary depictions. The robust John Bull, (see Fig., 5) was used to identify positive attributes of the English common man such as eating well and being content, however, such portly depictions did not lend itself well to the image of a fighting Englishman. Thus, it was the cartoonist's construction of the 'gallant trim sailor Jack Tar' (see Figs. 6 & 7) who was trusted to defend the British nation in various contemporary images.⁶²



Fig. 7: *Lord Howe they run*, Isaac Cruikshank (London, 1794).⁶³

These cartoons depict Jack Tar's readiness to fight for his country and this reputation. However, unlike the cultural constructions that were seen limited to fighting England's enemies the reported accounts of sailors' fighting from trial testimony suggests they were not particular where they fought and who with, be it at home, against foreigners or other Englishmen. This propensity for fighting lends weight to the conclusion from the OBP data that the occupation of a sailor was the most likely to fight out of all the occupations of fighters accounted for in plebeian Old Bailey trials.

⁶² Downing, 'The Gentleman Boxer', p. 343.

⁶³ Isaac Cruikshank, 'Lord Howe they run or the British tars giving the Carmignols a Dressing on Memorable 1st of June 1794' (London, 1794), Courtesy of *The British Museum*, http://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=1646000&partId=1&people=85325&peoA=85325-1-9&page=1, accessed on 14 June 2015.

The second most over-represented occupational category per capita and the one with the joint highest recorded fights from the *OBP* data was that of the alehouse landlord or publican. Publicans represented 4.13% of all plebeian honour fighters in the *OBP* data but only comprised of 0.96% of the total occupations in the 1851 census concerning London. The themes of alcohol and drinking feature prominently in both sailors' and publicans' accounts of plebeian honour fights. However, unlike the sailors who tended to instigate violent confrontations in the previous cases, publicans were often exposed to violent situations as they were legally obliged to maintain good order in their establishments.⁶⁴ In 1782, the Old Bailey heard how the landlord of the *Half Moon*, William Taylor was struck after telling two men who were preparing to fight 'for God's sake let us have no disturbance here'.⁶⁵ In 1823, *The Morning Chronicle* reported how the landlord of the *Red Lion* in Bayswater Road 'interfered to prevent a fight' between two of his patrons.⁶⁶ It is unsurprising then that publicans regularly exposed to the potential for violent conflicts often became embroiled in their own plebeian honour fights. In 1786, the landlord of the *Black Boy* died of injuries incurred from a plebeian honour fight resulting from an insult to his wife.⁶⁷ Perhaps hinting at the potential rivalries between competing publicans Robert Clifton recalled a fight between two publicans in 1782:

On Monday last a sever Battle was fought at Stamford by Two Public house keepers, One was named Faulkner and the other Osborn, when after a long time in Action; Osborn received a Blow on One of his Temples which Killed Him on the Spot.⁶⁸

Although the role of alcohol and the alehouse is examined in more detail later in chapter 6, it is worth noting a few points regarding why publicans feature so prominently in plebeian honour fights. Unlike the case for sailors and soldiers, the high ratio of plebeian fights involving publicans is less likely to reflect a sense of identity that promoted a propensity to fight or high spirits galvanised by inebriation. Unlike the butcher trade whose members had a reputation for fighting evidenced in ballads, images and tropes, there is a lack of evidence that suggests a reputation for publicans fighting. Chapter 3 has already examined the semi-

⁶⁴ James Brown, 'The Landscape of Drink: Inns, Taverns and Alehouses in Early Modern Southampton' (University of Warwick, 2007), p. 248.

⁶⁵ *OBP*, 10 Apr., 1782, Patrick Knowland (t17820410-52).

⁶⁶ *The Morning Chronicle*, 30 Aug., 1823.

⁶⁷ *OBP*, 13 Dec., 1786, Robert Clark (t17861213-107).

⁶⁸ Clifton's Day Books, Northampton Record Office Sat. 2 Mar. 1782. ZA-8745 2013-04-25 16.22.38.

public nature of the alehouse. Although in many ways the alehouse was a public space it was also the home of the landlord and violence would not be tolerated. Add to this the effects of intoxication and the publican's responsibility to keep an orderly house it is probable that publicans frequently had to manage a difficult space with difficult people. It seems likely this role would contribute towards the high number of plebeian honour fights they were involved in.

The number of bakers appearing in the OBP data is 1.83% of the total fighters while bakers contribute 1.11% of the census workforce data. According to these figures, bakers are marginally more prolific fighters than butchers. However, there is little evidence of bakers in visual or textual culture as fighters or of them being prone to violence. A baker does feature in a plebeian honour fight noted in Robert Clifton's diary on the 24th June 1782: 'It was a particular Day for fighting for there was a Battle fought between T Lagsdell, the baker and a Carter, near North Bridge.'⁶⁹ John Beattie also notes an occasion when a group of ten bakers were charged with assault for attempting to pull down the house of George Henderson, another baker, in Newington.⁷⁰ Similarly, the practice of bakers fighting with those of the same trade is seen in the records from the *OBP*. In 1823, a company of bakers were at the *Bird-cage* public-house when a fight occurred over the prize of a side of mutton staked as a wager.⁷¹ Of the three fights involving bakers, two were fought between bakers and only one was with a plebeian from another trade, that being a publican. It would seem that bakers were liable to disputes amongst themselves and that infighting in occupations was not an unusual occurrence.

The OBP data shows that tailors were under-represented as plebeian fighters making up 0.92% of plebeian fights but comprising of 2.5% of the total workforce for London. The fight that took place, similarly to that of the bakers just examined, was one between two journeyman tailors whom one witness described as 'shop-mates'. It was situated behind the *Jews Harp* in 1805 and lasted for an hour and forty-three minutes with a wager for half-a-guinea.⁷² Unfortunately, there is no other detail regarding the original disagreement that would allow further analysis of the pattern of fights between those working together or of the

⁶⁹ Clifton, John., *Clifton's Day Books*, 1770. 24 Jun., 1782.

⁷⁰ Beattie, 'The Pattern of Crime in England 1660-1800', p. 62.

⁷¹ *OBP*, 3 Jun., 1823, Thomas George, John Fawcett (t18231203-81).

⁷² *OBP*, 18th Sep., 1805, Dennis Dillon (t18050918-46).

same occupation. However, out of the 109 plebeian honour fights 17 are between those of the same occupation. If the fifty cases where occupations are not divulged are taken out, then fights between those of the same occupations account for over a third of all fights. This could reflect a number of reasons; tensions at the workplace that needed to be resolved by fighting; plebeian males were likely to test or attain their manhood with other males they spent periods of time; tension between competition arising from those of the same trade but not of the same company.

The ratio of bricklayers and building labourers in plebeian honour fights is 0.9 %, slightly lower than the approximate one per-cent of the workforce they comprise. Unlike the cultural depictions of butchers, there is little to find in drawings, images or ballads or regarding the bricklayers' reputation to fight. There is a case where the reputation of bricklayers is noted by Benjamin Samson who in 1823 witnessed a fight that lasted over fifty minutes. Due to the exhausted appearance of the fighters he expressed his opinion that they' had better leave off' but qualified his reluctance to stop the fight by saying 'there were a great many brick-makers there, I was afraid to interfere.'⁷³ However, it is unclear whether it was the bricklayers' reputation to fight or that it was the number of bricklayers there, and the potential for their concerted resistance to Benjamin Samson's efforts to stop the fight.

There is an account of bricklayers and builders sticking together that suggest the trait for occupational solidarity. In 1825, at *The Prince of Wales* public house, a comment regarding the status of the clientele from a gentleman, Mr Parry, progressed into a fight between the gentleman and a bricklayer, William Bennet. Five witnesses, who happened to be bricklayers, told a similar story that placed the blame and willingness to fight on the gentleman while casting as favourable light on their workmate as possible.⁷⁴ Unfortunately, other witness testimony, completely independent of each other, did not corroborate the bricklayers' version. Mr Parry did not want to fight, and it was the bricklayer, Mr Bennet, who pursued as the aggressor. It would seem in this case that there was a sense of occupational solidarity between the bricklayers that cemented a sense of identity and loyalty to one of their own.

⁷³ *OBP*, 3 Dec., 1823, John Turner (t18231203-48).

⁷⁴ *OBP*, 17 Feb., 1825, William Bennet (t18250217).

It would seem reasonable that the efforts of navigating the busy streets and thoroughfares of London would engender confrontational episodes and this premise is borne out by their over-representation in Chart 3. According to the 1851 census, those involved in personal carriage made up 2.22% of the working male population compared to the 2.75 % of OBP plebeian honour fight cases. While not as prolific as soldiers, sailors, butchers, or publicans this data suggests that those employed in the personal carriage business were more likely to be involved per capita in plebeian honour fights than bricklayers, carpenters, servants, and shoemakers. *The Manchester Times and Gazette* in 1838 suggests a reputation for ‘carmen’, drivers of horse-drawn carts usually for deliveries and such, was well known for fighting in the street:

Negotiation before a war- Two nations, or most likely two governments, have a dispute, they reason the point backwards and forwards; they cannot determine; perhaps they do not wish to determine it; so, like two Carmen in the street, they fight it out!⁷⁵

Contestation of space and the right of way would be common themes for conflict for a plebeian charged with navigating city streets. Similar to the Carmen, chairmen also featured as fighters and confrontations over space and competition for fares considered a hazard of the trade. In 1824, the Old Bailey heard a manslaughter case that resulted from two chairmen fighting. The brother of the deceased chairmen testified:

I expected it would be over every minute, and therefore did not go for an officer. My brother said before he fought that if he did not fight he should never be able to stand in Holborn to get a passenger.⁷⁶

It would seem that those engaged in the service of professional carriage through the thoroughfares of London needed to be ready to fight to carve out and maintain the spaces in which they worked.

⁷⁵ *The Manchester Times and Gazette*, 22 Dec., 1838.

⁷⁶ *OBP*, 16 Sep., 1824, Thomas James, (t18240916).

Marriage

Marriage was not officially reported in Old Bailey trials but, as with categories of occupation and age, a close reading of witness testimony at times indicates whether the defendant or the deceased was married. Nevertheless, marriage data in this chapter is presented with the following caveat in mind. When reviewing testimony for age and occupation, we can assume that cases where such details were not evidenced in the testimony did not mean defendants did not have an occupation or an age, they were just not mentioned. Thus, analysis of the spread of occupations and age groups was limited to ones that were evidenced. They were then examined in relation to each other as one particular trade or age group would not be more or less likely to provide those details. In the case of marriage only one case states a fighter was actually not married, the rest either confirm marriage or do not mention it.⁷⁷ For the category of marriage when marriage is not indicated it has been assumed that the fighters were single. However, it is possible that the defendant or deceased was married but that it was not indicated in the testimony. Nevertheless, cases where marriage has been positively identified involved testimony from the deceased or the defendant's wives regarding character or as a witness to the event. This does suggest that it was usual for wives to testify at the murder or manslaughter trials involving their husbands, and that when there was no such testimony it was likely such men were unmarried. From a total of 218 plebeian honour fighters 22 were revealed to be married. The 1851 census data shows that there were 689,699 males of 16 years old or older living in the London and Middlesex. Of those males 365,405 were married which indicates that approximately that 53 per cent of males of marrying age were indeed married. Data from the Old Bailey shows that married men made up 10 percent of plebeian fighters. This does suggest that that a larger proportion of plebeian fighters were unmarried. However, comparisons regarding plebeian honour fighting and marriage should be considered with the above caveat in mind.

Why is it the case that married men were less likely to fight than unmarried men? Was it because married men were older and less prone to defend their honour. The average age of plebeian fighters who were married in the OBP was 39.57 years old. This is in line with the data from 1851 census that shows the average age of a married man was between 36-40 years. If it were only younger married men fighting, then the average age of the married

⁷⁷ See *OBP*, 10 Dec., 1783, John Clarke (t17831210-4).

plebeian fighter would be lower than the average age of married men from the 1851 census. Could it be the location that influenced the lower rate of married men fighting? There seems little difference between the locations where married and unmarried men fought. The alehouse was the location for the majority of disputes that led to plebeian honour fights and two-thirds of disputes involving married men either started in the alehouse or took place in the courtyard or street outside one. These figures do not suggest that particular characteristics such as age or social habit of the married man affected the lower rate of their engagement in plebeian honour fights.

It may be more likely that married man's sense of responsibility influenced the lower rate of fighting. The following case suggests that at times a married man weighed the risk to his health inherent in fighting against the need to defend manhood or resolve disputes in a plebeian honour fight. In 1823, at an Old Bailey trial of William Savage for the murder of William Cousins, William Dreamer, testified:

I am a brick maker, and worked in the same field as William Cousins, and know all the prisoners. There was a quarrel relating to something which happened overnight, and the prisoner William Savage challenged me to fight - I declined, and Cousins, said, 'No, he is a married man, and has got a family, I will fight for him;' this was on Tuesday - he stripped, and would have fought immediately, but Savage declined as he thought him in liquor.⁷⁸

No further details are given why Cousins stepped in to fight Savage on behalf of Dreamer. Dreamer's decline of the original challenge and Cousin's qualification for fighting on Dreamer's behalf suggest that these men acknowledged the importance of being injury free so as to be able to protect and provide for a family. This case suggests that at times married men considered their responsibilities to wives and family while in similar situations unmarried men readily accepted a challenge to defend manhood or resolve a dispute through plebeian honour fighting.

There are cases that do not conform to this model, nonetheless. Although unusual, there were instances of married men fighting alongside their spouses against another married couple.

⁷⁸ *OBP*, 25 Jun., 1823, William Savage, George Savage, Charles Marsh, And Thomas Foot (t18230625-65).

James Dunn, wrote in his memoirs about meeting a married couple who were fighters, although their main employment came from working in a dust yard in Bethnal Green road;

The woman was very powerful and was often in brawls and fights, hence the name 'fighting Bet', whilst the man was a determined pugilist, and had had nearly every bone in his body broken by fighting, or through accidents when drunk.⁷⁹

Another couple, Maurice Cronin and his wife, were taking a walk on Saturday evening in May 1834, through King's Head Court, London when they literally bumped into Patrick and Elizabeth Welch coming the other way. It turned out that the two women had a history of confrontation and neither couple conceded, leading to some pushing and shoving. Thomas Green told how both men 'fought nearly half up the court...paved with flag stones- Cronin gave the blow and then Welch's head came down with a tremendous fall on the pavement.' Witness Mary Dawson told how she saw Mrs Cronin and Mrs Welch fall with each other 'underneath the parlour window, three or four yards from their husbands - Mrs. Cronin had got Mrs. Welch's back hair twisted around her hands - her hair was down - she was holding her by her back hair.'⁸⁰ Although these couples fought each other, they restricted their fighting to that of their own gender. A man fighting a woman would be an unfair fight and prohibited in the customs and rules that governed plebeian honour fights. Although married men were less likely to fight than unmarried men such infrequent cases of couples fighting suggest that the man was championing his partner's cause. This protective characteristic was not dissimilar to that noted earlier from Dunn when advising young men to 'defend her honour...or at once be discarded.'⁸¹

Conclusion

Although the characteristics of men who took part in plebeian honour fights were very varied, this chapter has identified common characteristics of the most frequent plebeian honour fighters. With the understanding that this analysis is inevitably broad-brush, the fighter was most typically aged between 20 and 30, unmarried, and in occupations including soldiers,

⁷⁹ Dunn, *From Coal Mine Upwards*, p. 105.

⁸⁰ *OBP*, 3 Jul., 1834, Maurice Cronnin (t18340703).

⁸¹ Dunn, *From Coal Mine Upwards*, p. 101.

sailors, publicans, as well as others in which they navigated urban streets and thoroughfares for their living. Furthermore, through the process of identifying these characteristics this chapter has highlighted other important characteristics regarding plebeian honour fighters.

The findings that most plebeian fighters were in their twenties lends further weight to a historiography that notes the relationship between young men and violence. However, in the course of researching the age of plebeian fighters' other characteristics have been revealed. Although the majority of fights were fought between men that were within ten years of age of each other men in their twenties and thirties would fight as hard as they could with much older men. Yet, the same men tended not to fight men younger than their twenties. It seems that the full status for plebeian manhood was not conferred on men in regard to fights until their twenties, but once it was men were treated accordingly whatever their age as long as they consented to participate.

Apart from individuals' names occupation has been shown to be the most generally used identifier between plebeians and authorities. This has been evidenced both statistically as the most common and available identifier from OBP court records as well as qualitatively from plebeian testimony. Plebeians in the same trades have been shown to identify with each other coming together in common cause in a display of occupational solidarity. It has also been shown that as an identifier occupation came attached with cultural baggage. Some reputations were deserved while others were not. Soldiers' and sailors' proclivity to fight as illustrated in court records did little to dispel their reputation as fighters on or off the battlefield. However, this chapter has demonstrated that the butcher's reputation as a fighter was less deserved. Butchers have the most visible reputation for rough music, violence, and fighting in cultural sources examined by this thesis than any other non-military occupation in Georgian England. This reputation has been evidenced by various images, contemporary comments, and ballads. There is also an association between butchers, beef and John Bull that links the occupation to ideas of national identity. An identity that valued the fighting prowess and fair play of its boxing tradition in comparison with the more barbarous domestic fighting styles and those that used weapons from the continent. Yet, butchers figured less prominently in plebeian honour fights than bakers suggesting that more was made of the proclivity for butchers to fight as it complimented ideals of national identity.

Certain occupations have been shown to be more likely to engage in plebeian honour fights but not for reasons associated with cultural reputations but as a response to requirements related to their trade. Unlike the butcher there is little cultural reputation for publicans and landlords for fighting. However, landlords spent much of their time in a semi-public space that was the most prolific place for disputes that led to plebeian honour fights. They also had a responsibility to keep order which further exposed them to the potential for violence and fights. Similarly, plebeians who navigated streets and thoroughfares also feature regularly as plebeian honour fighters in the OBP. Competition in vying for fares and contesting spaces were fertile conditions for disputes to arise that would be settled by plebeian honour fights.

Married plebeian males tended not to fight as much as unmarried males. There was evidence to suggest that married men had to seriously think about the consequences of injury as responsibilities often included helping to support the family. They had more than themselves to think about when risking injury or death. This suggests that married men's constructions of manhood were centred less on their capacity to win fights and more on their ability to provide and protect their families. This ideal is also reflected in the examples where married men fought to protect their wife's honour.

Chapter 5: The fight

As this thesis has established, plebeian honour fights were not just chaotic occurrences of uncontrolled violence but were choreographed fights shaped in various ways by practices, conduct, and ritual. These characteristics, when observed, helped plebeian males to resolve their disputes in a manner that enabled both fighters to return to plebeian society with honour and masculine identity intact and perhaps improved. This chapter examines the plebeian honour fight in two parts. The first identifies the practices and rituals often used in plebeian honour fighting. The second part seeks to define the plebeian honour fight in comparison with other English and European fighting styles. As chapter 3 has examined the oral challenge that preceded most fights, this chapter starts with the first physical actions that occurred in a 'typical' plebeian honour fight. This includes the pre-fight slap; a strike not intended to do much physical harm and was intended to provoke an opponent to fight. The first strike is then examined and shown as either the first serious blow that signaled the beginning of the fight proper, or a pre-emptive strike. The act of stripping is then assessed to show that it had various benefits beyond the preservation of clothes and manoeuvrability; it signified serious intent to fight. Next, the various functions of the handshake at different stages of the fight are identified, demonstrating that the ritual of the handshake played an important role in signifying consensus to fight and to signal a fighter's submission. A handshake taking place at the end of a fight also signified that all was well between the combatants and that both could reintegrate successfully back into plebeian society. Finally, strikes and techniques used in the fight are defined in the light of what was deemed by onlookers as fair or foul play. The popular notion of fair play that governed the conduct of the fight is analysed to reveal its critical role in the construction of English identity.

As well as the European customs of using weapons to fight two other forms of English fighting have been identified. Purring from Lancaster and wrestling from Cumbria also served plebeians as a tool for dispute resolution and status attainment. Unlike the plebeian honour fight purring or the 'Lancaster way of fighting' involved kicking and throttling and appear to be less tolerated by the middling orders and higher society. This is demonstrated by the comparatively harsher sentencing of fighters involved in fatal purring fights compared to

fatal plebeian honour fights that had observed fair play.¹ In Cumbria, wrestling was very popular to an extent where prizefights were actively discouraged by authorities in favour of wrestling.² However, unlike parring, wrestling bore some similarity to the honour fights at the centre of this study as it will be shown that throws like the cross-buttock and other wrestling holds were also used in plebeian honour fights. Similarly, cases of fights involving fighters from other European countries and beyond reveal a reliance on knives and other weapons for dispute resolution. Cases of fights involving Irish fighters highlight differences between what was acceptable conduct for Irish fighters as to what was considered fair conduct in English plebeian honour fights.

The pre-fight slap

Motive and form distinguished the plebeian honour fight from violent robbery or intentional murder as shown in chapter 2. Ritual and practice were integral to the plebeian honour fight, allowing disputes to be settled via controlled violence and enabling the participants to continue functioning within plebeian society without losing reputation. If the fighters conformed to fighting rules and customs it was possible to obtain a satisfactory and honourable resolution even though one man had lost, because matters had been settled 'manfully.' Although no two plebeian confrontations were the same within this process, certain similarities were evident, namely: pre-fight physical action, stripping, handshakes, the location in which to fight, and the policing of the fight by onlookers or crowds. Not all of these components were necessarily enacted within the same fight, and the most consistent feature was popular notions of a 'fair fight'.

The pre-fight slap and fist shaking gestures acted as an invitation to fight or to escalate a confrontation. The importance of the oral challenge has already been outlined, but there were times when an oral exchange was either accompanied by physical gestures or even omitted from plebeian fights. In 1823, three soldiers of the Foot Guards passed a number of dustmen drinking outside the *Red Lion*, Harrow Road, Bayswater who duly challenged them to a game of skittles or pitch and toss. After declining, the dustmen accused the soldiers of being

¹ See chapter 7 for a detailed analysis of the toleration of the courts for fair plebeian honour fights.

² Guy Woolnough, 'Blood Sports in Victorian Cumbria: Policing Cultural Change', *Journal of Victorian Culture*, 19 (2014), pp. 291–93.

cowards and the youngest soldier challenged them to a fight. A fight was averted when the landlord intervened and persuaded the soldiers to ignore the dustmen. However, a witness told how as the soldiers were leaving one of the dustmen, 'John Norman, used abusive epithets towards them and they returned, and the youngest soldier shook his fist in Norman's face, and this led to a fight.'³ The shaking of the fist in the dustman's face represented an invasion of private space and a challenge that the dustman would not refuse. Such bodily gesture often served as a catalyst to the plebeian honour fight.

A 'pre-fight slap', a specific blow from the back of the hand to the head or face, was sometimes used to start a fight. John Vanderplank, in an argument over seating arrangements in a London alehouse in 1783 was seen to 'hit him [Edward Whitehead] with his flat of his hand on the top of his head.' This flat-handed blow was enough to provoke Whitehead to respond as '...they then went to fighting.'⁴ In 1781, a witness testified that John Hanson, while lodging in Gardener's Lane, Westminster began dancing and, after exclaiming that "D—n me, nobody in the house can dance like me" ...went up and touched John Davis in the face with the back of his hand- it was a slight tap, not with his fist; this produced a fight'.⁵ Although excited enough to make such a claim while energetically dancing, Hanson still tempered the force of the slap. Hanson's blow cannot be seen as one that was intended to inflict physical damage, rather, the slap was more likely intended to humiliate by stingingly invading Davis' sense of personal space, or even as a humiliating slap reminiscent of parental correction. Both could be seen to publicly question Davis's masculinity and status and therefore elicited his response in order to reassert his manliness in his peers' eyes.

The prefight slap could also be used in conjunction with verbal intercourse as was testified to by a witness to a fatal fight on Guy Fawkes Night, 1783, at *The Hoop and the Bunch of Grapes*. Thomas Cannon swore that he witnessed John Clarke enter the establishment then walk directly across the tap room to a table where Thomas Johnson was seated. He then struck the seated Johnson with a 'blow that was not violent... and then went immediately out of the door...' saying to '...Johnson, are you coming or come along'.⁶ Clarke's intention was obviously premeditated as there was no time for an argument to have developed in the

³ *The Morning Chronicle*, 30 Aug., 1823.

⁴ *OBP*, 15 Jan., 1783, Edward Whitehead (t17830115-41).

⁵ *OBP*, 10 Apr., 1828, John Hanson (t18280410-42).

⁶ *OBP*, 10 Dec., 1783, John Clarke (t17831210-4).

alehouse. However, the pre-fight slap as well as the invitation to follow him outside left little doubt as to Clarke's desire to fight. Another example of a pre-fight slap is recounted by a witness to an incident of horseplay that escalated into a full-blown fight. John Evans deposed that he saw two men playing at hitting each other with their wigs down by the wharf when one of the men, 'Honey lifted up his hand, and struck him [Hobbs] back-handed about the head, and by that means ensued a battle'.⁷ Interestingly Honey could have just hit Hobbs with the full force of his fist but instead chose to deliver a back-handed slap. That these men were friends demonstrates that many plebeian honour fights were intended to settle differences rather than alienate antagonists. If Honey had struck Hobbs without signaling his intention to escalate the horseplay into a fight, it would have gone against popular notions of the 'fair fight' since he would have hit an unprepared man. By the use of a pre-fight slap, Honey indicated his intention to fight for real to his friend. Furthermore, Honey's actions transferred the decision to fight to the recipient of the pre-fight slap as Hobbs had the choice to enter the fray or to back down. In this case, Hobbs decided to fight and so his choice became statistically visible in the court record. However, the choice may well have been taken by others not to fight, and this should be considered as another useful function of the plebeian pre-fight slap.

First strikes

It is also worth distinguishing the pre-fight slap from the fights where a punch was thrown in retaliation to a gesture or as a pre-emptive strike. In grammatical terms the pre-fight slap could be likened to the question mark, while as will be shown below, the first strike was an exclamation mark. For example, an argument arose at a tollgate between a servant, James Hatch and one of the tollgate officers, Dennis Perrier, over the payment of the toll. The servant Hatch was traveling with two horses and there was some debate over the price to be paid for the toll. Perrier admitted in court that he 'hit him [Hatch] twice in the face' as the argument became more heated and that he had stuck first.⁸ In this argument, the tollgate employee Perrier was more interested in settling this dispute quickly. He had no relationship with Hatch and it is likely that he wished not to have a relationship with him afterwards.

⁷ *OBP*, 5 Dec., 1781, Benjamin Honey (t17811205-47).

⁸ *OBP*, 23 Jul. 1783, James Hatch (t17830723-24).

At times first strikes were even invited by the recipient. In 1785, Timothy Bryan and Francis Weeden had argued earlier in the evening in an alehouse over a halfpenny payment for a pot of beer. Two witnesses testified after the original argument that they had ‘made up afterward’ and that ‘they were as well united as any men in the world.’ Yet, it was not unusual for reconciliation to be temporary and the argument rekindled in alehouses; indeed, this conflict flared up again as later that evening Weeden poured a pot of beer over Bryan. Bryan responded by saying ‘you may as well knock my life out’ which Weeden then proceeded to do.⁹ In this case, the pouring of a drink and the oral invitation from Bryan precluded any need for a pre-fight slap as both parties were well aware of the escalation to full fight status.

A drunken collision and one punch occasioned the death of John Barnard in 1782. James Wellbeloved, the man who launched the only punch in the altercation, was prosecuted for murder but was found guilty of the lesser charge of manslaughter and fined one shilling, the equivalent of a judicial ‘smack on the wrist.’ The sentence of a one shilling fine was the least that could be bestowed with a guilty verdict of manslaughter. Chapter 7 will examine popular and judicial toleration of certain types of violence in more detail, but it is worth noting here the apparent judicial toleration that deemed Wellbeloved’s lethal blow as accidental. William Hancock, a witness to the event testified that ‘both were very drunk, the deceased [Barnard] pushed the prisoner [Wellbeloved], he only struck him one blow on the side of the head, and he fell on the stones.’ Another witness, James Parker, confirmed that Wellbeloved ‘immediately struck him a blow and the deceased fell on his back on the stones, in consequence of the blow.’¹⁰ Wellbeloved believed he was within his rights to strike a man who had bumped into him and then continued to push him. It is clear in this case that the stones were thought to bear some responsibility for the death of Barnard, who fell under Wellbeloved’s retaliatory blow to the deceased’s provocative pushing.

Stripping to fight

Another pre-fight ritual that frequently occurred before a plebeian honour fight commenced was an action commonly referred to as ‘stripping.’ Stripping, or to ‘strip’ was the act of

⁹ *OBP*, 14 Sep., 1785, Timothy Bryan (t17850914-30).

¹⁰ *OBP*, 4 Dec., 1782, James Wellbeloved (t17821204-73).

disrobement, usually from the upper body, in preparation for a fight. Stripping preceded many but not all plebeian honour fights. The relationship between the development of the prizefight and elite duelling rituals such as the use of seconds and the ritual of stripping has already been examined in chapter 2. However, by the end of the eighteenth century, stripping before a plebeian honour fight was becoming a regular occurrence. Stripping, like relocating the fight to an outside location, forced a pause in the proceedings preventing the fight being undertaken in full blood. Disrobement carried practical advantages for the preservation of clothes and freedom of movement, but it also had cultural significance. Disrobing signalled both a commitment and a challenge that was widely interpreted as one leading to a plebeian honour fight and was integral to plebeian ideas of defending manhood. In Bristol, 1817, *The Ipswich Journal* reported that in order to resolve an earlier disagreement a certain Finch ‘offered to strip and fight Mr Williams’.¹¹ In 1786, A Middlesex Coroner’s record described a fight where Thomas (surname unknown) and Richard Middlesex ‘...fought together (having first stripped in the house) for a quarter of an hour or upwards.’¹² In York, 1825, Thomas Slater noted that he saw Thomas Marshall ‘strip off his coat to fight a soldier’.¹³ A close reading of all murder and manslaughter trials reported by the *Old Bailey Proceedings* between 1780 and 1839 reveal 109 cases that match the description of a plebeian honour fight: of those only 29 involved disrobing. There are few accounts of plebeian stripping before fights prior to 1750 in these records and it is therefore likely that plebeian fighters adopted the rituals of the hugely popular prizefight which became codified in the 1730s, reaching a zenith in the 1780s.¹⁴ In the mid 1760’s a French philosopher, Pierre-Jean Grosley visiting London, explained that the reason why men stripped to fight was to demonstrate ‘that he is not afraid of blows, and that he has nothing upon him that can either ward them off or deaden their effect.’¹⁵ However, Grosley’s explanation may have more relevance for the stripping seen in the duel where it was considered ungentlemanly to wear or conceal a protective layer. A metal plate or heavy leather jerkin worn under clothes would offer some defence against the blade and the elite duellist would strip to demonstrate he wore no such protection. This thesis has found little evidence to suggest that plebeian men stripped in order to show they did not conceal protection.

¹¹ *The Ipswich Journal*, 26 Jul., 1817.

¹² *Middlesex Coroners Inquests*, 11.5.1786, Thomas, London Lives, 1690-1800 www.londonlives.org, version 1.1, Westminster Abbey Muniment Room, accessed on 13 March 2013.

¹³ *The York Herald*, 14 May, 1825.

¹⁴ Scambler, *Sport and Society*, p. 105; Brailsford, *Bareknuckles*, p. 2.

¹⁵ Pierre Jean Grosley, *A Tour to London, Or New Observations on England...* (1772), p. 58, cited in Shoemaker, *The London Mob* (London, 2007), p. 214.

To strip before a fight did serve various practical functions. Clothes were an expensive commodity, especially the coat which was usually the most valuable item of clothing a plebeian male possessed and it would be common sense not to dirty or damage them during a fight.¹⁶ However, in some cases plebeians commenced fighting in their clothes only to pause after a while, and then disrobe. In 1781, John Evans witnessed two men by the riverbank who ‘fell too [sic] in their cloaths; they fought one round or two, I am not positive which, then they got up and agreed to strip.’¹⁷ Since the men had already fought for a while in the mud, the need to disrobe may have been less about the preservation of their clothes and more about freedom of movement. Heavy coats could constrict movement and thus the wearing of one would be tactically deficient in a physical contest.

In 1824, *The Leeds Mercury* reported that a Mrs Mortimer, present at a fight in Leeds involving her spouse, held her husband’s clothes while he fought and even ‘advised him to take off his boots that he might fight the better’.¹⁸ In 1827, *The Leicester Chronicle* reported the occasion of a fight behind the *King’s Arms* at Sanvy Gate where Thomas Underwood, while waiting for, ‘William Kinds... was in the ring, and his mother was holding his clothes.’¹⁹ The practice of women holding their husband or relatives clothes was reported as ‘a most disgusting feature’ by *The Leeds Mercury*. Middle-class sensibilities about feminine behaviour may have influenced this sentiment since the women were actively participating in the violence. However, there was a practical reason for the women’s actions. As well as supporting their men as they fought, women’s custodial duty of disrobed garments safeguarded the clothing. Occasionally opportunists made off with discarded clothes while the owner was otherwise engaged and some fights were even orchestrated for such gain. In 1824, *The Liverpool Mercury* wrote:

We understand it is no uncommon practice amongst a set of blackguards who nightly prowl through the streets to pick a quarrel with whom they can, induce him to strip and fight- and while engaged with one the others scamper off with his clothes²⁰

¹⁶ John Styles, *The Dress of the People: Everyday Fashion in Eighteenth-Century England* (New Haven, 2007), p. 41.

¹⁷ *OBP*, 5 Dec., 1781, Benjamin Honey (t17811205-47).

¹⁸ *The Leeds Mercury*, 7 Aug., 1824.

¹⁹ *The Leicester Chronicle* 15 Sep., 1827.

²⁰ *The Liverpool Mercury* 19 Mar., 1824.

In 1806, *The Bury and Norwich Post* reported a similar episode where a traveler passing through Moorfields:

...was there surrounded by a set of ill-looking fellows, who seeing him a simple countryman, first hustled him about and on his resenting this treatment, challenged him to fight. He agreed, and stript [sic] off a *span-new* bottle-green coat that cost him one £1. 10 s but the challenger cowed and ran away. On going to put on his clothes again, he unfortunately found his coat had vanished, as well as his antagonist.²¹

Also of note is that the rituals of the plebeian honour fight, like stripping, were well enough established from Liverpool to Norwich for criminals not only to recognise them but to use them to their own advantage.

Stripping preceded many, but not all fights, and prefight stripping varied in its practice. Terms such as ‘stripping’, ‘stripped’ and to ‘strip’ are frequently used, but a closer reading of texts often reveal that they described a variety of stages of undress. This indicates that such terms were culturally loaded with intent to fight. In 1782, George Haddle witnessed a fight between two passengers on the quarter deck on board the *Bombay Castle*. While commenting that ‘they instantly stripped and went to fighting,’ he further qualified his testimony by stating that ‘they both took their jackets off’.²² In 1797, witnessing a fight between two young butchers, Susannah Richardson testified that her brother James stripped to fight John, whom another witness, William Kirtain, saw ‘stripped in his shirt, at his own door’.²³ In 1786, Robert Hastings explained how he saw that William ‘Stone had his coat off, but I did not see the other stripped’.²⁴ While describing the same fight William Westgarth told how both men ‘agreed to fight and both stripped,’ while yet another witness testified that ‘Stone came over in his shirt sleeves, I saw no stripping.’²⁵ There was evidently some confusion over whether stripping involved taking off an overcoat or waistcoat, or other clothing. There are accounts of plebeian fighters who completely disrobed their upper bodies. In 1786, Thomas Newman, confirmed that both Robert Jones and James Barret were ‘stripped to the skin’ while in 1794 James Running swore that before the fight ‘the blacksmith was stripped, [and] had no shirt

²¹ *The Bury and Norwich Post* 3 Sep., 1806.

²² *OBP*, 15 May, 1782, James King (t17820515-55).

²³ *OBP*, 15 Feb., 1797, John Painter (t17970215-16).

²⁴ *OBP*, 30 Aug., 1786, William Stone John Neale (t17860830-95).

²⁵ *Ibid.*

on.²⁶ In 1784, James Rose saw two men ‘stripped into their buff to fight.’²⁷ It may be in these cases that stripping also functioned to display the physique of the fighters. Stripping to a shirt would outline the physique of a fighter more than if he was wearing a coat while stripping to the skin would further function to display the physique of the fighter.

Unfortunately, there is little corroboration from plebeian testimony that comments upon further or praises fighters’ musculature bodies suggesting that such bare displays were not important in intimidating the opposing fighter. Clearly a plebeian stripped before a fight could be in various stages of undress. Yet, it was the act itself that was more important than the state of undress to the plebeian fight process as it indicated by the following cases. In 1828, William Griffiths testified that ‘I saw two men stripping, as I thought to fight.’²⁸ Similarly, Mary Holmes testifying to a manslaughter case at the *Old Bailey* in 1835 swore that ‘they were both stripped, as men do when they fight’ while another witness, Richard Moore, concurred that they ‘were stripped as men do when they fight’.²⁹ Whatever it meant in terms of clothing discarded, the act of stripping was perceived by plebeians as one with unmistakable intent to fight.

The handshake

The act of shaking hands was an equally important ritual in plebeian honour fights. In 1787, regarding the custom of handshakes before a fight, the *World and Fashionable Advertiser* deemed that ‘it seems a necessary etiquette upon such occasions.’³⁰ In fact, handshakes performed in plebeian honour fights symbolised much more than just etiquette. A pre-fight handshake signaled consent to engage and a common understanding of the structure of events to follow. It also performed a quasi-legal function that served a purpose in court proceedings. During a fight, a handshake could be proffered by one fighter to another in the act of submission. A post-fight handshake, which is examined in more detail in the following chapter (which is concerned with resolution and alcohol), could reaffirm bonds of friendship, assist in reconciliation, and signal a mutual respect demonstrating that the preceding fight had

²⁶ *OBP*, 25 Oct., 1786, Robert Jones (t17861025-70), *OBP*, 17 Sep., 1794, Robert Andrews (t17940917-47).

²⁷ *OBP*, 21 Apr., 1784, James Logan (t17840421-31).

²⁸ *OBP*, 3 Jul., 1828, John Casey Timothy Cochrane, James Barry, Cornelius Barry, James Shea, Jeremiah Murray, James Hayes, Dennis Burke, Timothy Connor (t18280703-26).

²⁹ *OBP*, 21 Sep., 1835, John Murphy (t18350921-1938)

³⁰ *World and Fashionable Advertiser*, 23 Oct., 1787.

been conducted in an agreeable and fair manner. It would also demonstrate that the original dispute had been resolved to the satisfaction of both parties.

The pre-fight handshake symbolised that both parties entered willingly into a fight and indicates that there was a shared understanding of popular notions of fighting ritual and rules. In Norwood, in 1835, James Edward and John Hardaway ‘shook hands before they began... and fought for about an hour and twenty minutes.’³¹ In 1827 Joseph Charlesworth informed the *Old Bailey* that he saw two men ‘strip - they then shook hands and commenced fighting.’³² In 1786, James Barret coachman to a gentleman had been complaining about losing a ‘horse-cloth’ to a Hackney coachman Robert Jones, at a water stop and declared that they ‘were all thieves at that house’. Barret wanted to fight it out and challenged Jones ‘to see who was the best man.’ Both ‘stripped to the skin’ and a witness testified ‘that they shook hands before a blow was struck.’ When questioned by the lawyer defending the accused, William Garrow, Newman stressed again that ‘they shook hands several times’ to which Garrow then asked, ‘do you mean this, that it was the shaking of hands by way of mutual consent to box it out?’³³ Arguably, Garrow led the witness to state what was a common plebeian prefight custom in order to present his client’s actions in a favourable light, complying with established rituals that signified absence of malice. Such a scene was unlikely to draw vehement condemnation from judge or jury. Plebeian use of the pre-fight handshake thus represented a contract in body language to settle the dispute by ‘controlled’ force and an acceptance of the dangers inherent with such violence.

Handshakes were also used to indicate submission. After seven rounds of fighting in Westminster, 1828 John Hanson had enough and ‘offered his hand to his opponent, announcing that he did not wish to fight longer.’³⁴ Although witnesses attested to his opponent’s wishes to go on fighting, ‘he behaved very well’ and sat down ordering ‘someone to send some liquor for him’.³⁵ In this case, the offer of the handshake was accepted although Davis, the fighter who reluctantly accepted the proffered hand, later died of his injuries.

³¹ *OBP*, 6 Jul., 1835, John Hardaway, Francis Moody (t18350706-1686).

³² *OBP*, 25 Oct., 1827, Samuel Beard (t18271025-89).

³³ *OBP*, 25 Oct., 1786, Robert Jones (t17861025-70).

³⁴ *OBP*, 10 Apr., 1828, John Hanson (t18280410-42).

³⁵ *Ibid.*

In the atmosphere of violence, a handshake could also be seen to reaffirm bonds of friendships in the hope of dissuading drunken ambitions to fight. Thomas Davis, a ‘street-keeper’ went into a public house to talk to a friend of his who had been ‘using words before the landlady and her sister which a sober man would not use.’³⁶ He went in and shook hands with the drunken Smith who had challenged soberer patrons who had asked him to curb his swearing. The purpose of this handshake was to reaffirm their bond, so Smith would listen to advice from an established friend and not see him as a threat similar to the other patrons. Handshakes at the end of the fight are examined in chapter 6. However, it is worth noting here that a handshake after a fight signified that both parties agreed on the outcome and that fair play had been observed.

Fair or foul play?

As discussed in chapter 2, honesty and fairness were important ideals for plebeian manliness. These ideals often manifested themselves in reactions of the crowd and fighters to the conduct displayed during plebeian honour fights.³⁷ Fair play indicated appropriate manliness; foul play would negate the function of the fight to resolve disputes since the man who lost would be unlikely to accept the outcome of a fight when underhanded behaviour or foul play had been used to facilitate a win. Plebeian ideas of manhood were intertwined with notions of fair play for practical reasons. Disputes needed to be settled so that order was restored, life could continue afterward and thus fair conduct contributed to the social cohesion of plebeian society. Passions and hot tempers arising from disagreements were to be tempered by popular notions of fairness and self-control, which illustrated the positive moral aspect to ideals of plebeian manliness. ‘Come on and fight me like a man’, ‘face me like a man’ were common expressions in eighteenth-century plebeian vernacular that were not only a challenge to other men to fight, but also articulated plebeian fighting rituals of fairness.³⁸ In 1786, Anne Peters testified that she heard a Mr Griffiths say to Samuel Lee: ‘Lay down the poker and fight us like a man.’³⁹ In the heat of the moment it would seem natural to use any advantage available for the imposition of will or the implementation of punishment. However, such instincts were

³⁶ *OBP*, 10 Apr., 1828, William Harding (t18280410-38).

³⁷ Chapter 7 explores the relationship between secondary figure interventions in the fight process with notions of fair play indicated by Judges and Juries comments from the *OBP*.

³⁸ *OBP*, 10 Apr., 1782, Henry Muckleroy (t17820410-41).

³⁹ *OBP*, 13 Dec., 1786, Charles Griffiths (t17861213-104).

tempered by established fighting rituals and the plebeian ‘manly’ moral compass that would allow for the dispute not to exceed the boundaries of the law and custom while facilitating the reintegration of plebeian fighters from a violent situation back into a functioning plebeian social structure.

While the use of a weapon was an obvious manifestation of ‘foul play’, it was further expected that such fights remain ‘fair’ within more nuanced popular parameters that regulated the timing, delivery and degree of violence. Although these ‘rules’ were not formally stated, they existed in eighteenth-century popular consciousness and can be gleaned from newspaper reports or court testimony commenting on fair or foul blows. *The Morning Chronicle*, reporting on a fight in 1799 between two journeyman carpenters, declared that ‘no unfair blows was [sic] given’.⁴⁰ During court proceedings, witnesses were often asked if, in their view, the fight was fought fairly. At the *Old Bailey* in 1798 the prosecutor, addressing the witness Greenhow Shaw, asked: ‘Did they appear to you to fight fair?’ to which Shaw replied ‘Yes; I saw no foul blows struck.’⁴¹ In 1835, responding to a similar line of questioning George Dalton answered: ‘It was a fair fight- I saw nothing foul!’⁴² In 1781, at an *Old Bailey* trial for manslaughter Samuel Davis was asked whether it was ‘...what you call fair fighting?’ to which he replied ‘It was a fair fight.’⁴³ It is evident that plebeian knowledge of the structure of a fair fight was of importance to the court in assessing malice and blame. Furthermore, the acknowledgement of plebeian custom in matters of foul play implies the existence of a popular consensus that ‘policed’ plebeian honour fights and that its infringement could have significant repercussions in the court process. This is a point concerning law and tolerance that will be returned to in chapter 7; at this stage it is important for the parameters of the plebeian honour fight to be defined.

As noted above good conduct was important for plebeian honour fights. For men, such conduct also constructed manliness. *The Morning Post* illustrates this relationship in an 1820 political commentary: ‘Our political writers have not yet attained the manly spirit of our pugilists, who will not give an *unfair* blow.’⁴⁴ Slightly optimistic, since pugilists did resort to underhand tactics, the notion of the unfair blow carried negative connotations for

⁴⁰ *The Morning Chronicle*, 17 Sep., 1799.

⁴¹ *OBP*, 4 Jul., 1798, Henry Niblett (t17980704-49).

⁴² *OBP*, 6 Jul., 1835, John Hardaway, Francis Moody (t18350706-1686).

⁴³ *OBP*, 25 Oct., 1786, Robert Jones (t17861025-70).

⁴⁴ *The Morning Post*, 1 Sep., 1820.

constructions of plebeian masculinity. Moreover, certain unfair blows may have been censured primarily for their unique physical effect upon the male body. One strike that perhaps delivered the most disabling blow was that which targeted the male groin. Francis Burnard, in his memoirs, wrote concerning a fight he had witnessed between two brothers and noted that all was fair 'except a low blow below the waistcoat.'⁴⁵ Striking a man in the privates belied the point of the plebeian honour fight as it immediately incapacitated a man. The ability to throw or take a punch and the skill of inflicting or dodging blows were important to constructions of plebeian manhood and were thus rendered meaningless if a blow was received in the privates. Furthermore, a man's virility was also important to established patriarchal ideas of fatherhood and such blows jeopardise functionality, thereby diminishing the full potential for plebeian manliness.⁴⁶ If such a blow occurred during a fight it was a matter that witnesses would emphasise over and above other blows. In 1831, John Mathews testified 'I saw Irving kick McGinnis up between the legs, right in ***'.⁴⁷ Such testimony drew intense questioning as to determine the intention of the blow since the courts' concern often mirrored those of the witnesses. Witnesses' accounts of kicks aimed at the groin during fights leave little room to believe that this was an acceptable target area. In London 1786, a Mr Clarke, after 'putting his hand in... Mrs Delew's ... handkerchief', earned a reproof from her husband, Mr Delew, who in the ensuing struggle was dealt an underhanded blow. Sarah Cox, witness to the fight, relayed her account of Mr Delew's dying words:

Oh; that villain has given me my death's wound, he said in his privates, where one man should not hurt another; he said that he was both kicked and punched; and the last breath that he drew but one, he said oh! that villain has been my death; and the last breath that ever he drew, he said, oh! that villain.⁴⁸

It seems likely that Mr Delew had a pre-existing condition as it is not usual for a kick aimed at a man's testicles, to be lethal. However, the condemnation from Mr Delew left little doubt as to his opinion on the blow. The same year, a fight between two London dustmen, Francis Jenkins and William Anderson, occurred over a 'reckoning' from drinking in the *Coach and*

⁴⁵ Francis Cowley Burnard, *My Time and What I've Done With It. An Autobiography. Compiled From the Diary, Notes, and Personal Recollections of Cecil Colvin, Etc.* (The British Library, 2010), p. 49.

⁴⁶ Shepard, *Meanings of Manhood*, pp. 3,34,59,70.; Foyster, *Manhood in Early Modern England*, pp. 91–93.

⁴⁷ *OBP*, 30 Jun., 1831, John Irving (t18310630-65).

⁴⁸ *OBP*, 13 Dec., 1786, Robert Clark (t17861213-107).

Horses. George Stringer, witness to the fight ‘saw him [Jenkins] kick him on his private parts’.⁴⁹ Medical testimony stated that Anderson had died from head injuries from the fall but as much effort was made by the court to define the intention of the kick to the groin as to obtain information about the fall to which his death was attributed. Numerous witnesses were asked if they had seen the kick and to ‘[d]escribe in what manner he kicked him?’ While the defence asked questions like, ‘[d]o not you think he meant to trip up his heels?’ it was important for the court to establish whether this was an intentional kick to the groin or whether it was accidentally given while trying to ‘trip’ Anderson up. By defining intention, the court could ascertain the manner that the fight was conducted in. If it was a fair fight, then it seems more likely that the fatal fall was accidental. However, if blows were deemed unfair then it would likely add to the suspicion that the fatal result of the fight was intentional.

While it was not unusual for a blow to be struck without physical provocation, as in the first strike examined above, it was important that it was visible to its recipient. What we call ‘blind siding’, that is to hit a man from the side without him knowing, was an action that was frowned upon. This blow was condemned because it did not allow for a defence and was considered cowardly. Such was the case in 1834 for Patrick Cardegan who, after an earlier argument with Timothy Brien (involving an alleged connection to a union), ‘buttoned up his coat and sprang at the deceased and hit him under the right ear.’⁵⁰ Cardegan’s act of buttoning his coat up before launching an attack on Brien was in contrast to the usual custom of stripping to fight. By not stripping, Cardegan indicated he did not intend to fight; thus, his buttoning-up later incurred suspicion that he was being deceitful in his intentions.

Furthermore, another witness ‘observed the manner in which the prisoner slipped out at the side door - the deceased could not see him till he received the blow - he was not aware of it in the least.’⁵¹ It was not only the witnesses who took a dim view of this event. The jury questioned one witness, John Tighe, as to how the deceased [Timothy Brian] was standing when the prisoner [Patrick Cardegan] struck him’. Tighe answered that his ‘face was turned away from him - he was looking in another direction - he did not see the prisoner coming out.’⁵² The Judge shared the plebeian witnesses and Jury’s distaste for this secretive blow and Cardegan was found guilty of manslaughter earning a relatively harsh sentence of two years’

⁴⁹ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

⁵⁰ *OBP*, 4 Sep., 1834, Patrick Cardegan (t18340904-180).

⁵¹ *Ibid*.

⁵² *Ibid*.

imprisonment. Clearly, for a plebeian honour fight to be fair both parties needed to ‘on guard’.

Similarly, George Paulin, testifying in 1786 about a fatal fight stated that:

the deceased seemed very incapable of fighting, either by being very much beat, or by being in liquor; I saw a great number of unfair blows struck by Neale, striking him when he was down, and coming behind, before he was ready to fight.⁵³

Not only was Neale’s opponent incapacitated in the witness’s eyes but blows were administered before a man had the chance to defend himself. There was evident distaste for these infringements of plebeian fair fighting as Paulin remembered ‘several women that saw the same, and said ‘it was a shameful fight as ever they saw.’⁵⁴ It is clear that there existed an ideal of plebeian masculinity in which the ability to resist giving an unfair blow was ‘manful,’ while resorting to foul blows was ‘shameful’. Though such parameters were regularly exceeded by men, as these cases demonstrate, it is important to note that this was by no means the norm. While most of the cases were fights that ended in death and therefore prosecuted as murder or manslaughter, the vast majority were still conducted within plebeian fighting expectations of fair play, and a fighter died due to injuries sustained from falls or infection.

There a few accounts of men pulling each other’s hair during a fight and little censure from witnesses regarding the act. There are accounts of hair pulling in female fights such as one in 1835 where Milfred Scott told of how Susannah Blake ‘was pulling me back by the hair.’⁵⁵ Similarly, in 1840 Mary Anne Pearson was seen pulling the hair of Mary Burrows in a scuffle.⁵⁶ In 1786, an instance of hair pulling between two men was witnessed by William Peale who testified that:

a scuffle ensued between him[Harrison] and Stone; they had two or three falls, and Harrison kept Stone down by the hair of the head till he was released; then they got up

⁵³ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

⁵⁴ *Ibid*.

⁵⁵ *OBP*, 14 Dec., 1835, Susannah Blake (t18351214-216).

⁵⁶ *OBP*, 6 Apr., 1840, Mary Burrows (t18400406-1233).

again, then they were down again, till the matter was settled, and they left off fighting, then they sat down and drank together.⁵⁷

The hair pulling was not in itself reason for the fight to be unresolved as both were willing to sit down together and drink. If the pulling of hair was an infringement of plebeian parameters governing fights, or if it was perceived as an insult to Stone's manhood (by treating him effeminately) then it would be unlikely that both men would sup together afterward. Furthermore, while there were many other witness testimonies to this fight this episode of hair pulling was not recounted by anyone else. It may have been that the witness was mistaken or he was the only one to see the hair pulling. However, considering this fight flared up a further two times later in the afternoon, it may have been too insignificant for other witnesses to note. Indeed, when testifying to the hair pulling manoeuvre, Peale offered no comment or censure. It seems likely that hair pulling may have not been considered foul play and would, as in this case, prove useful when wrestling.

For plebeian honour fights to be deemed fair it was also important that the fighters were not physically miss-matched. In 1828, Mary Carrington testifying to a fight that ended fatally in Middlesex stated that; 'they fought fair, and both seemed of an equal strength'.⁵⁸ William Scotford testified to the Old Bailey regarding a fight he witnessed that 'there was no unfair play at all - they were both young and appeared fairly matched.' Evenly matched was a notion that was also applied to incapacitating injuries as it was customary to stop if a fighter became injured. In 1787, witnesses told of a fight between William Cuit and the landlord of the *Falstaff* in Weston Street, London. Cuit fell awkwardly breaking his leg, which proved later to be fatal, yet witnesses stressed that no blows were struck after the man was down.⁵⁹ When a man was on the floor he could not defend himself and thus any blows struck by his opponent were seen as improper. A man should stand or be on a level footing to defend his honour. A newspaper reported on a fight that happened in the *Malt Shovel* public house in Worcester, 1838 where William Crowe, beating a senseless man 'with his fists about the head', was prevented from doing further harm by John Barnes who 'took hold of him and asked him if he was going to kill the man.'⁶⁰ In 1786, Joseph Rutherford witnessed a fight

⁵⁷ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

⁵⁸ *OBP*, 10 Apr., 1828, John Hanson (t18280410-42).

⁵⁹ *OBP*, 12 Sep., 1787, James Weston (t17870912-96).

⁶⁰ *Berrow's Worcester Journal*, 27 Dec., 1838.

where although a man had taken a severe beating he still agreed when they ‘asked him if he would fight any more’. At this point Rutherford intervened and said ‘he should not; I thought he was fuddled.’⁶¹ Rutherford realised that if Harrison continued fighting he would be in grave danger. He suggests that Harrison was not in control of his senses, either through excess of drink or blows, and thus the fighters were no longer evenly matched.

The following case reflects the court’s understanding that uneven matches were unfair. In 1834, Richard Davidson was knocked down by a much larger man, William Clubb, outside the *White Raven* in London. One witness testified that Clubb ‘was a much stronger man,’ while others deposed that Davidson ‘laid down more out of cowardice than anything.’⁶² Another witness testified that the fight started when:

Clubb took him by the collar, and pulled him out to fight - Clubb was the best fighter, and the strongest man - the prisoner would have had no chance with him - when he fell, it was because he found he was opposed to a stronger man - the last time he was on the ground, Clubb tried to strike him while he was down, and was prevented - the prisoner had laid down - the blow was struck on the stomach before the prisoner laid down - the deceased did not seem as if anything ailed him after he received the blow.⁶³

It transpired that Davidson had stabbed the stronger man as he was knocked down and was found guilty of manslaughter. However, the circumstances that contravened acceptable conduct during a plebeian honour fight contributed to a lenient sentence. This fight was not entered into willingly; the much larger man forced Davidson out into the street and in doing so transgressed the plebeian honour fight practice that both sides were willing participants. Although Clubb had challenged Davidson to come out and fight like a man, testimony from various witnesses suggest this would be no contest and therefore not an even test of manliness. Clubb’s physique, his taunting, and evident aggression as well as his manhandling and attempt to hit Davidson while he was down all infringed upon popular notions of fairness that structured plebeian honour fights. While Davidson’s stabbing of Clubb was by no means vindicated, various plebeian witnesses were sympathetic towards his situation. Clubb’s many infringements of the fair fight were seen to mitigate Davidson’s criminal action as, although

⁶¹ *OBP*, 30 Aug., 1786 William Stone, John Neale (t17860830-95).

⁶² *Ibid.*

⁶³ *Ibid.*

found guilty, he only received a sentence of four months' imprisonment in 1834. This sentence can be considered lenient compared to the case examined earlier from 1786 where Cardegan was sentenced to two years' imprisonment for his 'buttoning up' and 'blind-siding' his opponent. This contrast appears starker when considering the historiographical arguments that courts were less tolerant of violence as the period progressed into the nineteenth century.⁶⁴

Plebeian honour fighting techniques

Although plebeian honour fighting techniques such as punching and blocking were similar to those in prizefights, there were many that were not practiced in boxing. Acceptable boxing techniques are outlined in published tracts from 'pugilistic professors' and in codified rules of boxing.⁶⁵ As the art of boxing became more 'scientific' the fighting techniques of prizefighting and plebeian honour diverged as technique was increasingly favoured over brute strength in boxing. Blows using the fist finessed into practised jabs, uppercuts and hooks. Other moves developed in boxing included closing, rushing, and hugging, and practices akin to wrestling, such as throws, which were used in plebeian honour fights, were seen less frequently in prizefighting. Such moves in plebeian fights were often described as 'generally throwing one another down' or 'they collared hold of one another.'⁶⁶ Identifying other plebeian honour fighting techniques presents more challenges because newspapers, life-writings, and trials tended not to describe them in detail. Accounts of foul blows were regularly noted because they transgressed notions of fair play, but acceptable blows and techniques warranted less censure and as such were not detailed. Nonetheless, enough descriptions exist to present at least a flavour of plebeian approaches to fighting technique.

Much is made of the posture, position or stance of plebeian fighters in plebeian testimony. In 1826, Daniel Best 'was in York-street and saw a man in the road - Nicholas staggered towards him, with his hands in a fighting position.'⁶⁷ John Hazle, witness to a fight in 1786,

⁶⁴ Wiener, *Men of Blood*, pp. 40,41, 47,48.; Shoemaker, 'Male Honour and the Decline of Public Violence', pp. 190, 207.; Shani D'Cruze, ed., *Everyday Violence in Britain, 1850-1950: Gender and Class*, Women and Men in History (Harlow, 2000), p. 7.

⁶⁵ Scambler, *Sport and Society*, p. 105.

⁶⁶ *OBP*, 21 Sep., 1825, John Murphy (t18350921).

⁶⁷ *OBP*, 14 Sep., 1826, Henry Ryder (t18260914-42).

saw a man knocked down who, on getting up 'put himself in a posture to fight again';⁶⁸ Charles Line, witness to a fight outside the Prince of Wales in 1825, told of a man in a 'fighting attitude.'⁶⁹ As illustrated in Henry Heath's *Arithmetic Plate* a fighting stance



Fig. 8: *Division. / Arithmetic*, Henry Heath, (London, 1827).

puts the body into a fighting position; a wide stance with weight distributed evenly, hands at the ready to either block or strike a blow. Witnesses' recounting of a plebeian's stance or posture was important as it indicated that the plebeian was ready to fight and that the fight was consensual.

Before assessing the roles of blows from the fist and kicks it is worth defining the word 'punch' in describing Georgian fights. The use of the word 'punch' in the context of twenty-first century fighting is generally one associated with a blow made by a closed fist. However, the descriptive use of the word 'punch' differed in eighteenth-century English fights. In 1803, William Belk, testifying at the *Old Bailey*, described 'punched' as blows 'made with fist and knee.'⁷⁰ *The Standard* reporting on the Lancaster Assizes in August 1827, recounted Phoebe

⁶⁸ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

⁶⁹ *OBP*, 17 Feb., 1825, William Bennet (t18250217-32), see also *OBP*. 24 Oct., 1836, George Watkins (t18361024-2373).

⁷⁰ *OBP*, 14 Sep., 1803, Michael Carney (t18030914-90).

Wyatt's as testifying that she saw James Cook who 'came and punched the prisoner [George Boardman] with fist and foot.'⁷¹ In these cases, it is likely that the term 'punch' was used to describe the manner rather than the technique and was perhaps linked to 'punchon,' Old French 'ponchon' or 'poinchon' deriving its meaning from the Latin 'punct': to puncture.⁷² To this end terms like blows or strikes from the fists will be used for upper body sourced blows, while kicking will differentiate strikes made by the legs or feet.

Blows from the fists functioned as the most common opener in plebeian fights or 'rounds'. If a man was knocked down then he was usually allowed to return, if able, to his feet to continue fighting. Blows from the fist could be landed anywhere on the upper body but, similar to the rules of prizefighting, blows below the belt were frowned upon.⁷³ In 1811, a witness testifying at a murder trial resulting from a plebeian honour fight was asked if 'the prisoner do[ne] anything besides striking with his fist?'⁷⁴ In this particular case the court was trying to assess whether the likely cause of death of a fighter was from blows from a fist or a kick. This was an important distinction as the exchange of fist-strikes was acceptable to the idea of fair play and resultant deaths considered accidental and sentenced accordingly. Kicking in a plebeian honour fight was a little more complicated. Kicking to sweep the legs out from under an opponent was an acceptable move while newspaper reports and witness reactions often indicated that direct kicking to the body was not. In 1836, *The Preston Chronicle*, reported on a fight outside Jacob Robinson's house between the owner and a William Gérard, who the Chronicle noted 'owed the deceased [Robinson] a grudge' and after stripping and throwing him down Gérard 'punched' him three or four times with his quarter boots.'⁷⁵ Note again the act of kicking by Gérard's quarter boots has been described as to punch. It was these kicks that the post-mortem concluded was the cause of death and the court found Gerrard guilty of manslaughter in his absence. Kicks aimed at the body or head for their own sake were considered outside the parameters of the fair fight. However, an

⁷¹ *The Standard*, 3 Sep., 1827.

⁷² *The Oxford Dictionary Online*, <http://oxforddictionaries.com/definition/english/punchon?q=punchon>, accessed 5 April 2013; *The Online Etymology Dictionary*, http://www.etymonline.com/index.php?allowed_in_frame=0&search=punch&searchmode=none, accessed 5 April 2013.

⁷³ Mendoza Daniel, *The Modern Art of Boxing, as Practised by Mendoza, Humphreys, Ryan, Ward, Wason, Johnson, and Other Eminent Pugilists. Also, the Six Lessons of Mendoza, as Published by Him, for the Use of His Scholars, and a Full Account of His Last Battle* (London, 1789), pp. 10-14; Scambler, *Sport and Society*, p. 105.

⁷⁴ *OBP*, 10 Jul., 1811, Peter Bourdeaux (t18110710-58).

⁷⁵ *The Preston Chronicle*, 30 Apr., 1836.

acceptable kick that was used was one that was intended to trip an opponent over. In 1786, the court wanted to establish what type of kick was used in a fatal fight between two dustmen. Several witnesses were asked whether the kick was one aimed deliberately at the body or whether it was on intended to ‘trip up his heels’.⁷⁶ Witnesses testified that the kick was intended to trip over the deceased and the kick was one deemed without malice.⁷⁷

Reports of fights were at times confusing as to what was a fair or unfair blow. In 1823, *The Morning Chronicle* reported on a fight in Bayswater where in the first round ‘the Soldier received several facers, and the Dustman many body blows.’⁷⁸ While no comment is made regarding the body blows of the first round, a similar blow in the third round from the soldier to the Dustman’s stomach merited criticism: ‘...it was observed that the soldier gave his opponent an abdominal blow, which is contrary to the Pugilistic tactics.’⁷⁹ The newspaper report couched this plebeian honour fight in prize fighting terms. As noted earlier in chapter 2, the popularity of the prizefight had reached its zenith by the 1820s and its cultural influence is demonstrated in this newspaper report.⁸⁰ Prizefights were highly orchestrated, organised in advance and although some settled reputations they were mainly fought for the prize money. The dustman and the soldier’s fight was clearly over an insult to honour, not for money, and was fought spontaneously. There is little evidence to suggest such blows were against the rules of prize fighting and this thesis has not found any accounts of plebeian fighting where body blows above the belt were considered foul. *The Morning Chronicle*’s classification of the body blows, as one being contrary to ‘pugilistic tactics’ may be the personal opinion of the writer as such a blow, as long as administered while an opponent could defend himself, was acceptable practice in plebeian honour fighting.

As prolific as blows struck by fists or feet were during plebeian fights there were also other moves regularly used that drew upon wrestling styles more than boxing. Such a variety of moves to draw upon in plebeian fighting further served to differentiate plebeian fighting techniques from the more formalised prizefight styles. The term ‘fall’ and the injuries incurred from wrestling and throwing were similar to cases where fighters were knocked

⁷⁶ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

⁷⁷ *Ibid.*

⁷⁸ *The Morning Chronicle*, 30 Aug., 1823.

⁷⁹ *Ibid.*

⁸⁰ John Cowie Reid, *Bucks and Bruisers: Pierce Egan and Regency England*, 1st Edition (London, 1971), p. 136.

back by a blow from a fist. However, the technique was completely different as one was a strike while the other a throw. One move that was frequently used in both plebeian fights and prizefights was the 'cross-buttock', although the practice dwindled in prizefighting towards the nineteenth century.⁸¹ The cross-buttock and other throws were noted for their potential for fatality in their execution. In 1786, a Middlesex Coroner's Inquest heard that during a fight a man called Thomas 'threw Middleton a violent fall & he fell with his Head under him.'⁸² In 1799, William Newton was thrown by George Simmonds whereby 'he fell upon him; the second time he served him the same, and fell upon him the second time; the blood ran down Newton.'⁸³ In 1823, a witness testified:

Bingley threw Durham a cross-buttock, with his head on the pavement. The stones were all pebbles, and very sharp; he was thrown on the pavement with violence; he was quite thrown up, his feet were a yard and a quarter off the ground technique.⁸⁴

The momentum and weight involved in the act of throwing in such fights exposed both combatants to potential injury or even death. Landing on top of someone as in the case of Newton, or falling awkwardly on the neck as in the case of Middleton both led to fatalities.



Cross Buttock.

Fig. 9: The Cross Buttock. <http://www.sirwilliamhope.org/Library/Mendoza/images/Elspeth.gif>

⁸¹ John Ford, *Prizefighting. The Age of Regency Boxmania* (Newton Abbot, 1971), pp. 122-23.

⁸² *Middlesex Coroners Inquests*, 11.5.1786, Thomas, London Lives, 1690-1800, IMCOIC651010439, www.londonlives.org, version 1.1, accessed 13 March 2013.

⁸³ *OBP*, 6 Apr., 1796, William Newton (t17960406-64).

⁸⁴ *OBP*, 19 Feb., William Bingley (t18230219-36).

Fatigue could also play a part in the occurrence of throws. Although throwing could be attempted at any stage of the fight, it was more common, and dangerous as the fight progressed and men tired. In 1784, Sarah Parrot told of a fight where towards the end one fighter 'knocked him about and threw him down in the kennel (the 'kennel' is a contemporary term for the gutter).'⁸⁵ In 1797, after John Painter and James Richardson had fought a few rounds, John Lee testified that 'Painter threw him down right a-cross the kennel'.⁸⁶ At times throws were identified by name as in the case of the 'cross-buttock.' A fight took place in 1798 between William Turner and Henry Niblett where towards the end of the fight; 'but the last round but one, Turner made an attempt to throw Niblett, what they call a cross-buttock, and in Turner's endeavouring to do it, his strength left him, his legs gave way under him, and in that position, he fell.'⁸⁷ *The Duke of Bolton*, 1798, witnessed the fatal result of a cross-buttock throw when according to witness William Taylor:

The deceased and the prisoner had a round, and whether it was a knock down blow, or what they call a cross-buttock he did not know; but as he turned round the deceased lay on his back, on the floor; there were neither chairs nor tables to hurt him, it was quite fair on the floor, they said he was dead, that he moved neither hand nor foot, and he could not perceive he had the least breath in his body.⁸⁸

Taylor notes that the floor was 'quite fair,' most likely stressing that there were no protrusions or jagged edges. This comment reflects the influence that location of fights and the surfaces they were fought upon had on both the conduct and potential for fatal injuries. The acts of throwing and landing on hard surfaces suggests a 'hardness 'of the plebeian body similar to Hogarth's 'body hardening' working practices that affirmed masculinity.⁸⁹ These cases also highlight, that unlike a fall resulting from a fist-strike, the cross-buttock throw was dangerous as it had the potential to injure both the target and the instigator of the move.

⁸⁵ *OBP*, 20 Oct. 1784, Porter Ridout, (t17841020-).

⁸⁶ *OBP*, 15 Feb., 1797, John Painter, Joseph Jenkins (t17970215-16).

⁸⁷ *OBP*, 4 Jul., 1798, Henry Niblett (t17980704-49)

⁸⁸ *OBP*, 10 Apr., Patrick Knowland (t17820410-52).

⁸⁹ Hogarth, 'Reluctant Patients', pp. 39-40.

Other styles of fighting

Accounts of fights from court cases, newspaper reports and life-writings from all over England reveal other styles of fighting typical to English plebeians, such as wrestling and ‘purring’. Both were also used for dispute resolution as well as status attainment. Although there are throwing and holding moves used in plebeian honour fighting, wrestling was itself a distinct fighting style that was particularly favoured in Cumbria.⁹⁰ While Cumbrian authorities censured blood-sports such as cockfighting and prizefighting occasions of wrestling, as long as no public disorder arose, were generally left to run their course.⁹¹ However, the practices and conduct of plebeian honour fights had little in common with the purring, ‘the Lancashire way of fighting’, or ‘Up and Down fighting’ as it was also known as.⁹² In 1823, the *Liverpool Mercury* reporting on the Lancaster Assizes, told of John Rothwell, 22 and Edmund Taylor, 20 who were charged with the manslaughter of Samuel Yate, a youth, at Bury, on the 25th May.⁹³ One of the prisoners had knocked the deceased down, and the other had kicked him when he was down. They were both found guilty and imprisoned for two years. In 1824, the *Lancashire Gazetteer* reported on the popularity of this Lancastrian style of plebeian fighting and defined the acts of violence associated with purring in ways that clearly differentiated it from the plebeian honour fight:

At almost every Assizes in Lancaster several individuals are tried for murder or manslaughter, arising out of battles, when to the astonishment of strangers, evidence is given of parties mutually agreeing to fight ‘up and down’, which includes the right of kicking, (or purring as it is called) on every part of the body, in all possible situations, and of squeezing the throat, or ‘throttling’ to the very verge of death. At races, fairs, and on other public occasion’s contests of this nature are witnessed by crowds of persons who take part on each side, with as much interest as is excited by the regular boxing matches of the South. That death often occurs in such battles will not be thought extraordinary, especially when it is considered that clogs, or heavy wooden soled shoes, covered with iron plates, and studded with large nails, are commonly worn in the districts where this barbarous custom prevails.⁹⁴

⁹⁰ Woolnough, ‘Blood Sports in Victorian Cumbria’, pp. 282,283.

⁹¹ *Ibid.*, 291.

⁹² Archer, ‘Men Behaving Badly?’, pp. 44–45.

⁹³ *Liverpool Mercury*, Friday, 22 August 1823.

⁹⁴ Edward Baines and William Parson, *History, directory, and gazetteer, of the county palatine of Lancaster; with a variety of commercial & statistical information ... Illustrated by maps and plans.* Liverpool, (W. Wales & Co., 1824), pp. 537-38.

There is a stark contrast in the reporting of the ‘barbarous customs’ of strangulation and kicking in purring and the widespread toleration and even admiration for the fair fighting practices of fighting with one’s fists.⁹⁵ The *Liverpool Mercury* noted the disgust of a presiding judge over a manslaughter case resulting from a purring fight that took place in Upholland, Lancashire, in 1823:

...the opportunity of reprobating, as he has before done, the unmanly and dangerous practice of purring or kicking, which was so frequently the peculiar disgrace of this county. It was his most imperative duty to put it down; and if the present sentences did not prevent it in future, the law would still be more heavily enforced, and he begged it might be understood that the offence of manslaughter might be punished by transportation for life.⁹⁶

Unlike the tacit toleration for plebeian honour fights (examined in more detail in chapter 7) the courts took a dim view of purring. In plebeian honour fights, fair play was applauded, kicking avoided unless sweeping up the feet, and the self-control of fighters to not escalate the violence by the use of weapons was a celebrated manly ideal.⁹⁷ Purring was termed as barbarous and unmanly since it sanctioned moves like throttling and kicking that would be deemed foul-play in plebeian honour fights. Perhaps it is not unsurprising then that this thesis has not encountered any other fighting style similar to ‘purring’ from any other region. While the practice of purring was exclusive to Lancastrian regions, there are many accounts of plebeian honour fights that took place in Lancastrian towns such as Manchester and Liverpool.

One can speculate that purring seems to have only been practised in Lancashire and not taken up by other counties because of its origins. In the *Gazetteer*, Baines and Parson comment on the origins of the clog (an integral part of purring) in the Lancashire area as being introduced by Flemish immigrants in the late fifteenth and early sixteenth century. These were most likely Protestant immigrants fleeing the trouble that escalated into the Dutch War of Independence 1568-1648.⁹⁸ It is unclear whether this had any connection to or influence upon

⁹⁵ Wiener, *Men of Blood*, p. 53.

⁹⁶ *The Liverpool Mercury*, 22 August 1823.

⁹⁷ Wiener, *Men of Blood*, p. 53.

⁹⁸ Baines and Parson, *History, directory, and gazetteer*, pp. 537-38.

the development and practice of Lancastrian purring and warrants further research. However, one could argue that if purring did develop amongst an immigrant population in Lancaster and that its practice was the antithesis to a prevailing sense of English fair play and ideals of manliness then it would be unlikely that the fighting style would be taken up by other fighters in other regions. Thus, a form of combat like purring would likely be ignored by the wider English plebeian community to be handed down and practiced only by those descended from that immigrant community. This is an area that would need more research to substantiate.

Chapter 2 noted the importance in defining qualities of British character and manliness compared to the Continental or Catholic ‘other’.⁹⁹ This process is also evident when examining Continental styles of fighting and how they differed markedly from that seen in English plebeian honour fights. The following cases featuring foreign sailors fighting with English plebeian males highlight three major differences between plebeian honour fights and continental styles of fighting: the reluctance to agree over the outcome of a fight, the use of weapons, and an intention to kill. The use of man’s ‘natural weapons’, his fists, to resolve disputes was mostly admired by Judges, commentators and newspapers, who also identified those who used knives as heinous and ‘unmanly’, generally attributing the practice to continental styles of fighting.¹⁰⁰ Spierenburg describes a ‘cultural code’ that promulgated the use of knives in fights in his study of violent crime in Amsterdam from the fifteenth to the nineteenth centuries.¹⁰¹ Indeed, the English held the use of the knife or stylo to be a foreign culture and its use by foreigners in English street fights provoked censure from authority and plebeians alike. One example of foreign sailors fighting with knives against an unarmed English plebeian took place in 1783. A Portuguese man, Emanuel Pinto, was found guilty of murdering William Adair with a knife during the course of a fight in Wapping, London. William Harding testified that he saw the deceased originally fighting with another Portuguese called Da Costa. He was a shipmate of Pinto’s, and that when it seemed Da Costa was losing the fight Harding prevented Pinto from ganging up on Adair and told him ‘to stand off and give them fair play.’¹⁰² When the fighters eventually separated, Da Costa was ‘crawling away’ when Pinto, with three other Portuguese companions, confronted Adair and started another argument. The landlady of the *Three Crowns*, Mary Hitchcock, most likely

⁹⁹ See Colley, *Britons: Forging the Nation*; Wilson, ‘Nelson and the people’ in Cannadine (ed.), *Admiral Lord Nelson: Context and Legacy* (New York, 2005).

¹⁰⁰ Ibid.

¹⁰¹ Spierenburg, ‘Faces of Violence’, pp. 701–02.

¹⁰² *OBP*, 23 Jul., 1783, Emanuel Pinto, Antoni Da Costa (t17830723-1).

aware of the customs of foreign sailors, testified that her daughter went and warned Adair to 'come away for they would kill him'.¹⁰³ Adair ignored the warning to his peril and was stabbed three times fatally by Pinto.

In another instance in 1795 an Englishman, Jack Unscampraw, and a Spanish sailor, Lewis Bonnevento fought in a lodging house in the Parish of St George resulting in a stabbing and death of Unscampraw. Witnesses told how both were lodging in the house and had fought earlier on in the day over the Spaniard being 'in liquor' and laying 'his hands on the landlord...and the deceased took the part of the landlord.' They 'fought for a little time' in the parlour' where 'people in the room had endeavoured to separate them.' After separating, Bonnevento was heard to say to Unscampraw 'I will have your life tonight.' Later that evening Bonnevento sought Unscampraw out and stabbed him four times killing him. For Bonnevento, the dispute was not resolved and it is likely that his non- English ideal of manhood required him to customarily continue the dispute armed with a knife. Plebeian honour fights usually resolved disputes to both parties' satisfaction as both men would have fought fairly without resorting to weapons. Presumably, this contrasted with continental fighting styles as in both these cases the fatal action took place after the original fight had finished. However, as Spierenburg and Wiener both note, the use of the knife was common to continental fights and unlike the practices of the plebeian honour fight, the defendants would not interpret the use of the knife in this situation as unmanly. Their defence plea indicates that the use of a knife was an important part of continental constructions of masculinity and fighting customs. In these cases counsel would ask the judge and jury to take into consideration that it was a part of their defendant's culture to use a knife to defend themselves in their home countries.¹⁰⁴ These differences between continental fighting customs further reinforce the local customs and character of the plebeian honour fight that contributed to a sense of English identity.

In assessing episodes of Irish violence, one has to keep in mind that there may have been inherent bias in its reporting due to stereotypes becoming established in this period. Historians have noted that nineteenth-century English opinions of the Irish perceived them as inclined to fight, of low intellect, and disrespectful of British authority.¹⁰⁵ Peter King, while

¹⁰³ *OBP*, 23 Jul., 1783, Emanuel Pinto, Antoni Da Costa (t17830723-1).

¹⁰⁴ Wiener, *Men of Blood*, p. 59.

¹⁰⁵ Lewis Curtis, *Anglo-Saxons and Celts* (New York, 1968), pp. 53, 59-64; Richard Lebow, *White Britain*

identifying predominantly ambivalent attitudes towards the Irish in the eighteenth century, notes a strengthening of this stereotype towards the end of the eighteenth century. He argues that changes in attitudes responded to Irish immigration resulting from the mid-eighteenth-century potato famine, hardening further again due to increasing immigration from 1810.¹⁰⁶ An absence of an Irish stereotype before the latter half of the eighteenth century is also supported by Nigel Goose who notes a distinct lack of evidence for national hostilities played out within public houses in early modern England.¹⁰⁷ The period under examination, 1780-1840, therefore straddles a transitional period from little-reported bias towards the Irish to a pervasive stereotype. Thus, the following reports of Irish violence have been assessed with this in mind.

In researching plebeian honour fights, various occurrences of fighting involving ethnic Irish have been identified. The OBP list a total of 11 murder and manslaughter cases between 1780-1840 involving one or more of the combatants identified in the proceedings as Irish. Four of these episodes resemble plebeian honour fights from the outset but later transgress important boundaries observed by plebeian honour fighters, while the rest bear little resemblance at all. There seems to be little scholarly work on the practices of Irish ethnic fighting in England for the eighteenth and nineteenth century. However, research into Irish plebeian violence on the Irish mainland such as Desmond McCabe's research into violence in County Mayo 1820-45, focusses upon honour as the major cause of violence, while Carolyn Conely argues more for a preponderance of violence for recreational purposes.¹⁰⁸ Both of these reasons for Irish fights feature regularly in plebeian honour fights. Richard McMahon's research into eighteenth-century Irish plebeian fights notes, similar to continental styles of fighting, a cultural acceptance of not only knives but other weapons such as stones and blunt instruments.¹⁰⁹ Thus, it appears that English and Irish plebeian honour fights were fought

and Black Ireland (London, 1976), pp. 43-50; Roger Swift, 'Crime and the Irish in Nineteenth-Century Britain', in Roger Swift and Sheridan Gilley (eds), *The Irish in Britain 1815-1939* (1989), pp. 163-82; O Tuathaigh, 'The Irish in Nineteenth-Century Britain', pp. 13-36, esp. pp. 21-22, cited in Michael de Nie, "'A Medley Mob of Irish-American Plotters and Irish Dupes': The British Press and Transatlantic Fenianism', *Journal of British Studies*, 40 (2001), p. 236.

¹⁰⁶ Peter King, 'Ethnicity, Prejudice and Justice: The Treatment of the Irish at the Old Bailey 1750-1825', *To Be Published*, pp. 11-15.

¹⁰⁷ Nigel Goose, "'Xenophobia" in Elizabethan and Early Stuart England: An Epithet Too Far?' in Goose and L. Luu (eds), *Immigrants in Tudor and Early Stuart England* (Brighton, 2005).

¹⁰⁸ Desmond McCabe, *Law Conflict and Social Order: County Mayo 1820-1845* (Dublin, 1991); Carolyn Conely, *Melancholy Accidents: The Meaning of Violence in Post-Famine Ireland* (Lanham, 1999).

¹⁰⁹ Richard McMahon, "'Do You Want to Pick a Fight out of Me, or What Do You Want?": Homicide and Personal Animosity in Pre-Famine and Famine Ireland', in Katherine Watson (ed.) *Assaulting The Past* (Cambridge, 2007).

over similar issues. What does differ between the two styles, however, is the expectation of conduct during the fight and an Irish practice of using of weapons.

In 1792, the Old Bailey heard how a group of Irish men in liquor harassed and assaulted passers-by outside the *Crown and Anchor* public house on the corner of Chick-Lane in London.¹¹⁰ A man named Jordan was bumped into by members of the group as he attempted to pass and one of the Irish, Francis Hubbard, struck him and then stabbed him three or four times. Other witnesses saw Francis then stamp on Jordan's head and body when he was down and heard him call for a pistol swearing he 'would shoot the b----r.'¹¹¹ Hubbard was found guilty and sentenced to death and dissection. Seventeen years later Chick-Lane was associated with another murder resulting from Irish plebeian fighting. In 1809, William and Mary Jordan both stood trial at the Old Bailey for the murder of William Flaherty outside the Wright's Building in Chick-Lane.¹¹² One witness testified that before the murder:

Mary Jordan and her acquaintances were fighting and jawing, there were a great many people assembled, I cannot say how many, they had handles of pitchforks, shovels, and pokers.

William Flaherty, originally from the county of Galway, Ireland, was heard to challenge any of the men standing there from the county of Mayo to a fight for five guineas. A man called Duffey took the challenge. However, when Duffey knocked Flaherty down one witness testified that Mary Jordan 'gave him [Flaherty] a blow with the flat iron on his forehead'. Upon this William Jordan, Harry Jordan and others from the county of Mayo hit Flaherty with sticks and brickbats. Flaherty later died from his injuries. In both these cases there are some similarities with an English plebeian honour fight. It was not uncommon for fights in the street to be caused by rights of way or people bumping in to one another. Chapter 4 has already highlighted the propensity for members of trades that navigated the streets in London to engage in plebeian honour fights for such reasons. The challenge in the second case issued by Flaherty to fight for status and money is not dissimilar to those challenges identified in chapter 3. However, the similarities stop there. The cultural acceptance of the use of weapons by Irish noted in Ireland is also evidenced by their use in these cases from London. Weapons

¹¹⁰ *OBP*, 29 Mar., 1792, Francis Hubbard (t17920329-26).

¹¹¹ *Ibid.*

¹¹² *OBP*, 20 Sep., Mary Jordan, William Jordan (t18090920-46).

were not used in plebeian honour fights as intentions were not lethal and they did not ensure that the best man had won. Also, if weapons were used the result would not be considered fair and the dispute likely to be unresolved. Furthermore, the tendency for the fight to diverge from a contest of two opposing fighters to one where additional men and women join the fight is also demonstrated by the Irish cases here. Additional opponents made for an unfair fight which transgressed the ideals of fair play in English plebeian fights. A plebeian honour fighter tested his manhood in a fair plebeian honour fight against one opponent. More than one adversary would make for an unfair fight rendering the outcome meaningless in terms of how English plebeian manhood was tested and affirmed.

Another account of Irish fighting in 1820 resembles the plebeian honour fight in that a handshake was offered by an Irishman called Garvin to another Irishman called Jeremiah Carthy after a fight in reconciliation. However, Sarah Williams testifies that when Carthy went to shake the proffered hand,

Garvin shook him with one hand, and with the other, he immediately struck him two or three times; then Mary Donovan came up and struck him; Daniel and William Donovan also came up.¹¹³

Carthy was then dragged out to the courtyard outside *The George* public house and beaten by the Donovans and other Irish men and women with sticks and pokers until ‘several Englishmen came to his assistance.’ Carthy was to die later that evening from the injuries incurred. Worth noting here is the intervention of several Englishmen who would have perceived the beating of Carthy by several assailants as being contrary to a fair fight. Furthermore, as examined in chapter 5, the handshake in a plebeian honour fight may be refused if a plebeian did not consider the matter that was fought over resolved. However, this research did not find any instances of the ritual of the handshake being abused as a way to land an unexpected blow in any English plebeian honour fight.

One case of Irish fighting that did not involve weapons or unfair numbers occurred in 1780 at the *Half Moon* in Lamb’s Conduit Street.¹¹⁴ Two Irishmen, an uncle and his nephew both

¹¹³ *OBP*, 18 Sep., 1820, Edward Callaghan, Mary Donovan, William Donovan, Daniel Donovan (t18200918-29).

¹¹⁴ *OBP*, 10 Apr. 1782, Patrick Knowland (t17820410-52).

members bearing the same name Patrick Knowland, were drinking with other family and friends when a quarrel broke out between them. The landlord of the *Half Moon*, William Taylor, later testified at the *Old Bailey* that he was going to carry the ale into the parlour, but his wife said for ‘God's sake do not go in, they are fighting.’¹¹⁵ Taylor went into the parlour try to ‘make peace’ and saw Patrick Knowland, junior and senior, fighting. While trying to separate the two the landlord was threatened by another Irishman called Burne that if he ‘offered to part them he would kill him’. The Landlord desisted from physically interfering saying that ‘for God’s sake lets have no disturbance here, my house is a house of credit’ but Burne ‘took hold of him and threw him to the floor’. Samuel Spriggs, also drinking at the alehouse at that time told the court that the Uncle ‘many times got the prisoner by the hair of the head, and beat him when he was down... and there he closed him on the floor many times.’ Hitting a man when he was down on the floor was not an acceptable practice in English plebeian honour fighting. A sentiment that was voiced by the Landlord who was reported to cry out ‘for shame, that is not English fighting, it is not fair fighting.’¹¹⁶ Although this fighting seemed unfair and contrary to acceptable notions of English ‘fair play’ there were no complaints from the other Irish in the group. The friends and family who originally made up the group were ‘policing’ the fight as to their customs and this was evident in Burne’s response to the interference of the William Taylor, the *Half Moon*’s landlord.

Conclusion

To date, the focus on fighting rituals has promoted a dichotomy in perceptions of elite and plebeian fighting custom whereby one is noted for its order, honour and ritual, while the other considered more for chaotic and violent. This chapter has defined the practices, rituals and order associated with the plebeian honour fight and demonstrated that this was not the case. It has also reinforced the English identity of the plebeian honour fight by comparing it to other styles of fighting from both domestic and foreign origins. More important to plebeian masculinity generally though, was that fighting outside popular parameters governing these fights was considered unmanly. Fighting was integral to the construction of plebeian masculinity, yet the performance of violence had to be measured and controlled. In the arena of

¹¹⁵ *OBP*, 10 Apr. 1782, Patrick Knowland (t17820410-52).

¹¹⁶ *Ibid.*

the honour fight, courage and fighting ability were desired, yet so was self-restraint. These moments of conflict point to an ideal of plebeian masculinity that equally applauded notions of honour, courage, fairness, and restraint.

Consensus and communication were the cornerstones of the structure of plebeian honour fights. Through its practices and rituals, various meanings and options were communicated to fighters during the course of the fight. The pre-fight slap signaled a challenge to the slapped plebeian who had the option of meeting or refusing the fight with little physical danger to both fighters. The ritual of the handshakes communicated an acceptance to fight and an intention to abide by popular notions of fair play, a characteristic that was also acknowledged to an extent in court cases. Handshakes could also communicate a submission and signify an acceptance of the outcome of the fight. Stripping before a fight had practical advantages in the preservation of clothes and allowing for less constricted movement for fighting than if coats and outer garments were worn. However, this thesis argues that stripping also communicated a serious intent to fight to the other party in dispute. The utility of plebeian honour fights to resolve disputes was only successful if both sides were willing participants throughout the fight and satisfied in the outcome. These practices and rituals served to communicate consent throughout the fight thus augmenting this process.

Fair play was also an important theme for the plebeian honour fight. The popular notions of fair play helped construct a level playing field where men fought not with weapons but with only what nature gave them. Even so, there were limits on what a man could do with his fist or foot. Blows from the fists were allowed as long as the opponent was standing but not to be landed below the belt. Kicks were not allowed unless they were used to trip up an opponent. These restrictions discouraged serious injury being inflicted on a plebeian fighter laying defenseless on the ground. They also served a similar function to the practices and rituals mentioned above. A light blow to the groin area could incapacitate a man, and a heavy blow render serious damage. In this way, a blow below the belt could be viewed in the same light as the use of a weapon as this would not be a fair contest between men.

A comparison of plebeian honour fights with other styles of plebeian fighting reveals that the practices, rituals, and the notions of fair-play have a distinct English identity. The Lancashire style of fighting was condemned as barbarous and commentators note that deaths resulting from parring were not unexpected. Equally alien to English notions of fair-play were the

continental and Irish fighting cultures that commonly used knives and other weapons to fight. The English plebeian honour fight's practices, rituals and notions of fair play facilitated the reintegration of both plebeian males back into plebeian society as both would be satisfied by an outcome fairly decided. This characteristic was moot if one of the plebeians was dead. Furthermore, transgressions of plebeian honour fighting practices, including the ganging up on an opponent illustrated by certain Irish cases, were met with English interventions. These reactions conveyed an abhorrence of other styles of fighting practices deemed unfair which further reinforces the English identity of the plebeian honour fight.

Chapter 6: The aftermath: reconciliation, remorse, and lethal passions

A plebeian honour fight could lead to any of the following: cuts and bruises, fatal injuries, humiliation, dispute resolution, and reconciliation. The desired outcome was non-fatal and involved both fighters conducting themselves in a manly and fair manner, observing the rules and customs, and with the fight ending in either a submission or knockout. If the appropriate conduct was observed during the fight, then the outcome was more likely to be a resolution of the dispute for both parties. Ideally, fighters would shake hands after the fight having experienced nothing more physically serious than superficial cuts or bruises. Participation in drinking rituals by both fighters at a nearby alehouse would then usually cement the reconciliation process. However, matters became more complicated when a fatality occurred because the surviving fighter would have to stand trial for murder or manslaughter. Over half of the fatally-wounded fighters who died following the fatal plebeian honour fights recorded in the *Old Bailey Proceedings* (OBP) 1780-1840 languished on average for over a week before expiring. Consequently, court testimony from such fights usually shows remorse and forgiveness between the dying fighter, as well as those administering medical treatment.

The characteristics of a fatal aftermath: the post-fight handshake; the presence of alcohol in plebeian fighting; responsibility and blame; forgiveness for injury; and medico testimony on fatal fights are outlined by the witness testimony in the following case. In July 1824, Henry Nairey and Thomas Whales were drinking at the *Bell and Mackerel* public house when Whales took offence at Nairey's dancing and the refusal of an offer of a drink.¹ A witness, Thomas Edwards, who testified at Nairey's trial for murder at the Old Bailey, heard Whales say:

'I will make him drink' - he was there five or ten minutes; the prisoner [Nairey] then went away; Whales followed him, and was abusing him very much for going away. I heard Nairey say, 'I cannot fight, and do not want to fight' - they turned the corner, and got out of my sight.²

¹ *OBP*, 16 Sep., 1824, Henry Nairey (t18240916-49).

² *Ibid.*

Another witness, John Honour, testified that he:

saw the prisoner and Whales beginning to fight - each struck but one blow; the blow the prisoner struck knocked Whales down, as if he was struck by a cannon ball, he laid as if dead: but previous to the fight, I saw them on the Regent's canal-bridge; and the prisoner seemed reluctant to fight; he said, 'If I must fight, I will' - and when he knocked Whales down, he made an effort to get away, but was taken [by a constable].

Charles Stewart, also at the canal bridge, told how 'the deceased stripped first, and had somebody as a second; the prisoner had no friend.' A constable, James Stone, took up Nairey as he fled and returned him to the bridge where Whales was still lying after being knocked down. He testified that 'Nairey asked him if he had done him any harm, and put his hand out - Whales shook hands with him, and said, he had done him no harm, that it was a fair stand up fight, and it was his own fault.' Cross-examined later in court regarding when Whales had died the constable replied 'Seventeen days after; the prisoner appeared exceedingly sorry for it.' A medical witness who dealt with Whales' injuries testified that:

One of the small bones of his leg was fractured, which was the only injury I could find. I attended him till the 23d or 24th, when he died. Symptoms of violent inflammation of the brain appeared about the second or third day, which continued till his death. I opened his body, and found marks of violent inflammation of the brain; he never complained of having received a blow on the head. I believe his death arose from the inflammation, whether that arose from a blow or a fall I cannot say; it might probably arise from a concussion of the brain, from a fall, which might be aggravated by his intoxication, or the blow might produce it. I think the fracture of the leg with his intoxication might produce it, as it is always accompanied by fever.³

The above case illustrates that the aftermath of a fatal plebeian honour fight was often a complex process. This chapter analyses these characteristics of the aftermath of plebeian fights in detail. It begins by examining the reconciliatory ritual of the post-fight handshake and the drinking rituals it often foreshadowed.⁴ In examining these rituals, the centrality of

³ *OBP*, 16 Sep., 1824, Henry Nairey (t18240916-49).

⁴ For the importance of social rituals in the act of drinking that helped instigate or reinforce bonds of friendship see: Ann Tlusty, *Bacchus and Civic Order: The Culture of Drink in Early Modern Germany* (Charlottesville, 2001); Shepard, "'Swil-Bolls and Tos-Pots': Drink Culture and Male Bonding in England, c.1560-1640', in L. Gowing, M. C. W. Hunter, and M. Rubin (eds), *Love, Friendship and Faith in Europe, 1300-1800*

alehouses and the positive characteristics of drinking rituals to plebeian manliness and the fight process are explored. However, alcohol also eroded the capacity for self-control.⁵ Popular and judicial attitudes regarding violence committed in a state of intoxication are then examined and shown that drunkenness did not mitigate the circumstances of fatal plebeian honour fights.⁶

The interactions between mortally injured parties, or their relatives, and the surviving fighter is then examined to show that injured fighters often forgave their opponent. Even those fighters who had not acted in a ‘manly’ way by their conduct contravening popular notions of fair play were forgiven, as long as responsibility was taken and an apology offered by the offending fighter. Such manly acts of forgiveness could influence whether authorities even became involved for non-fatal incidents. Similarly, a show of regret or remorse for a mortally injured fighter could influence the verdict or severity of sentence when brought to court. Although the self-control of anger was an ideal of plebeian manhood, expressions of other emotions such as regret or remorse were not unmanly.

Finally, this chapter turns to the treatment of injuries and the causes of death. Hogarth has linked ideals of working class masculinity to applications of ‘harsh medicine’ in the nineteenth century.⁷ Similarly, plebeian lay-medicine will be shown to be the mainstay of treatment for plebeian fight injuries. Professional medical expertise was rarely sought and then only when injuries were perceived as life-threatening.⁸ After a fighter’s death. Coroners’ reports and other professional medical testimony would find evidence of the physical manifestations of such internal injuries but often disagreed on the cause. It is shown that professional medical opinions reasoned that bouts of intense passion experienced by plebeians during fights were often the causes of these fatal internal injuries. This reveals interesting parallels between plebeian ideals of manliness that valued a self-control of

(Basingstoke, 2005); Phil Withington, ‘Company and Sociability in Early Modern England’, *Social History*, 32 (2007), pp. 291–307.

⁵ Judith Rowbotham, ‘“Only When Drunk”: The Stereotyping of Violence in England, 1850-1900’, in Shani D’Cruze (ed.), *Everyday Violence in Britain, 1850-1900: Gender and Class* (Longman, 2000), pp. 164–167; Tlusty, *Bacchus and Civic Order*, pp. 211–12; Withington, ‘Company and Sociability in Early Modern England’, p. 294.

⁶ Rowbotham, ‘“Only When Drunk”: The Stereotyping of Violence in England, 1850-1900’, 164; Tlusty, *Bacchus and Civic Order*, p. 211; Eisner, ‘Long-Term Historical Trends in Violent Crime’, pp. 120–21.

⁷ Hogarth, ‘Reluctant Patients’.

⁸ For an in-depth review of the importance of lay-medicine at this time please see: R Porter, ‘Lay Medical Knowledge in the Eighteenth Century: The Evidence of the Gentleman’s Magazine.’, *Medical History*, 29 (1985), pp. 138–68.

passion, most notably anger, and the dangers expressed by medical opinion in court testimony for the potentially self-harming effects of intense passions.

Reconciliation and the role of alcohol

The handshake has been shown to be an important ritual in the plebeian honour fight. Yet, its purpose was multifarious as to what stage of the fight process it was offered. Early on in a dispute, it could be used to identify friendship so as to avert confrontations. It was also seen as an initiator of the fight, symbolising the agreement of both parties to enter into a contract to fight. Later, in the fight proper, a handshake could be offered to signal a submission. In the aftermath of the fight the handshake signified the successful resolution of the dispute and, in some cases, pre-empted drinking rituals that reaffirmed bonds of friendship and respect. Furthermore, shaking hands at the end of a fight signified acceptance not just of the conduct but also the outcome of the fight. Men involved in fights often needed to go on to co-exist, so a resolution that restored honour to both men was an important part of the process. In Newington 1793, *The Sun* reported a fight between a tailor and a carpenter who, after fighting, ‘parted from mutual consent, shook hands, and agreed to fight next week.’⁹ In 1804, witnesses testified to the fair conduct of a fight between Charles Jarvis and Edmund Bray and that at the end ‘Teddy [Edmund] took his hand [Charles]...and drank some porter’.¹⁰ In 1823, *The Times* reporting on a case quoted Thomas Munkley stating that: ‘we both stripped to fight, but were prevented by others. We put our clothes on again and shook hands’.¹¹ The post-fight handshake signified that all was well between the two men, that they could revisit the dispute later, or that the dispute had been settled satisfactorily. Refusing to shake hands was a powerful gesture. In 1786, two coachmen fought over a lost blanket where one had accused the other of stealing. During the fight one of the fighters, Barret, had been steadily deteriorating to a point where his opponent, Jones and other onlookers ‘desired [Barret] to give over’. Jones offered his hand to the beaten Barret who said ‘no, he would not shake hand [sic] with him; he would have it out another day.’¹² Barret’s refusal to take Jones’ hand signified that to him that the dispute was unresolved.

⁹ *The Sun*, 20 Sep., 1793.

¹⁰ *OBP*, 7 Apr., 1804, Charles Jarvis (t18040704-35).

¹¹ *The Times*, 11 Aug., 1823.

¹² *OBP*, 25 Oct., 1786, Robert Jones (t17861025-70).

The handshake signified the beginning of a process of reconciliation that was often cemented by drinking rituals in a nearby alehouse. In 1835, *The Essex Standard* reported how a handshake was offered to finish a fight between two friends outside the *Gray Mare* alehouse in Bradford. A witness told how he heard one fighter say to the other: “‘Jem, let’s shake hands and have a quart of beer, and make it up” to which Jem appeared to assent to this proposition’.¹³ Alcohol and the alehouse featured prominently in ‘every plebeian craft ritual, every private occasion of mourning or rejoicing,’ including plebeian honour fights.¹⁴ From the 109 plebeian honour fights identified in the OBP between 1780-1840, fifty-seven involved an alehouse within the fight process. Of the 218 plebeian fighters identified in such fights 111 have been noted as having drunk alcohol. Early historiography focussed on the importance of alcohol as a form of escapism from harsh living conditions arguing the poor made use of alcohol as a narcotic interlude from the drudgery of their.¹⁵ Phil Withington presents a lighter view of intoxication as in contrast to Puritan ideals, the Reformation of Manners 1690-1738, and efforts of Friendly Societies, drinking was deemed fashionable and sociable by various early seventeenth-century commentators.¹⁶ The findings of this research leans more towards the social role that alcohol played noted by the anthropologist Mary Douglas who argued that drinking was essentially a social act ‘performed in a recognized social context’ and that drunkenness expressed culture ‘in so far as it always takes the form of a highly patterned, learned comportment.’¹⁷

Recently, historians have further highlighted the social function of drinking that helped to instigate or reinforce bonds of friendship that was essential to the process of the reconciliatory drinking rituals of plebeian honour fights.¹⁸ James Brown argues that public drinking in early modern England was ‘fundamentally a social act’ where drinkers could

¹³ In this reconciliation attempt the proposal also links the shaking of hands to drinking rituals that is examined in more detail below, *The Essex Standard, and Colchester, Chelmsford, Maldon, Harwich, and General County Advertiser* (Colchester, England), 8 May 1835.

¹⁴ Keith Thomas, *Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth Century England* (London, 1971), p. 21.

¹⁵ Peter Clark, *The English Alehouse: A Social History, 1200-1830* (London, 1983), p. 111; Thomas, *Religion and the Decline of Magic*, p. 22.

¹⁶ Withington, ‘Intoxicants and Society in Early Modern England’, pp. 645-46,57.

¹⁷ Mary Douglas, *Constructive Drinking: Perspectives on Drink from Anthropology* (Cambridge, 1991), p. 4.

¹⁸ J. James Brown, ‘The Landscape of Drink’, pp. 174–75; Tlusty, *Bacchus and Civic Order*; Withington, ‘Intoxicants and Society in Early Modern England’, 644–57; Withington, ‘Company and Sociability in Early Modern England’, pp. 293–307.

form distinct ‘companies’ within the alehouse.¹⁹ Similarly, in 2013, Mark Hailwood argued that alehouse drinking was governed by ‘a set of behavioural codes and expectations that informed and sought to construe alcohol consumption as a positive socio-cultural activity.’²⁰

Drinking rituals were an important part of fighting culture but alcohol consumption did not only have a positive social effect. The association of the alehouse with violence is evidenced in the Coroners’ Rolls of the fourteenth-century to early modern research on taverns.²¹ In sixteenth-century Arras, France, it has been shown that 50 percent of all homicides were committed in or around the location of a tavern, while Gerd Schwerhoff links an even greater proportion of deaths to alcohol in Cologne over a similar period.²² Manuel Eisner, in his assessment of historical trends of violence, acknowledges the importance of drinking culture noting in particular research from Jonas Liliequist on early modern Sweden who argues that:

boxing ears, issuing challenges, fighting and combat interrupted by temporary reconciliation, and drinking rituals constituted the pattern of a culture of fighting, which was the backdrop of the vast majority of homicide cases in early modern Scandinavia.²³

Similarly, behavioural codes broke down in eighteenth-century England resulting in plebeian honour fights. In 1785, Timothy Brian and Francis Weeden, ‘had worked all day together’ and had a couple of drinks at *The Crown*, Wapping, when a spillage of ale prompted a fight between them.²⁴ Popular pastimes in alehouses, such as playing or betting on games for beer, were also flash points for confrontation. In 1786, George Stringer in claiming he ‘had won fairly a pot of beer’ provoked a violent reaction from Francis Jenkins.²⁵

¹⁹ James Brown, ‘The Landscape of Drink’, p. 174.

²⁰ Mark Hailwood, ‘“It Puts Good Reason into Brains” Popular Understandings of the Effects of Alcohol in Seventeenth-Century England’, *Brewery History*, Special Issue: Developments in the Brewing, Retail and Consumption of Alcohol in Early Modern England, no. 150 (2013): 40.

²¹ Carl Hammer, ‘Patterns of Homicide in a Medieval University Town: Fourteenth-Century Oxford’, *Past & Present* 78, no. 1 (February 1, 1978): 20; Amussen, ‘Punishment, Discipline, and Power’, p. 24.

²² Muchembled, *Violence au village*; Schwerhoff, ‘Criminalized Violence and the Process of Civilisation’, pp.103–26.

²³ Eisner, ‘Long-Term Historical Trends in Violent Crime’, p. 121; Jonas Liliequist, ‘Violence, Honour and Manliness in Early Modern Northern Sweden’, in Mirkka Lappalainen and Pekka Hirvonen (eds), *Crime and Control in Europe from the Past to the Present* (Helsinki, 1999).

²⁴ *OBP*, 14 Sep., 1785, Timothy Bryan (t17850914-30).

²⁵ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

The eighteenth-century alehouse still served an important social role as a community hub for plebeians, relatives, strangers, friends or foe.²⁶ Increasing urbanisation and cramped living conditions during the Georgian period positioned the alehouse as an attractive alternative to entertaining at home. Previous studies saw alehouses as masculine social arenas which reinforced gender by informal regulation ranging from defamatory slurs to physical assault.²⁷ For example, people assumed single women in taverns or alehouses were prostitutes, whether they were or not. However, building on literary representations and stage comedies reflecting women drinking with their gossips, recent scholarship suggests that public houses were mixed gender spaces and not necessarily hostile to all women drinkers as previously thought.²⁸ Spouses, work colleagues, and friends afforded some protection from the slurs and assaults that did at times focus upon unprotected or unaccompanied women.²⁹ Mary Hobbs, keeper of a public-house in Shadwell, recalls an evening in June 1795, where Catherine M'Clarín came in and:

brought two of her friends in with her, one she took out with her and the other she met, and called for a pot of beer in the kitchen; John Hurley and his wife sat at the far end of the house, and another woman that was in company with them, in another room; by and by they settled their reckoning, and they left the room, and they went into their company, the company of the deceased, and they drank together; there was a master of a ship came, and another woman with them; at ten o'clock I went and see them all very social together, as far as I know.³⁰

Hobbs description of the alehouse paints a picture of mixed gendered sociability. Women who congregated socially or took their meals in eighteenth-century alehouses were commonplace.

Alehouses were a space which could facilitate sociability but also conflict. From research centred on early modern Southampton, James Brown has studied plebeian culture from an

²⁶ For more on the alehouse as a community hub please see Amussen, 'Punishment, Discipline, and Power', p. 26.

²⁷ Clark, *The English Alehouse*, pp. 131–32.

²⁸ Amanda Flather, *Gender and Space in Early Modern England* (Woodbridge, 2011), pp. 110–21; Pamela Allen Brown, *Better a Shrew Than a Sheep: Women, Drama, and the Culture of Jest in Early Modern England* (Cornell University Press, 2003), pp. 71–76; Shepard, *Meanings of Manhood*, pp. 102–3.

²⁹ James Brown, 'The Landscape of Drink: Inns, Taverns and Alehouses in Early Modern Southampton', pp. 191–93, 207.

³⁰ *OBP*, 1 Jul., 1795, John Hurley (t17950701-33).

architectural and spatial context. Brown shows how ‘companies’, which he defines as men forming a friendly group, drinking within the general area of the alehouse or tavern could ‘colonise’ public space, drawing on a range of ‘spatial and material resources’ such as tables, benches, stools and chairs especially those with high backs ‘to draw attention to their existence as a distinct social unit’.³¹ Individual drinking rooms were also off limits to other drinkers unless they were known and invited. Such configuration of space within the alehouse would be just one of the ways plebeian males would interact successfully in close quarters. However, as alehouses were performative spaces for masculinity conflicts could arise. In 1778, Clifton’s diary illustrates the highlights of an evening out at an alehouse. Fights, challenges, alcohol and more fights: the alehouse and alcohol seemingly encouraging overt displays of masculine bravado. The ‘revellers’ and their loud conduct was seen at first as a contestation of space within the alehouse, which was a space that the locals had ‘colonised’.³²

A Detachment of Bacchanalians [drunken revellers] had an engagement to Night at ye common Brewhouse with a large Vessel called Old Surly but he proved too powerful for the whole of them and put them into very great confusion by causing several of their Nappers to turn round, which brought on several Skirmishes between them, particularly by my Kinsman Correl and Ben Palmes, who are both of a height within 9 or 10 Inches; then my little Bradley stripped into Buff and Challenged my Kinsman Correl to Drink glass for glass and after several more Exhibitions of the Drunken sort, they finished with a curious Battle between Master Burton Esq and little Bradley as they were coming home. Jimmy Bacon, handled the furious Combatants.³³

The way the events at the ‘Brewhouse’ were recounted suggests that Clifton viewed these proceedings not with dismay but with relish. The naval metaphor of the ‘large Vessel called Old Surly’, who dispatched a ‘Detachment of Bacchanalians’ suggests a familiarity with the large protagonist. Thus, not all alehouse violence was regarded negatively; Clifton did not hide his admiration for ‘Old Surly’s’ masculine prowess in beating numerous foes on his own. Retaining a competitive theme, the melee metamorphosed into a situation where the intake of alcohol served not only as a game to diffuse tension but also as another measure of manhood. Clifton’s lack of disapproval for this violence is made starker by the omission of

³¹ James Brown, ‘The Landscape of Drinks’, p. 177; See also Withington, ‘Company and Sociability in Early Modern England’, pp. 306–07.

³² James Brown, ‘The Landscape of Drink’, p. 176.

³³ *Clifton’s Day Books*, Northampton Record Office Wed 26 Jul. 1778. ZA-8744.

any reference to damaged property or injury to persons and the evening finished unremarkably since the drinking rituals served to cement a process of reconciliation between the 'Bacchanalians' and the locals.

Drinking in alehouses set up a space for conviviality and group socialising but it could also lead to conflict. Although men often drank in established companies, they might strike up a drinking relationship with a stranger and spend a considerable drinking as if they were the best of friends; a process identified by Phil Withington as 'joining and fastening.'³⁴ For example in 1753 a Scottish mariner, James Gullen in Southampton met another man there called George Silley and fell into 'company'. After selling a piece of old rope for 6s 6d, they went drinking together from the proceedings. Supping for a short time at *The Globe* they retired to Silley's lodgings where they fell in company with 'one Adams and a person whose name he knows not dressed in trousers'. The company then proceeded to *The Globe* via Gullen's ship and from there on to *The Vine* 'where they met with one David Watts'. After parting from Watts, the company tried to gain access to a private drinking establishment but 'not gaining admission, they returned and coming under the gate they met with the said Watts and one John Weeks where they all joined company'.³⁵ However, drinking in groups had inherent problems. Men in company interpreted a refusal to drink as a rejection of social contact and deemed an insult prompting at times a violent response.³⁶ In 1834, three men left the *Turk's Head* after two pots of porter and Reilly, after having paid for one pot declared that he was going home. Timothy Bryan, yet to pay for a pot, 'took hold of Reilly by the jacket, and said, "Come, and I will treat you with half a gallon."' Reilly's refusal prompted a challenge that led to a fight, which indicates that Bryan reacted to what he perceived as an insult from a refusal of social contact.³⁷

Historians have analysed the significance of alehouses as space for reconciliatory drinking rituals between fighters.³⁸ For elites, McCormack notes an account of a duel when John Wilkes and Lord Talbot shared a drink where, according to Wilkes, although Talbot was 'my

³⁴ Withington, 'Company and Sociability in Early Modern England', 2007, pp. 297,307; James Brown, 'The Landscape of Drink', p. 178.

³⁵ *Southampton Records Office*- SRO SC9/4/419.0, cited in James Brown, 'The Landscape of Drink', pp. 178–79.

³⁶ James Brown, 'The Landscape of Drink', p. 198.

³⁷ *OBP*, 14 Sep., Timothy Brian (t17850914-30).

³⁸ Jonas Liliequest, 'Violence, Honour and Manliness', p. 197; Eisner, 'Long-Term Historical Trends in Violent Crime', p. 121; Amussen, 'Punishment, Discipline, and Power', p. 24.

superior in rank, fortune, and abilities ... [he was] but my equal only in honour, courage, and liberty.'³⁹ The prospect of combat, the risking of life and the performance of ritualised violence that, if observed, would honourably resolve the dispute would allow both elite men to come away from the duel with honour intact. Similarly, for plebeians, it was important for friends or peers to witness reconciliation and observe that a dispute had been resolved in a manly way and, as such, no grudges held. In 1786, a fight occurred over an alleged debt between William Stone and John Harrison at the *Coach and Horses* in the Strand, London. This fight was one among many that evening and ended amicably between the two fighters. William Pearce, answering the prosecution's question about whether the quarrel was completely over, testified: 'Yes, and they had a drink together.'⁴⁰ That Pearce noted that both combatants drank together stresses the symbolic meaning of shared libations. Drinking in 'company' could also signify respect, recognition, and camaraderie between equals. In 1824, Thomas Fish testified to the OBP that his son and the deceased Watkins went '... to the public-house after the fight; they drank one shilling's worth of cold gin and water together.'⁴¹ An offer of a shared drink to reconcile a dispute was at times sufficient to reconcile fighting parties. In the year 1838, the *Berrow's Worcester Journal* reporting on a fight between an Ostler and railwayman named Dancock and Monk noted the reconciliatory process of drinking in company after a fight: 'Monk paid for a quart of ale; they then sat down and had some drink and were quiet.'⁴²

An offer of a reconciliatory drink after a confrontation did not necessarily have to take place in an alehouse. Born in 1796, John Brown a cobbler by trade described in his autobiography a fight he became involved with while escorting a female friend home early one evening in Cambridge. On the way home, they passed three undergraduates attired in cap and gowns, and one of the young men picked a fight. Brown was reluctant to fight at first. He questioned whether his opponent's undergraduate friends would allow the contest to proceed in a fair manner without interference. The cobbler, likely of a lower social standing than the three young men from Cambridge University, needed confirmation that the primacy of fair conduct important to plebeian ideals of manhood would also be observed by the young undergraduates. When satisfied by the young men's assurances that this would not happen,

³⁹ McCormack, *The Independent Man*, p. 89.

⁴⁰ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

⁴¹ *OBP*, 15 Jul., 1824, Thomas Fish (t18240715-59).

⁴² *Ibid.*

Brown gave the scholar a sound beating and, 'after six rounds, sent him flying.'⁴³ Thinking the young man hurt, Brown 'went to his assistance and lifting him on his legs asked if he had any further occasions for [his] services.' The young man politely indicated that he had had enough and Brown helped the recovering undergraduate to his feet. He later wrote:

... his friends who were sitting on the coping of the palisades, and had been silent spectators of the fight. No men could have kept their word of honour more sacred: for which I made them my grateful acknowledgements. They both shook me by the hand and complimented me upon my conduct and prowess, saying that throughout the whole affair I had acted nobly: and concluded by inviting me to their rooms to take some wine. This I most respectfully declined, but shook hands with my antagonist, and advised him never again to insult strangers: as it was just possible he might catch a tartar.⁴⁴

Brown's reference to the 'tartar' refers to the general term applied to the Turkic speaking people who regularly invaded Europe from Eastern Central Asia from 1215.⁴⁵ Brown's warning 'that he might catch a tartar' inferred that the next man he insulted may not deal with him so honourably and fairly as Brown had. Upon hearing that his opponent had taken boxing lessons and sensing the young men's respect for his conduct and fighting prowess Brown then proceeded to lecture the young men further. Having boxing lessons:

does not warrant you in picking a quarrel with an inoffensive person for the purpose of showing off your knowledge of boxing... now take my advice never to engage without having some just cause of quarrel. Thus, at least, you will always come off with credit, if not victory.⁴⁶

Brown outlined qualities here that were fundamental to plebeian ideals of manhood. Brown was not against fighting for fighting sake since he applauded the merits of boxing, but he stressed men should not pick a quarrel when there was none. Second, how a man conducted himself during a fight was as important as winning because 'at least, you will always come off with credit, not victory'. Although Brown politely refused drinks back at their rooms, the offer indicated that they were reconciled even if they had to listen further to a lecture on the

⁴³ John Brown, *Sixty Years*, p. 189.

⁴⁴ *Ibid.*, p. 190.

⁴⁵ Brian Glyn Williams, *The Crimean Tatars: The Diaspora Experience and the Forging of a Nation* (London, 2001).

⁴⁶ *Ibid.*, p. 190.

reason for fighting afterwards. The procedure of this fight is also interesting because it transcended class barriers. The undergraduates attending Cambridge were likely to have originated from privileged backgrounds in comparison to the more modest cobbler, Brown. Yet, both engaged in an honour fight that functioned well. It may be that the undergraduate behaviour reflected ideas of young elite masculinity prone to challenge patriarchal boundaries, or that as elites these young men were enacting a 'hard masculinity' as discussed in chapter 2. Nevertheless, the conduct of both parties during the fight and the offer of reconciliatory drinks suggest shared manly values and both classes claiming them. Although not of the same social class the students arguably saw Brown, an older man in his twenties in the company of a woman, as representative of patriarchal structure. Nevertheless, Brown beat them at their own game, allowed for a successful reconciliation and gained their respect at the same time.

Masculinity, responsibility and intoxication

In 1783, Benjamin Sayre, landlord of the *Duke's Head*, Old Gravel Lane, London testified that the defendant, on trial for manslaughter resulting from a fight in his alehouse, was 'always in liquor, they used to call him mad Clarke when he was in liquor.' However, plebeian drinking culture and participation of drinking rituals did not necessarily mean that people were drunk. For example, William Sampson, witness to a fight in 1794, stated that one of the fighters 'was not sober nor was he drunk'. When asked by the prosecutor how he was Sampson answered 'I was a little in liquor, not much'. The careful distinction between being a 'little in liquor' and that of being in 'liquor' is worth consideration. As examined in chapter 2, self-control, an aspired to feature of plebeian manhood, was seen as an ability to control anger and passion. The less control exhibited by men in fights, the less tolerant courts were and the greater the censure from their peers. Being able to hold one's drink was important because intoxication was associated with irresponsibility and losing control.

The issue of responsibility for actions while drunk sparked an early modern debate from such notables as Edward Coke (1552-1634), Mathew Hale (1609-76), and William Blackstone (1723-80), all whom concluded that drunkenness did not excuse crime and persons were

accountable for their actions.⁴⁷ However, within the plebeian community, Danna Rabin has identified a measure of toleration towards drunken behaviour, as long as no one detected malice or repeated such behaviour.⁴⁸ Rabin argues that there was a localised relationship between intention and responsibility, where fighters known to each other would be excused violent behaviour when they did not have a history of such violence. This was on the premise that such anti-social behaviour would not reoccur.⁴⁹ The court did not accept a state of intoxication as an excuse for violent or disruptive behaviour. At the Old Bailey in 1783, the Judge asked the prisoner John Clarke, on trial for murder resulting from a fight, if he had ‘any desire to ask any question of this witness’ (whose testimony had not been favourable for the defence). The prisoner answered ‘I was in liquor in his house, I do not know what I did in his house.’ It is clear from other testimony and the judge’s comments that the court did not believe Clarke’s defence of not remembering; in any case being drunk did not necessarily excuse crime nor ameliorate its punishment. For a successful defence based on the accused being drunk, it had to highlight previous good behaviour and demonstrate that an excess of alcohol was responsible for an action out of character.⁵⁰

Ascertaining whether a person was under the influence of alcohol during a trial was an important process of assessing blame in fights with fatal consequences. John Clarke’s defence that ‘he was in liquor and did not know what he did’ was no excuse for knifing his opponent at the end of a fight.⁵¹ Perhaps sensing little sympathy, Clark changed his defence to one that implied insanity. Thus, a witness testified that:

By his coming in, in the manner that he did, to resign himself to me, dancing with the knife in his hand, he stuck the knife in the table, and said I have killed a man, and I will resign myself to you; I said to him you are mad, for no man that had committed murder, would have come in dancing.⁵²

⁴⁷ Dana Rabin, ‘Drunkenness and Responsibility for Crime in the Eighteenth Century’, *Journal of British Studies*, 44 (2005), p. 458.

⁴⁸ *Ibid.*, p. 472.

⁴⁹ *Ibid.*, pp. 472–73.

⁵⁰ *Ibid.*, p. 471. The same issues arise with insanity, and with children. See Eigen, Joel Peter. *Witnessing insanity: madness and mad-doctors in the English court*, (London, 1995), and Eigen, J. P. ‘Intentionality and Insanity: What the Eighteenth-Century Juror Heard’, in William F Bynum, Roy Porter, and Michael Shepherd (eds), *The Anatomy of Madness: Essays in the History of Psychiatry, Volume 2: Institutions and Society*, (London, 1985).

⁵¹ *OBP*, 10 Dec., 1783, John Clarke (17831210-4).

⁵² *Ibid.*

Clarke's defence of being too drunk to know what he had done conflicted with his defence of being insane. Clarke's malady was already associated with a state of intoxication. Benjamin Sayre, Clarke's acquaintance, testified that the defendant was 'always in liquor, they always used to call him mad Clarke when he was in liquor.'⁵³ Clarke's frequent loss of self-control indicated by him spending most of his time intoxicated would have been considered unmanly and thus elicit little sympathy from plebeian witnesses or the court. Unimpressed by either the excuse of not knowing what he was doing, albeit from drink or insanity, Clarke was hanged by the neck three days after a guilty verdict of murder was brought.

Drunken men were less likely to exercise self-control during a plebeian honour fight. A man's ability to measure the violence he applied in fighting was one that was valued in ideals of plebeian masculinity. Intoxicated men were less likely to refrain from using extremes of violence resulting in damage to property, injuries, or fatalities.⁵⁴ Consequently, the court was interested in a defendant's sobriety and were less likely to acknowledge drunken actions as accidental or without malice. In 1786, witnesses alleged that dustman, Francis Jenkins, kicked a man in the groin during a fight, a move that transgressed the boundaries delineated by popular rules and one that would also earn the ire of the court. If court evidence supported a state of intoxication, it would result in a much harsher sentencing for Jenkins. Thus, the questioning of witnesses to the fight focussed as much on the condition of the defendant as it did on his actions: 'was the prisoner sober at this time?'; 'Was he sober when he struck the prisoner?'; 'He was in considerable liquor?' William Wilkes provided a testament to the plebeian dustmen's drinking habits when he answered the question: did the 'prisoner appear drunk or sober when this happened? His answer was: I do not know how he was, for I cannot tell many times when they are drunk, or when they are sober;' indicating how alcohol figured in some plebeian daily routines.⁵⁵ However, if it was thought a defendant may have been intoxicated at the time of the fatal fight his conduct during the fight would be scrutinised and processed by both judge and jury less sympathetically than similar cases concerning sober defendants.

Fights ending with injury or death often evoked sympathetic reactions from the surviving fighter. In 1786, Francis Jenkins upon hearing that the man he had fought earlier in the week

⁵³ *OBP*, 10 Dec., 1783, John Clarke (17831210-4).

⁵⁴ For examples of excessive drunken behaviour see Shepard, *Meanings of Manhood*, pp. 102–6.

⁵⁵ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

was still unwell decided ‘to make a gathering for him’ and that ‘he would start off with a shilling.’⁵⁶ The survivors’ sorrow at a resulting fatality from a plebeian honour fight was at times manifested in a compulsion to face the consequences in a manly fashion, that being taking responsibility and apologising for his actions. Such was the case on the 27th of November 1786 where Robert Clark had taken a shine to the landlady of the *Black-boy*, Mrs Delew.⁵⁷ Mrs Delew, who testified that Clark ‘behaved very imprudently...and put his hand under my handkerchief’, was rescued by her husband when he returned into the room and a fight ensued. At first, the landlord wanted Clarke taken up by the watchman but later changed his mind. Clarke, who had fled the pub as soon as the fight finished, woke up the next morning with a troubled conscious and presented himself voluntarily to the watchman expressing a willingness to go before the magistrate. At this time the proprietor, unwell from his injuries, was heard to tell the watchman that ‘if he will only acknowledge himself in a fault and come down a bit of something, I will forgive him’. The constable told Clarke at that time that he was not his prisoner and that he was free to go. A few hours later Mr Delew died, and although lucid up to the end he did not accuse Clarke of murder or ask that he be charged. Although the landlord wanted Clarke taken up originally for his conduct towards his wife he changed his mind when Clarke accepted responsibility for his conduct and apologised for his behaviour to Mrs Delew.

Other cases support the idea that plebeian fighters were prepared to take responsibility for their actions during plebeian fights. Initially reluctant, William Newton eventually accepted George Simmonds’ challenge to fight in the courtyard outside the *Duke’s Head*, London, on the evening of the Easter Tuesday 1796. Stephan Smith, witness to the fight told the court:

George Simmonds threw Newton upon the ground, and fell upon him; the second time he served him the same, and fell upon him the second time; the blood ran down Newton, and Newton struck, as night as I can say, at the bottom of the breast, George Simmonds then fell backwards, and cut his head on the back, here, (pointing with his finger to the part), he turned on his right; side, and made a noise in his throat, as if he had the rattles; by that, somebody in the yard said, Newton you have killed the man; Newton said, if I have I will not run away.⁵⁸

⁵⁶ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

⁵⁷ *OBP*, 13 Dec., 1786, Robert Clark (t17861213-107).

⁵⁸ *OBP*, 6 Apr., 1796, William Newton (t17960406-64).

The report does not indicate that Newton expressed regret or remorse, yet he was willing to face the consequences of the fatality. As with Clarke above, Newton displayed a fortitude that was a key aspect of plebeian masculinity. His reluctance to fight and his subsequent fair conduct reinforced his belief that his actions were both reasonable and fair. For Newton, the dispute had been resolved, and Simmonds' fatality was an unfortunate result of the inherent dangers of fighting. What is lacking from Newton's testimony is any sign of remorse or grief of Simmonds' demise. This may be because the *Proceedings* neglected to make note of it, or he had no such feelings, but other cases demonstrate that remorse and grief were not unusual emotions exhibited by surviving fighters.

Causing the death of a man had both religious and secular consequences, as it was possible that not only the surviving fighter's soul but also his neck were in grave danger. Displays of grief and remorse may express sincere regret for the recently deceased, the damnation of the soul, or at the prospect of the gallows. A show of grief by a surviving fighter was common and fitting from a religious perspective. However, secular distinctions between passion and emotion also provided a framework where remorse, weeping and grieving were considered manly.⁵⁹ There were contemporary distinctions between 'passions' and 'emotions' that rested primarily upon the premise of man's superiority over animals. Unlike 'beasts', men developed reason and will, and thus were equipped with the capacity to control their passions. The more control of the 'passion' the clearer the distinction from the animal.⁶⁰ There is little evidence that emotions displayed in response to serious injury or fatalities in the aftermath of a plebeian honour fight were ever derided or that men were criticised for their weeping. Displays of emotion such as laughter and weeping were thought unique to man, denied to animals, and thus, where they were merited, were perceived as positive aspects of manhood.

A fight between an uncle and his nephew at the *Half Moon*, Lamb's Conduit Street, London in 1782 ended disastrously for the former. William Taylor deposed that when the nephew realised his uncle had died on the public house floor 'the prisoner got on him with all the kindness and love, and tenderness, that he ever saw a man in his life, and kissed him, and

⁵⁹ Thomas Dixon, *From Passions to Emotions: The Creation of a Secular Psychological Category* (Cambridge, 2005), pp. 180-188.

⁶⁰ Charles Bell, *The Anatomy and Philosophy of Expression* (London John Murray, 1844), pp. 176-7, 199; Martyn Paine, *A Discourse on the Soul and Instinct: Physiologically Distinguished from Materialism* (London, 1849), pp. 28-29, Dixon, *From Passions to Emotions*, pp. 184-85.

hugged him...'⁶¹ It would seem that the attributes of kindness, love and tenderness do not run contrary to ideals of plebeian manhood. The emotion that the younger man displayed upon the realisation that he had killed his uncle lends weight to the notion that these fights served a function other than the demise of the opponent. Men who were involved in fatal fights with men who were neither related nor friends still expressed grief and remorse. In 1828, at a Westminster alehouse, John Hanson fought John Davis resulting in the latter's death just a few hours later. Directly after the fight, Hanson showed his concern and bathed the soon to be deceased's temples in cool water and 'wished to send some liquor for him'. Witnessing the fight, James Terrill testified how Hanson 'had behaved very well... and appeared very sorry for it'.⁶² Similarly, Mary Carrington stated that 'the prisoner appeared very kind to him, and did all he could, and said he was sorry for it.'⁶³ Hanson's later lamentations were noted by Alice Mowbray, who in passing his house heard him wail 'Oh, what have I done? I have killed Jack - I shall be hung.'⁶⁴ Although not close, both men were known to each other. If it were not for the earlier kindness witnessed by others, it would be easy to conclude that Hanson's last lamentation were founded upon a realisation that his neck may be forfeit in consequence of the fight's fatal result. However, his kindness and remorse were consistent with other similar episodes and men did not need to have known each other to display sadness and remorse at their opponent's passing.

In 1827, the *Standard* reported on a fatal fight that took place at Newton between George Boardman and James Cook. In it a witness described the last moments of Cooke's life as Boardman 'picked him [Cooke] up and put his head on his Knees, where he kept it ten minutes, looking intently - he then said "he is dead," and seemed very sorry.' In September 1797 at Fleet prison, David Williams quarrelled with William Payne over a game of rackets. Payne called Williams 'a rascal and a swindling thief... trod on his toes and held his fist up to his face.' Williams responded by striking him, and a short fight ensued resulting in the aggressor, Payne, collapsing and never properly recovering. The witness John Lavall was asked about Williams' reaction upon learning that Payne was seriously injured. '[Q.] When it was communicated to him, he shewed every mark of sorrow? - A. [Answer] Yes, perfectly so; he sent his wife out for a surgeon, and made use of every exertion he possibly could.'⁶⁵

⁶¹ *OBP*, 10 Apr., 1782, Patrick Nowland (t17820410-52).

⁶² *OBP*, 10 Apr., 1828, John Hanson (t18280410-42).

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ *OBP*, 20 Sep., 1797, David Williams (t17970920-11).

After a fight in 1798, Henry Niblett took to bed to rest and nurse his injuries when Greenhow Shaw called to inform him of the news that his recent opponent, William Turner had just died.

I went to Niblett immediately after that, and he was in bed; I told him of the circumstance, ... Niblett expressed a very great contrition indeed, and I believe it was sincere, he said, when I told him of it, 'good God, I shall never be happy again,' and then shed a flood of tears.⁶⁶

Such displays of remorse and regret support the premise that plebeian honour fights were not entered into with lethal intentions. As testified by many witnesses a deep contrition was exhibited not only by friends and relatives of fighters, but also by strangers. As such, expressions of grief and weeping were an acceptable and appropriate performance of plebeian manliness.

Popular remedies, medicine and lethal passions

This section examines the medical treatment of injured plebeian honour fighters and examines the importance attributed to passion by medico-witnesses in causes of fatalities. Serious fighting injuries from plebeian honour fights were usually sustained from falls or blows to the head. The independent nature of the plebeian honour fight process is further illustrated by practice of first hand treatment of fighters' injuries by lay-medicine applied by other plebeians at the scene of the fight rather than seeking outside professional medical help. The OBP data also shows that less than half of the fighters died at the scene of the fight. Injured fighters who did not die at the scene of the fight were usually helped home by relatives or friends. Professional medical treatment was usually only sought when injuries were perceived as life threatening or that a languishing fighter's condition had considerably worsened over a period. Of course, the Old Bailey only heard cases where the treatment of the injured fighter had not prevented a fatality. As such, a few cases are assessed where the fighter received medical treatment from surgeons, apothecaries and other associated medical persons administartions but later died. However, professional medical practitioners are most

⁶⁶ *OBP*, 4 Jul., 1798, Henry Niblett (t17980704-49).

visible in the OBP when reporting on the manner and cause of death. Linking to ideals of plebeian manhood regarding the importance of self-control, medico-testimony is shown to relate the danger of intense passions during fights as a cause of internal fatal injuries such as ruptures. Such testimony was important in the consideration for deciding guilt in prosecutions as these fighters were not killed by their adversary, but were a victim of their own loss of self-control.

The importance of folklore and lay-medicine as an option to treat plebeian ailments and injuries has been noted by Roy Porter.⁶⁷ Hogarth also argues for the relevance in popular culture of self-healing remedies, both in its economic necessity and application.⁶⁸ Likewise, the first-hand treatment of plebeian fighters' injuries at the scene of the fight was usually lay-medicine. Out of the 109 cases of fatal plebeian honour fights heard at the Old Bailey between 1780 and 1840, there are only two cases where immediate professional medical treatment was sought. In 1798, a surgeon bled a fighter at the scene of the fight. A witness to the fight and first-hand medical care applied by a surgeon 'observed strong convulsions, and he [Turner] appeared to be choking; after that, a vein was opened in his right arm, by a surgeon, but then he was in the agonies of death; they took him out of the field.'⁶⁹ The second occurred in 1835 when a surgeon was actively sought as lay-medicine techniques could not revive the fighter. James Edwards after being knocked senseless during a fight was placed in a horse cart and 'taken to the Rose and Crown, and then to Mr Cook, a surgeon, at Denmark-hill.'⁷⁰ Unfortunately, there was little the surgeon could do as medical treatment of head injuries was limited at this time.⁷¹ That immediate professional medical help was pursued only twice out of 109 plebeian honour fights is suggestive of the independence of the fight process.

Lay-medicine and care applied to plebeian fighters' injuries resulting from fights took the forms of keeping the fighter warm, the treatment of swelling and bruising, and stopping the injured fighter from bleeding. In 1781, Bargemen who had stopped work to watch a fight by the riverbank were quick to cover a collapsed fighter with a sack to keep him warm while he

⁶⁷ Porter, 'Lay Medical Knowledge in the Eighteenth Century', pp. 163–64.

⁶⁸ Hogarth, 'Reluctant Patients', pp. 218–19.

⁶⁹ *OBP*, 4 Jul., 1798, Henry Niblett (t17980704-49).

⁷⁰ *OBP*, 6 Jul., 1835, John Hardaway (t18350706-1686).

⁷¹ Thomas Rogers Forbes, *Surgeons at the Bailey: English Forensic Medicine to 1878* (New Haven, 1985), p. 74.

recovered.⁷² One of the first-hand treatments of bruises resulting from a plebeian honour fight in 1799 was the application a mixture of vinegar and water. A bystander, Mr Olive, helped the injured fighter up, ‘...fetched a bason [sic] of water and washed his face... [and] his temples with vinegar.’⁷³ Another lay-medicine treatment favoured the properties of alcohol as a remedy to prevent excessive bruising and swelling. In 1797, a man who had just lost a fight outside a public house called *The Bell* had a face that ‘seemed to be bruized very much’. Mr Brunnell, a passer-by, advised ‘to rub him in the face with some brandy, to prevent him having black eyes’.⁷⁴ In 1796, after William Newton’s fight with George Simmonds outside the *Duke’s Head*, Tower Street, London, Stephen Smith told the court that ‘we put Simmonds in a chair, and rubbed his head with brandy.’⁷⁵

Bed rest was important part of plebeian honour fight after-care since the majority of fatalities were not instantaneous. It also provided the opportunities for further applications of lay-medicine. In 1797, John Painter returned home injured from a plebeian honour fight and on his way to bed asked his grandfather ‘to bring a bit of raw beef to put on one of his eyes.’⁷⁶ Other popular remedies for post-fight injuries involved the produce of arachnids to stem the bleeding of an injured fighter. In January 1792, Sarah Horton helped an injured fighter home to bed and treated him for a stab wound from a failed plebeian honour fight where violence had escalated to the use of a weapon. She later testified in court that ‘[I] unbuttoned his jacket, and the blood flew out all over me entirely, as there was no vent for it before; I scraped some flue off his hat, and got some cobweb to stop the blood till morning.’⁷⁷

As noted earlier when discussing regret and forgiveness, the period that injured plebeian fighters spent languishing in bed provided the opportunity for the surviving fighter to express remorse and a dying fighter to forgive. Chart 7, outlines the period of time from when a fatal plebeian honour fight was fought to the time the plebeian fighter died. Of the 109 fatal plebeian honour fights tried at the Old Bailey between 1780 and 1840, forty-five percent of fatalities occurred on the same day of the fight. The remaining fifty-five percent languished for an average of just over a week before expiring.

⁷² *OBP*, 5 Dec., 1781, Benjamin Honey (t17811205-47).

⁷³ *OBP*, 11 Sep., 1799, Alexander Tisdall (t17990911-25).

⁷⁴ *OBP*, 15 Feb., 1797, John Painter, Joseph Jenkins (t17970215-16).

⁷⁵ *OBP*, 6 Apr., 1796, William Newton (t17960406-64).

⁷⁶ *OBP*, 15 Feb., 1797, John Painter, Joseph Jenkins (t17970215-16).

⁷⁷ *OBP*, 13 Jan., 1792, Samuel & Jane Taylor (t17920113-53).

Old Bailey Dataset (1780-1840) showing % of fighters and time languishing till death

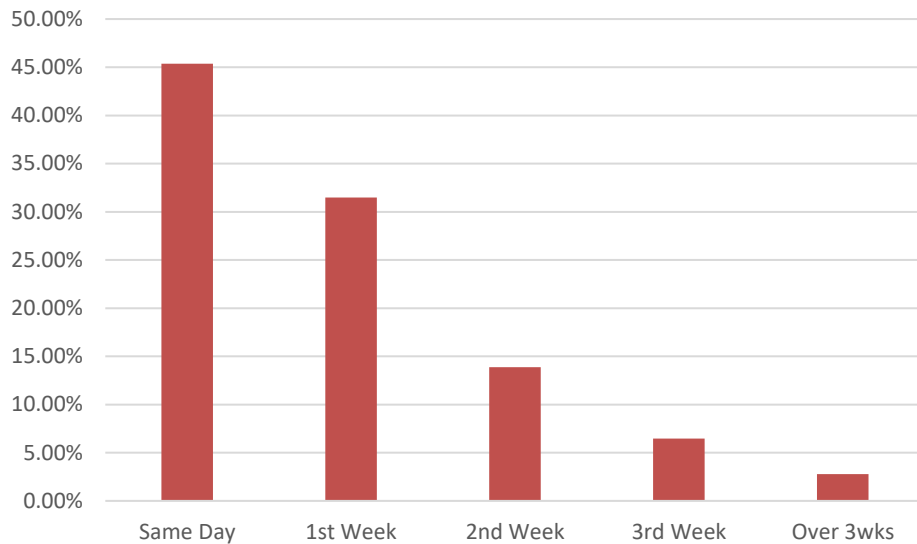


Chart 7: Old Bailey Dataset (1780-1840) showing % of fighters and time languishing till death

During these periods of languishing professional medical care or advice was not often sought, and in the few cases it was there is little evidence of what treatment if any was applied. In 1823, a surgeon named Septimus Read, of Jewin Street, was called by Mr Caroll to examine his son Thomas who lay in bed injured from a plebeian honour fight. Read described him as ‘insensible’ and ‘that afterwards died. I examined his head- his death was occasioned by an effusion of blood on the head, produced by external violence.’⁷⁸ In 1822, William Green, an apothecary, was called to see a William Platt who lay injured after a plebeian honour fight. Green also testified that he ‘found him insensible; he died about six o’clock. I opened his head; there was an extravasation of blood on the brain, which occasioned his death.’⁷⁹ Although testimony from the last two medical practitioners does little to outline any treatment applied to the injured fighters, there testimony does outline a cause of death that was of interest to the courts.

⁷⁸ *OBP*, 3 Dec., 1823, John Turner (t18231203-48).

⁷⁹ *OBP*, 22 May, 1822, William Snellgrove (t18220522-72).

Fatalities resulting from plebeian fights demanded diagnosis in court to assist in the apportioning of responsibility. Stephen Landsman, from his research of *Old Bailey* cases, argues that after the 1760's the court made little use of lay opinion on medical matters preferring increasingly to hear medical expertise exclusively.⁸⁰ Such medical knowledge, based on Aristotelian notions of humours, was usually drawn upon in court to diagnose causes of death from plebeian honour fighting. Professional practitioners of medicine fell into four primary categories: surgeons, whose area was manual or operative to the body; apothecaries, who manufactured and administered compounds; midwives, who oversaw the delivery of new life; and physicians, university trained scholars capable of rational diagnosis.⁸¹ However, as the last two cases demonstrate such testimony was usually provided by surgeons and apothecaries.

Oral testimony from various medical expert witnesses was the norm, and as such causes of death in plebeian honour fights was often contested. Coroners, magistrates and trial participants within British common law often sought orally the expertise of medical practitioners, yet trial by jury did not facilitate the amassing of 'an indigenous literature on forensic medicine'.⁸² However, medical practitioners were not always willing participants in this process. Frequently subpoenaed and therefore unpaid, or if paid poorly compensated for their time, British medical practitioners avoided medico-legal work if they could in contrast to their continental colleagues who actively sought out this work as it was comparatively well paid.⁸³ The medical practitioner, John Foot, who after taking part in a homicide trial in 1768 declared, 'the coroner's jury, the grand jury, and the petit jury at the Old-Bailey were accompanied with disagreeable circumstances enough to make anyone wish to decline such sort of attendance.'⁸⁴ In comparison to Italy, France and Germany, British publications concerned with medico-legal problems and forensic medicine were few and far between. This was not because Britain lacked medico-legal activity as more than half the murder trials heard at the Old Bailey between 1730 and 1760 included medical testimony.⁸⁵ Rather, Roman-

⁸⁰ Stephan Landsman, 'One Hundred Years of Rectitude: Medical Witnesses at the Old Bailey, 1717-1817', *Law and History Review*, 16 (1998), p. 455.

⁸¹ Landsman, 'One Hundred Years of Rectitude', p. 452.

⁸² *Ibid.*, pp. 455-58.

⁸³ Catherine Crawford, 'Legalizing Medicine: Early Modern Legal Systems and the Growth of Medico-Legal Knowledge', in Michael Clark and Catherine Crawford (eds), *Legal Medicine in History*, (Cambridge, 1994), p. 95.

⁸⁴ John Foot, *An Appeal to the Public, Touching the Death of Mr George Clarke*, 2nd ed. (London, 1769), p. 7, cited in; Crawford, 'Legalizing Medicine', p. 91.

⁸⁵ Crawford, 'Legalizing Medicine', p. 89.

cannon law required a system of proofs accumulated within a dossier for a judge to weigh up the written evidence and decide a question of guilt.

For these medical witnesses, the intensity of the passion that the fight was fought with could have as lethal results for the fighter as the blows and injuries received. In 1787, Nathan Millan who was in the words of one witness ‘near six feet high a stronger man than the prisoner [John]’ responded to John had said something ‘saucy’ to the bigger man by, according to a witness Lettice Versted, pulling the smaller man out on to the pavement declaring ‘would you fight such a lad as me[?]’ A fight ensued where after a few blows the bigger man fell to the ground and died. Henry Jones’s told the court that he ‘had examined the body of the deceased...[and] could not form any opinion, except it was by suffocation; he had been intoxicated in the course of the day, and through passion and the liquor he drank, it might happen.’⁸⁶ Henry Jones was not the only person connected to the medical profession who rated the lethal power of passion. As late as 1829 surgeons, like Mr William Henry Stephenson concurred, when asked by the prosecution that ‘might not the very excitement or action of fighting, when the powers of the brain are put to their greatest extent, occasion a rupture?’⁸⁷ In 1828, the surgeon Mr Richard Peters replied ‘[c]ertainly’ when the prosecutor asked that ‘might not his being in liquor and in a passion, have caused the rupture of the blood-vessel?’⁸⁸ Cross-examined by a lawyer at a trial for a fatal outcome of a plebeian fight in 1823 a surgeon, Mr White, confirmed that ‘[a] rupture might be caused by the mind being violently affected with passion, and a great effusion of blood, pour on the brain.’⁸⁹

Conclusion

This chapter has highlighted the continuing role independence played in the fight process. Plebeian independence was further evidenced by the ritual post-fight handshake. The handshake implied that fair play had been observed and that all was well between the fighters. It also signified that both fighters accepted the outcome of the fight which was

⁸⁶ Ibid.

⁸⁷ *OBP*, 10 Sep., 1829, William Davis (t18290910-51).

⁸⁸ *OBP*, 10 Apr., 1828, William Harding (t18280410-38).

⁸⁹ *OBP*, 14 May, 1823, John Lake, Charles Butler (t18230514).

crucial to the utility of the plebeian honour fight to resolve disputes independent of authorities. The independent character of the fight process is also highlighted by the practice of first-hand medicine administered by plebeians at the scene and the scarcity of professional medical care when fighters languished.

Accounts of fights have so far highlighted the negative effects of alcohol on the fight process. Intoxicated plebeians were likely to be less tolerant of situations leading to fights, or once in them unlikely to exercise sufficient self-control in their moderation of violence. However, further analysis of drinking rituals and the social role of alehouses in this chapter has highlighted more positive characteristics of alcohol. Drinking rituals served various positive social functions. 'Fastening' could draw unacquainted men together in drinking companies where successful performances of plebeian masculinity could reaffirm or strike new bonds of plebeian friendship, diffuse potentially violent situations and, importantly to the aftermath process, reconcile those who had previously fought.

Seemingly, the control of plebeian passions was a more nuanced affair. Plebeian outbursts of grief and remorse did not contradict plebeians' self-control of anger; both were manly ideals. Emotional displays of forgiveness, remorse, and grief were usual in the aftermath of fatal plebeian honour fights and fighters were often reconciled through the forgiveness bestowed upon them from a dying fighter. Other accounts from witnesses note the immediate displays of grief displayed by fighters for their part in the death of their opponent. Remorse was also exhibited later in court by surviving fighters, and such emotional outbursts were looked upon favourably by Judge and jury. Furthermore, the lack of derision for emotive displays of grief and contrition in the sources suggests such displays were important performances of plebeian masculinity.

While plebeians recognised the importance of controlling anger, the medical profession noted the potential dangers of that passion. Medico witnesses testified to the potential for physical manifestations of intense passions released during fights to cause injury or death. Plebeian ideals of manhood valued the self-control of passion, in particular, that of anger, while the courts accepted the premise that too much intense passion could prove fatal to the fighter. The correlation between plebeian ideals of manliness and expectations of the court are explored further in the next chapter.

Chapter 7: The role of other people: those who viewed, policed and sentenced

This chapter explores the role of people, other than the fighters, who were involved in the processes of the plebeian honour fight. They are categorised into three groups: those who viewed the fight, those in authorities who judged the fighters, and those who represented authorities on the streets. In examining and defining the roles of all three groups, this chapter will not only show that the courts sympathised with the popular sanction of the plebeian honour fight but also highlight tensions from plebeians and the court towards new policing attitudes. These tensions were aggravated by the increasing professionalisation of policing towards the end of the Georgian period which challenged plebeian spaces and customs of self-regulation in its effort to reclaim the streets.¹

The first group consists of non-combative plebeians who assisted, watched and regulated the fight. In the eighteenth century, it was usual for ordinary members of the public to take on the role of police and detectives by investigating crimes against themselves and making the arrest.² Male householders were also expected to serve as night-watchman without pay. Thus, there was already in place a culture of hands-on self-regulation in respect to resolving disputes independent of authority.³ Plebeian independence has been shown in earlier chapters to be an important factor for the fighters involved, and this theme continues to be relevant through the roles of non-combative plebeians. In defining and examining the roles of these ‘other people’ in the fight process, this chapter will argue that the popular sanctioning of plebeian violence to resolve disputes was to a degree acknowledged by the courts but at the same time increasingly contested by new policing methods.⁴

The second group examined here consists of those who considered the details of fatal plebeian honour fights in court. It is shown that judges’ and juries’ attitudes towards good and bad conduct exhibited during fights bore many similarities to plebeian people’s

¹ For an in-depth examination please see Robert D. Storch, ‘The Plague of the Blue Locusts’, *International Review of Social History*, 20 (1975), pp. 61–90; Wiener, *Men of Blood*, pp. 26,62.

² Shoemaker, *The London Mob*, pp. 28–29.

³ For more on the acceptable use of violence to resolve disputes see: Peter King, ‘Punishing Assault: The Transformation of Attitudes in the English Courts’, *The Journal of Interdisciplinary History*, 27 (1996), p. 43.

⁴ For more on the close relationship between popular sanction and law please see Judith Rowbotham ‘“Only When Drunk”: The Stereotyping of Violence in England, 1850-1900’, in Shani D’Cruze (ed.), *Everyday Violence in Britain, 1850-1900: Gender and Class*, (Longman, 2000); Wiener, *Men of Blood*, pp. 51–54.

expectations of fair conduct. Juries are shown to have found defendants who observed the practices of fair play not guilty of manslaughter in cases where the evidence suggested otherwise. Judges also showed leniency to fighters who fought within the parameters of fair play by using their discretion to impose the minimum sentence.⁵ This chapter also demonstrates judicial resistance in implementing new maximum sentences legislated by the government for murder and manslaughter in this period the government.

The last group examined includes representatives of authorities responsible for public order such as beadles, watchmen, constables and members of professional police forces. While the assessment of the first two groups demonstrates a close relationship between the popular sanction of the plebeian honour fight and the law's toleration of it, the third group is shown to have challenged this alignment of interest as professional law enforcement officers increasingly intervened in plebeian honour fights towards the mid nineteenth century.⁶

The roles of non-combative plebeians

This section begins by examining the role of the 'second' who assisted a combatant during the fight, as well as outlining their duties and responsibilities. As argued in chapter 2, the use of seconds crossed over from the professional prizefight under aristocratic patronage and as such some responsibilities were similar to those observed by seconds attending elite duels. The plebeian 'second' could be judged just as accountable as the fighter who administered the deadly blow, especially if his actions were perceived to have prolonged the fight; indeed, he could be punished even more severely than the surviving fighter. Thus, considerable effort was expended during trials to ascertain of the actions of a second and the resulting testimony allows a depiction of the role as well as the court's attitudes towards a plebeian second's various responsibilities during a fight.

Considering the risk of prosecutions for assisting in fatal fights, it is not surprising that the role of the second was often played by a friend, relative or acquaintance. In 1823, George Savage was passing a group forming a ring when he heard his brother shout out 'George,

⁵ Wiener, *Men of Blood*, pp. 51,52.

⁶ For more on the encroachment of the new policing methods onto the customs of plebeians please see: Storch, 'The Plague of the Blue Locusts', pp. 66–70; Archer, 'Men Behaving Badly?', pp. 49–50.

come and pick me up, as I have nobody to take my part'.⁷ In 1809, George Scales, offered his services as a second when he saw his friend Eversley fighting with another man.⁸ However, there were instances when plebeian males accepted a role of a second on request from a complete stranger or filled in when no seconds were present. In 1786, when a fight developed between William Stone and John Neale in the *Coach and Horses* near Somerset-house John Neale asked a stranger, Samuel Willet, to 'come and pick him up'.⁹ John Moulton told the *Old Bailey* in 1824 that Thomas James, unknown to the fighters, acted as a 'bottle holder...[although] he did not go for that purpose, but was asked, because there was a person to come, who did not come.'¹⁰ Outside a Shoreditch church, around seven thirty on a Sunday morning in September 1826, William Downe witnessed a fight where 'there were no regular seconds-several acted as seconds'.¹¹ Just less than one in six of all cases identified from the OBP involve the use of seconds unknown to the fighters. Moreover, this study has found no evidence of plebeian men refusing to act as seconds when asked by men who were unknown to them. Unlike the duel which was normally a private event, the plebeian honour fight was usually a very public affair. Considering the risk involved for a man in assisting fights in this way, one would expect to find more caution in taking up the role. This suggests that it was either deemed unmanly to refuse such a request or that fatalities from fights were so rare as to render the perception of prosecution negligible.

At trials the actions of the plebeian second who ensured fair play or made the event safer was more likely to be tolerated. One such example was when seconds made sure one fighter did not have an unfair physical advantage in the relief of the land. In 1809, George Scales was keen to point out the unfair benefit to one fighter who had sequestered the higher ground: 'Baldwyn had got the upper part of the hill; in consequence of which Baldwyn came down the hill, opposite of his antagonist.'¹² Other duties included the indication of a submission, normally when a fighter was incapable of making the decision himself. In 1823, at a fight between two brick-makers, one witness noted later in court that 'a handkerchief was thrown into the air' by the second indicating that the fight should stop.¹³ Assists from seconds that

⁷ *OBP*, 25 Jun., 1823, William Savage, George Savage, Charles Marsh, Thomas Foot (t18230625-65).

⁸ *OBP*, 12 Apr., 1809, George Scales (t18090412-34).

⁹ *OBP*, 30 Aug., 1786, William Stone, John Neale (t17860830-95).

¹⁰ *OBP*, 16 Sep., 1824, Thomas James (t18240916-274).

¹¹ *OBP*, 14 Sep., 1826, John Lee, Henry Stock Weller, Mathew Smith, Joseph Sewell, James Sanders (t18260914-25).

¹² *OBP*, 12 Apr., 1809, George Scales (t18090412-34).

¹³ *OBP*, 25 Jun., 1823, William Savage, George Savage, Charles Marsh, Thomas Foot (t18230625-65).

helped ensure a fair fight or prioritised the health of the fighters were viewed by the courts with less severity than assist that were deemed to contribute towards fatalities.

Assistance from seconds which was deemed by the courts to have endangered fighters or prolonged fights towards a fatal conclusion were dealt with more severely. In 1823, George Gibson, who could not dissuade his brother from engaging in a confrontation that ended in his death, identified two men who assisted his brother's opponent, Charles Gibson, in the fight. One witness told how the accused seconds, Thomas George and John Fawcett, gave the ailing fighter a draught of rum while others noted the presence of lemons for refreshment. James Fitch, a watchmaker, testified that 'Fawcett had a stick in his hand, and a lemon, and at times held the bottle' while other testimony more favourable to the defendants' conduct disputed the presence of lemons at all.¹⁴ This role was identified as contributing to the death of a fighter resulting in both men receiving custodial sentences of six weeks. The proffering of a bended knee so a fighter could rest between rounds was also deemed the action of a second, and, due to the spontaneity of plebeian fights, a service more easily provided than refreshment. In 1829, Thomas Winkworth identified Patrick Flynn and Michael Driscoll as both seconds to a fight outside the *Bromley Arms* in Cleaveland-street, Fitzroy Square and told how the fighters used the defendants' bended knees as stools.¹⁵ Both defendants were sentenced to a custodial term. In 1823, James Fitch noted how a fighter struggled 'to get off his second's knee- they seemed to try to keep him up and make him go on again'.¹⁶ Similar to providing refreshment for a fighter, the offering of a bended knee to a fighter in between rounds was seen as an 'assist' and an indication of encouragement for the fight to continue and also less tolerated by the courts.

The court viewed the actions of seconds who physically brought incapacitated fighters to their feet again to fight, or encouraged reluctant fighters to continue, most severely. Seconds attending elite duels using pistols or swords, would often try to dissuade the duellists from proceeding with the duel since they were equally culpable if a fatality occurred.¹⁷ A duellist's second would at times limit the chance of fatality by altering the sights of pistols or not loading them properly. In a pistol duel in Northampton 1776 the second, 'Master S Barnes

¹⁴ *OBP*, 3 Dec., 1823, Thomas George, John Fawcett (t18231203-81).

¹⁵ *OBP*, 10 Sep., 1829, William Davis, Patrick Flynn, Michael Driscoll (t18290910-51).

¹⁶ *OBP*, 3 Dec., 1823, Thomas George, John Fawcett (t18231203-81).

¹⁷ Shoemaker, 'Male Honour and the Decline of Public Violence', p. 204.

had the care of loading them [pistols], and it is supposed he charged them with the powder of rotten post and soft cheese for ye ball.¹⁸ In contrast, seconds at plebeian honour fights would at times encourage and assist fighters to continue beyond their endurance. In 1838, a fighter falling backwards near senseless from a blow was saved by his second, Pearce, who promptly ‘put his knee under him’. Murphy, who was watching the fight, castigated Pearce telling him ‘he ought to be ashamed of himself for preventing the fall’.¹⁹ In Murphy’s view if the fighter had been left to fall he would not have got back up and received more blows contributing to his death. James Dormer told the Old Bailey in 1809 how his brother wanted to stop fighting but his second, William Robinson a brick-maker, had washed his brother’s face with cold water and then ‘drove my brother in the ring.’ In court, the brick-maker was accused of being ‘a meddling fellow, who chosed [sic] to persuade them [the fighters] to go on again.’ The fighters subsequently fought a further ten rounds before one collapsed and died, resulting in a six month and four-month term in Newgate for the fighter and second respectively.²⁰ On another occasion Frederwick Winkworth, while fighting outside the *Bromley Arms* in July 1829, was heard to say ‘So help me G-d, I am not able to fight any longer’, his seconds, ignoring his plea held him and physically ‘lead [him] up to the scratch again’. Although Winkworth’s subsequent death earned his opponent a custodial term of twelve months, both of the seconds who had dragged the reluctant fighter up to fight again received harsher sentences of transportation for life.²¹

Seconds’ decisions did not always go unchallenged by others in the crowd.²² In 1798, Stepney Green, two fighters in a field adjacent to an alehouse had fought each other fairly to such a state of exhaustion that an onlooker, John Paulin, was prompted to break into the ring telling the second ‘if you take these men to fighting anymore I will have you taken up.’²³ No doubt, Paulin no longer viewed this fight as a lesson in masculinity as both men were so near to exhaustion that any further fighting seriously risked their health. However, the second, William Homan replied ‘he had a guinea in his pocket as well as me, and he would set him up to fight, as long as he would fight.’ Homan’s insistence on picking up his fighter and bringing him to scratch concluded fatally for Homan’s charge. In two separate trials, one for the

¹⁸ *Clifton’s Day Books*, Northampton Record Office Sun. Aug. 1776. ZA-8741.

¹⁹ *OBP*, 18 Jun., 1838, William Henry (t18380618).

²⁰ *OBP*, 26 Jun., 1809, William Robinson (t18090626).

²¹ *OBP*, 10 Sep., 1829, William Davis (t18290910-51).

²² Members of the crowd often commented on or tried to stop unfair conduct. A watcher’s characteristic is examined in more detail below.

²³ *OBP*, 4 Jul., 1798, Henry Niblett (t17980704-49).

opponent and one for Homan, the opponent was acquitted while Homan was convicted of manslaughter, fined 20 shillings and confined for one year in Newgate.²⁴ Such examples of comparative leniency towards a surviving fighter contrast with the severity of sentences bestowed upon plebeian seconds demonstrating that outside intervention prolonging fights was less tolerated than the fight itself.

The continuance of fights to fatal conclusion cannot always be attributed to a second's appetite for violence or those with a financial interest in their fighter's performance. At times fighters themselves placed more importance on the performance of their manhood than on their own safety in ignoring their second's advice to stop. In Islington 1823, Edward Jones acted as a second to Thomas Carroll and advised to finish fighting fifteen minutes before it eventually ended fatally for his charge. Carroll replied to his second that 'he would have to be carried off the ground before he gave in.' Edward Jones was later found not guilty of manslaughter.²⁵ In 1838 Thomas Sullins, a lifelong friend, co-lodger, and that day also a second to Thomas Boulter, tried to persuade his friend 'to leave off fighting' after Boulter had taken many blows. However, Boulter replied, 'he would not; he had brought forty people there to see the fight, and he would not make fools of them.' Sullins was found guilty but sentenced to only one month's confinement.²⁶ In both these cases, the fighter placed other concerns over their own well-being. Thomas Carroll's ideals of manliness would not allow him to concede the fight while Boulter's masculine identity prioritised other people's opinions of him over his own safety.

Other important plebeian people involved in the fight process were bystanders, passers-by, or those who gathered to watch the spectacle in crowds. Henri Misson, in his observations from his early eighteenth century travels in England, noted 'anything that looks like a fight is delicious to an Englishmen.'²⁷ Indeed, plebeian honour fights usually attracted crowds varying in size from the more modest numbering crowds that would gather spontaneously to witness an immediate altercation to the more organised scheduled fights where crowds were counted in the hundreds. In 1834, Thomas Johnson a police officer testified that 'a crowd of sixty or seventy people' had gathered to watch the outcome of an impromptu fight that took

²⁴ *OBP*, 18 Apr., 1798 William Homan (t17980418-108).

²⁵ *OBP*, 3 Dec., 1823, John Turner (t18231203-48).

²⁶ *OBP*, 2 Apr., 1838, Edward Blaker (18380402-1105).

²⁷ Henri Misson, *M. Misson's Memoirs and Observations in His Travels over England*, p. 305.

place at the corner of King's Head Court, London.²⁸ While in 1827, John Hutchinson told the Old Bailey of a prearranged fight 'six or seven miles from Westminster ... [where] there were two hundred or more people there'.²⁹ Even greater numbers numbering into the thousands were seen in this period at prizefights. However, due to the organisation and monitoring of professional prizefights, those in the crowd were less likely to influence or 'police' the proceedings than spectators at fights between ordinary members of the public.

There were various reasons why those in spectating crowds or passers-by interceded in plebeian honour fights. Tim Hitchcock and Robert Shoemaker have described one crowd's displeasure and exclamations of 'shame when [seeing] a blow was dealt to a man down'.³⁰ Monsieur Cesar de Saussure, while visiting England in 1727 noted the tendency for English crowds to police fights in his diary as 'lookers-on' were 'to judge the blows and also help enforce certain rules in use for this mode of warfare'.³¹ As outlined earlier in this thesis, informal rules were there to promote a fair fight as well as limit unnecessary violence when a fighter could no longer defend himself, was knocked down, or had submitted. The crowd was prepared to enforce these rules as was the case in 1787 when Richard Simmonds, a member of the crowd outside the *Falstaff*, Old Street, decided to intercede in a fight where a man was down but was still being hit by his opponent. A stranger to both combatants, nevertheless he 'laid hold of a fighter' who had continued to rain blows upon the other while on the ground.³² In 1797, Thomas Moulton was present in the crowd watching a fight between two butchers. Seeing one tiring he interceded, asking 'if they were going to murder the man' to which he was 'hustled about' and told by various others in the crowd to get out of the way. Moulton testified that one man in a smock declared 'd—d your eyes' and then threatened to 'murder' him, telling him 'he had no business here.'³³ Such behaviour suggests that crowds who gathered at plebeian honour fights were not necessarily homogenous in their concern for the welfare of the fighters. Some members of the crowd, especially those who had wagered on the outcome, were not so keen to see the fight stopped even when others in the crowd thought that a fighter was no longer able to defend himself or had taken too terrible a beating.

²⁸ *OBP*, 3 Jul., 1834, Maurice Cronin (t18340703-102).

²⁹ *OBP*, 25 Oct., 1827, Samuel Beard (t18271025-89).

³⁰ Tim Hitchcock and Robert Brink Shoemaker, *Tales from the Hanging Court* (London, 2010), p. 95.

³¹ Saussure, 'The Letters of Monsieur Cesar de Saussure', pp. 180-81.

³² *OBP*, 12 Sep., 1787, James Weston (t17870912-96).

³³ *OBP*, 15 Feb., 1797, John Painter, Joseph Jenkins (t17970215-16).

It is useful to contrast the conduct of the crowds that ‘policed’ plebeian fights with crowds that watched brawls or occasions where fighters ganged up on one or a lesser number of unfortunate individuals. Such a case occurred in 1834 that led to a manslaughter conviction and a year prison sentence for five members of the crowd. John Desmond, Dennis Donovan and numerous other relatives and friends set about John Cole, a sailor, in the Maze, Union Court, Tooley Street Borough and beat him to death. A witness, George Collins, testified how he saw no provocation and that ‘Cole begged for mercy- I wished to assist him but I was in danger of my life; and in assisting him to lift his head up from the flag stones, I was struck three times myself’.³⁴ It was later revealed in court that John Cole was one of a group of sailors who had treated the mother of Hannah Donovan, a mother of one of the members of the crowd, with disrespect and had pushed Hannah herself to the ground when challenged. Cole was unfortunate to be found by himself later by a predominantly Irish crowd. Although such action was not considered ‘manly’ or the ‘English way’ of fighting, given that the ethnic Irish may have followed their own fighting customs, it is possible that Cole was served Irish plebeian ‘customary justice’.

Crowd participation and influence in English plebeian honour fights was often a more nuanced affair because the motive for encouragement could be either to enjoy the spectacle of the fight and/or for gambling reasons. Bystanders like the two bargemen in 1781 ‘persuaded’ Benjamin Honey and Richard Hobbs to fight by the riverbank although there was no mention of a wager.³⁵ Another crowd’s appetite for a fight was such that it would not be thwarted by the inconvenience of a missing fighter. In 1835, John Hardaway was sought out after not turning up for an arranged plebeian honour fight. Charles Nichols, Hardaway’s brother-in-law, later informed the court of John Hardaway’s reluctance to fight James Edwards and how that ‘morning several people in the court called him up and made a disturbance at the door... the people said he must come out, for they had betted money on him’. When Hardaway’s mother refused the crowd’s request, ‘they made such a noise and assisted him [Hardaway] out of a window.’³⁶ Although the sight of a spontaneous fight was one that usually attracted spectators, crowds at prearranged fights had time to explore the narrative of the fight and wager on the outcome. Such crowds would not easily be denied the event.

³⁴ *OBP*, 24 Nov., John Desmond, William Desmond, Hannah Donovan, Johanna Murphy, Mary Hurley (t18341124-189a).

³⁵ *OBP*, 5 Dec., 1781, Benjamin Honey (t17811205-47).

³⁶ *OBP*, 6 Jul., 1835 John Hardaway (t18350706-1686).

An intervention in a fight was one that not all men were willing to undertake, especially if others were on hand. In July 1786, William Wilkes witnessed a fight between two dustmen where one had fallen back and was unable to defend himself from the blows of the other. Later in court Wilkes explained that ‘I did not like to interfere in it, there were more present that might have interfered as well as me’.³⁷ A stranger’s apathy or an unwillingness to interfere in potentially dangerous conflict is understandable. What is less clear is why some men acted while others did not. One such man of action was William Dimsey, the keeper of the *King and Queen* public-house in Old Gravel Lane. Dimsey apprehended John Clarke whom he had heard confessing to the use of a knife in a confrontation with a Thomas Johnson in 1783. Dimsey told the court ‘[I] followed him in the highway, and I took him by Mr. Bishop and Bayley’s door, I knocked his heels up and caught hold of him, and I took him before Justice Green.’³⁸ For Dimsey, Clarke’s admission of the use of a knife was considered a serious enough issue that outweighed any consideration he may have had concerning his own safety.

Members of the crowd who regulated fights so that they conformed to an appropriate format often intervened in situations where men brandished blades in public. In 1799, Robert Andrews was accused by William Pepper, a blacksmith of cheating at a game named ‘tossing for gin’ in Fenchurch Street. A crowd quickly gathered as the blacksmith, ‘stripped to fight’ and called Andrews a thief. Andrews responded by drawing a knife, an act that prompted some in the crowd to intervene. Stephen Ducroix told the *Old Bailey* how the prisoner Andrew:

opened the knife, and says, the first b-gg-r that molests me, shall have the contents of it; that was what he said, he had the knife in his hand, and began to cut about, I made an attempt to catch at his right arm; he turned about, and made an attempt against me, and missed me, and cut another person on the right arm; we endeavoured to get about him, to get him down; the deceased was assisting to get him down, and I perceived the knife to come with a rush blow, from the deceased’s thigh, with a great vengeance.³⁹

Of particular note, in this case, is the pro-active action taken not just by the aggrieved party, the blacksmith, but also by others in the crowd. Andrew at that time was not attacking

³⁷ *OBP*, 19 Jul., 1786, Francis Jenkins (t17860719-86).

³⁸ *OBP*, 10 Dec., 1783, John Clarke (t17831210-4). Also note the plebeian sweeping kick (examined in chapter 5) was used to ‘knock his heels up’.

³⁹ *OBP*, 17 Sep., 1794, Robert Andrews (t17940917-47).

anybody just warning bystanders that he would defend himself. Yet, some in the crowd regarded the drawn knife and the Blacksmiths accusation as sufficient grounds to attempt to disarm Andrew, even at great risk to themselves. Indeed, the blacksmith was later to die from his leg injury.⁴⁰

Another case where a passer-by makes a considerable effort in apprehending while exposing themselves to danger was demonstrated by the conduct of William Smith. Smith happened to be passing by a house in Lamb's-conduit-street one afternoon in April 1782. Two Irishmen, Patrick Knowland, 'the elder' and his nephew also named, Patrick Knowland, had been drinking and had agreed to fight each other. Consequently, the elder Patrick was knocked unconscious and was picked up and placed on a chair where he soon died. Upon passing and seeing a crowd William Smith, 'a dealer in wood' told the court that he:

saw a man sit in a chair that was dead; that he asked where the man was that had murdered him, they said he was gone, that he asked them why they did not detain him, and they said who the devil would, for he had murdered one already; that he said it was very odd not to pursue him, and immediately went in pursuit of him, and as soon as he had crossed Queen's-square, by the Duke of Bolton's, he saw a man running, he cried out stop him, and he run into the fields; that he run him near three miles before he took him, that they went over fields, hedges, and lanes, and every place, that he fairly run him down till the man was tired and could run no further, that he himself was as much tired as the man was, that he said, I am very glad I have catched you, what do you think of being guilty of such a rash action as murder? the man said he was a cousin of his and struck him first.

The surviving Knowland was convicted of the manslaughter of his Uncle and was branded in the hand and discharged. In comparison to 21st-century expectations, one would be forgiven to wonder whether the outcome justified the effort expended running down a man who was believed to have already beaten another man to death with his bare hands. Clearly, William Smith believed that such an infraction of the law merited his extraordinary chase. It is clear from the examples above that the role of a second was open to abuse by some and that not all members of the crowd were prepared to intervene in violent situations. Yet, many plebeians were prepared to risk their personal safety to uphold notions of fair play, or even go to

⁴⁰ *OBP*, 10 Apr., 1782, Patrick Knowland (t17820410-52).

considerable lengths to a 'take up' a person who had employed excessive violence or brandished weapons.

The mitigating roles of judges and jurors

The second group examined are those that judged the consequences of fights that ended in a death. In the trial process, the judge and jury's influence began after a plebeian honour fight had reached a fatal conclusion and they decided upon the guilt and punishment of the surviving plebeian fighter. In contrast to the attitudes of the new professional police force (examined in more detail later in this chapter), similarities can be drawn between the popular sanction of the plebeian honour fight and the court's judgement of defendants who had observed popular notions of the fair fight. Judicial tolerance of these cases was manifested in the mitigation of sentences from judges and by juries returning not guilty verdicts contrary to the weight of evidence or even in cases where the fighter openly admitted being responsible for the death of his opponent. Such mitigation ran contrary to increasingly harsher legislation towards the punishment of convicted offenders of violent crime and crime in general.⁴¹ Peter King has shown how assault convictions in Essex increased in number from the 1750s to the 1820s as well as highlighting the change from the most common sentence of a one shilling fine from the earlier period to that of a custodial sentence in the latter.⁴² Drew Gary notes that cases involving male combatants were often dismissed when there was little to choose between the two and where equal blame could be found on both sides.⁴³ Similar to Gray's cases, the violence occurring within the plebeian honour fight was consensual, implying 'equal blame'. As long as the custom of fair play was observed plebeian honour fights were distinct from assaults and stand outside the conclusions drawn from King's analysis of interpersonal violence. As Wiener notes, although judges were eager to point out that a fighter responsible for another fighter's death was guilty of manslaughter, they were less keen to impose custodial sentences often dismissing the defendant after sentencing to paying a one shilling fine.⁴⁴ Judges and juries sympathised with the manly conventions that governed plebeian honour fights and recognised the lack of lethal intent. Fatalities usually resulted

⁴¹ King, 'Punishing Assault', p. 58; Beattie, *Crime and the Courts in England, 1660-1800*, p. 138.

⁴² King, 'Punishing Assault', p. 53.

⁴³ Gray, *Crime, Prosecution and Social Relations*, p. 111.

⁴⁴ Wiener, *Men of Blood*, p. 52.

from bad falls onto hard surfaces, outcropping objects or from pre-existing medical conditions and as such are shown to be dealt with more sympathetically by the judicial process.

Parliament expanded the number of property crimes punishable by death during the eighteenth century, although relatively few capital punishments were carried out due to the discretion exercised by judges and juries.⁴⁵ Similar to the French Philosopher, Baron de Montesquieu's tripartite system of checks and balances, it would seem the judiciary checked the legislature in its application of 'the bloody code'. In a similar vein, a noted legal figure declared:

you cannot punish anything which public opinion, as expressed in the common practice of society, does not strenuously and unequivocally condemn.... both law and public opinion do, in many cases, exercise a powerful coercive influence on morals.⁴⁶

This disparity between legislation and its application is evident in the relatively rare application of maximum sentences for defendants involved in plebeian honour fights. In 1822, the maximum sentence for manslaughter was raised from one year to three and the *Offences against the Persons Act of 1828* raised the maximum sentence further to transportation for life.⁴⁷ From the data collected from the *Old Bailey*, 22% of cases, (seven out of 37) of plebeian fights found guilty of manslaughter were sentenced to the maximum of one year before 1822. Between 1822 and 1828, when the maximum sentence for manslaughter was raised from one to three years there was only one case out of eight where a plebeian honour fighter was sentenced to more than three months, and that was only for one year, not the maximum three. After 1828, only one case out of 21 that were convicted of manslaughter was sentenced to transportation, the new maximum sentence of the law. Only a further three were sentenced for more than six months leaving the balance of 17 receiving a sentence ranging from a fine of one shilling to three months' imprisonment. Although increased maximum sentences were legislated for during the period of 1780 to 1840, there was little implementation in cases of fatal plebeian honour fights.

⁴⁵ J. Innes and J. Styles, 'The Crime Wave: Recent Writing on Crime and Criminal Justice in Eighteenth-Century England', *The Journal of British Studies*, 25 (1986), p. 403.

⁴⁶ James F. Stephen, *Liberty, Equality, Fraternity* (1907), pp. 172-173, cited in Rowbotham, "'Only When Drunk': The Stereotyping of Violence in England, 1850-1900", p. 158.

⁴⁷ Wiener, *Men of Blood*, p. 26.

For a judge to deliver a lenient sentence in a manslaughter case at least one of the following characteristics had to be shown during the fight: an agreement to fight; a response to provocation; an absence of malice; and violence was conducted within acceptable boundaries of fair play. Passion was another consideration as it was generally accepted that at times men were the victims of their own passions thus a certain amount of latitude was given to fighters who lashed out in the heat of the moment. Indeed, the court often recognised that provocation could ignite a man's passion and a Judge's allowance for this was also reflected in sentencing. In 1783, a judge summing up declared:

The killing a man deliberately, and with premeditated malice, is clearly and unquestionably murder, and is the legal definition of that crime; the killing a man at all in consequence of an intention to hurt or injure him, is in law an high offence; but where death ensues from a sudden quarrel, or the wound which occasions the death is given in consequence of a sudden provocation at the instant, the law makes that allowance for the impetuosity of passion, and the frailty of human nature, to reduce the crime to manslaughter; but it is necessary that the provocation should be sudden...⁴⁸

Revealing that little had changed 50 years later in respect to the mitigating circumstance of provocation a judge said:

that two men fighting together was a breach of the peace, and if one of the men was killed in the contest the other was guilty of manslaughter: but the extent of the punishment would depend entirely upon the provocation given.⁴⁹

The relationship between provocation and lenient sentencing is also illustrated by Samuel Bromley's trial for murder in 1791. The court heard how Bromley was 'abused and struck...several times' by a George Smith before he could stand it no longer and entered into a fight that cost his antagonist his life. As no foul play was observed in the face of provocation Bromley, although found guilty of manslaughter, was only sentenced to a fine of one shilling and discharged.

⁴⁸ *OBP*, 10 Dec., 1783 John Clarke (t17831210-4).

⁴⁹ *The Morning Post*, 20 Mar., 1834.

In common law cases, the one shilling fine awarded by a jury reflected their belief that the prosecution was ‘frivolous’.⁵⁰ Similarly, the sentence of a one shilling fine awarded to manslaughter cases at the Old Bailey was one of the most lenient punishments that guilty offenders could expect. This sentence reflected a judge’s sympathy for the defendants’ circumstances or an understanding that the fatality involved a modicum of ‘bad luck’. A slip of a foot in the *Crown*, Wapping, 1785 caused a spillage of beer resulting in an altercation between Timothy Bryan and Francis Weeden.⁵¹ After a challenge and a brief struggle Weeden lost his footing and fell backwards with his head and shoulders falling upon a coal box. Nicholas Weeden, brother to the deceased, testified that at once hostilities ceased Francis ‘was taken and stretched on a table... on Tuesday after he was brought to the Hospital, and he died there’. Judge Baron Hotham advised the jury that ‘it is impossible to make it murder, it must be manslaughter’ and when the guilty of manslaughter verdict was returned Bryan was fined 1s and discharged.⁵² Although there could be little doubt that the violence employed resulted in Weeden’s death neither men had reacted outside customary norms and the fatal injury incurred from the coal box was deemed by the court one of misfortune rather than design.

As well as taking into account the circumstances of the fight Judges could also consider the character of the defendant from their own impressions as well as from witness testimony. In 1782, William Hancock testified how both had been drinking but that he saw John Barnard

come up and push the prisoner, and lay his hand on him; and then the prisoner struck the deceased, and knocked him down with one blow; he struck him but once; and he lay on the stones six minutes before he spoke....and the next afternoon I heard he was dead.⁵³

Hancock went on to endorse the prisoner James Wellbeloved’s good character, noting that ‘he was a very good-natured man [who] would not hurt a worm’. Bestowing a fine of 1s, the judge told the prisoner before discharging him:

I do not impose any further fine upon you, because I am satisfied that your own recollection of what has happened, will be a much greater punishment than any I can put

⁵⁰ Shoemaker, *The London Mob*, p. 70.

⁵¹ *OBP*, 14 Sep., 1785, Timothy Bryan (t17850914-30).

⁵² *Ibid.*

⁵³ *OBP*, 4 Dec., 1782, James Wellbeloved (t17821204-73).

on you; you see the consequences of getting in liquor, by which you have occasioned the death of this man; therefore, go home, and think of it the rest of your life.⁵⁴

In exercising his prerogative to award a lenient sentence here the judge's standpoint on violent episodes is similar to that noted by Dana Rabin who argues that a defence based on an offender's state of intoxication appealed to some contemporary ideas of honour and masculinity.⁵⁵ However, taking into account the judge's comments upon the ill effects of alcohol it is more likely his sympathy reflected a measure of toleration also identified by Rabin in plebeian communities towards drunken behaviour as long as malice was not perceived or such behaviour likely to be repeated.⁵⁶ In this case, the judge appears satisfied that Wellbeloved was not likely to repeat his mistake and had the conscience to ponder and regret this loss of life.

Although one shilling was the usual lowest fine without confinement research has uncovered one occurrence where the sentence was only half the amount, a sixpence. In May 1784, at the Feltham village fair John Taylor and Edward Jacobs were seen 'standing together as intimate as two brothers' one minute and then the next 'a sudden quarrel all at once broke out between them.' The accused, Taylor, was hit first by the deceased Jacobs and a witness, George Hewitt, testified that 'the prisoner wished not to fight' but eventually defended himself. In this case, the judge, Mr Baron Perryn, recognised that the accused was not the instigator of the fight and took into account his initial reluctance to fight in his sentencing when saying:

I have a power under the late act of parliament to mitigate the punishment from burning in the hand and imprisonment. The Judges always consider the nature of the case and direct the punishment accordingly, and therefore my sentence is, that you shall pay sixpence and be discharged.⁵⁷

As noted earlier Old Bailey Proceedings did not record the ages of the defendants found guilty until 1779, but testimony suggests that these friends were quite young. It may be that the judge took this into account and reduced the fine when exercising his prerogative. What is also of interest here is that although the Judge's comment on mitigation and the consideration

⁵⁴ *OBP*, 4 Dec., 1782, James Wellbeloved (t17821204-73).

⁵⁵ Rabin, 'Drunkenness and Responsibility', p. 470.

⁵⁶ *Ibid.*, p. 472.

⁵⁷ *OBP*, 26 May., 1784, John Taylor (t17840526-57).

of the circumstances pre-dates the early nineteenth-century legislation that increased maximum sentences, it clearly indicates a tolerance to popular sanctioned violence in the face of provocation.

Historians have argued that the social class of jurors, which was predominately middling, often led to them distrusting an accused plebeian.⁵⁸ However, juries who delivered guilty verdicts in cases of theft often devalued stolen property to avoid mandatory death penalties.⁵⁹ In trials of surviving elite duelists, juries would often refrain from delivering a murder verdict if the fight had been fought fairly, usually returning a verdict of manslaughter.⁶⁰ Similarly, if a jury sympathised with a plebeian fighter's case, they could exercise their discretion and affect the verdict even against their judge's direction. In 1824, the *Leeds Mercury* reported the trial of Nicholas Huggonson for manslaughter at the Yorkshire Lent Assizes. The court was told how the deceased, Stephen Smithies, had followed the accused for some distance repeatedly challenging him to fight. Smithies then went into a neighbouring field and stripped but when Huggonson carried on walking away Smithies called him a coward. The court heard how this last outburst 'irritated him [Huggonson] so much that he stripped and turned into the field' where after 'a dozen blows had been given Smithies fell down on the ground and immediately expired.'⁶¹ The Judge, Mr Justice Holroyd, was reported as telling the jury that 'whatever mitigating circumstances there might be in the case, it was one of manslaughter, provided the jury were satisfied that the death of the deceased had been occasioned by the blows he had received.'⁶² Although there was little dispute over Huggonson's complicity in Smithies' death, the jury returned a verdict of not guilty. The judge may well have exercised leniency, in this case by bestowing a light sentence, but the jury opted to take that decision out of the hands of the judge. Huggonson's initial refusal to fight under duress and then his defence of his reputation against being called a coward carried more resonance with the jury than the judge's recommendation.

Another instance where a popular sense of justifiable conduct overruled a judge's direction regarding the strict letter of the law was at the Old Bailey trial of Thomas Dawes

⁵⁸ Peter Linebaugh, *The London Hanged: Crime and Civil Society in the 18th Century* (London, 1991), p. 78.

⁵⁹ Amussen, 'Punishment, Discipline, and Power', pp. 11,12.

⁶⁰ Andrew, 'The Code of Honour and Its Critics', p. 415.

⁶¹ *The Leeds Mercury*, 3 Apr., 1824.

⁶² *Ibid*

for murder in 1800.⁶³ A recent addition to the tool shop staff, Richard Meeking joined a group of his colleagues and his new boss, Mr Mills, at the sign of the *China Ship* for a few after-work drinks. As the evening progressed Meeking became increasingly ‘quarrelsome’ challenging people to fight to no avail until Thomas Dawes was heard to tell the deceased ‘it is very odd you cannot be in company without being so quarrelsome, and always fighting.’ At this Meeking turned his full attention to Dawes and after a few words both left the establishment to fight outside. Witnesses told how the deceased was a stronger man and how they had begged both men to stop fighting to which Meeking answered ‘I will fight till I die’. An oath that Meeking unfortunately fulfilled, as shortly afterwards both combatants, fell awkwardly and Meeking never got up again. At his trial for Meeking’s murder, Dawes declared: ‘I never in my life had the least malice or intention to injure the man, but always would have done anything to serve him, as, I believe, he would me; the accident has hurt me so much, that I have been very unhappy, and can say no more.’⁶⁴ Dawes made little attempt to put Meeking’s death down to anything other than resulting from the fight and the evidence overwhelmingly pointed to a guilty verdict of manslaughter. However, the jury returned a verdict of not guilty. It would seem that the jurors made a distinction between the letter of the law and the conduct of the two fighters. Perhaps a ‘quarrelsome’ man under the influence of alcohol was a scenario the jurors could relate to. Alternatively, maybe the courage displayed by Mr Dawes in standing up to a ‘bully’ would have been one the jurors found hard to censure. Whatever the jurors’ reasons, their verdict implies that they believed Dawes’ conduct was reasonable and that convicting him of manslaughter was not; this was a decision contrary to both the judge’s recommendations and the evidence. At times, judges appeared to sanction plebeian violence, as long as it was undertaken fairly and in the right circumstances. However, jurors also demonstrated that their own judgement of a fighter’s conduct during a fatal plebeian honour fight superseded the strict application of the law or a judge’s recommendation.

⁶³ *OBP*, 3 Dec., 1800, Thomas Dawes (t18001203-68).

⁶⁴ *Ibid*.

Representatives of authority on the streets

Georgian plebeians resisted the erosion of their customary right to attain status and resolve disputes by fighting in public. Michel Foucault's argument that 'power is rooted in families and neighbourhood communities no less than in state institutions' resonates with cases where plebeians felt a responsibility to 'police' their own spaces and historians have offered evidence for self-regulating communities which implemented 'informal social control'.⁶⁵ Resistance to the police encroachment on hitherto plebeian public spaces draws parallels with Edward Thompson's study of the moral economy of the crowd where 'men and women in the crowd were informed by the belief that they were defending traditional rights or customs; and, in general, that they were supported by the wider consensus of the community.'⁶⁶ This resistance had less to do with proto-political forms of protest or as Innes and Styles put it, 'the resistance of the poor to their exploitation and subordination by the rich,'⁶⁷ and was more, as Thompson notes, a resistance 'to the violent disruption of valued patterns of work and leisure.'⁶⁸ Thus, plebeian reaction to incursions from the police who disrupted plebeian honour fights can be viewed in the same vein as Robert Storch's argument concerning resistance to the 'blue locusts', as attempts to reclaim the streets later in the nineteenth century.⁶⁹ Storch argues that urban disorder was not a paramount concern for authorities until the nineteenth century when such disruptions to social order were increasingly considered subversive.⁷⁰ The 'plague of blue locusts', as the new professional police were sometimes called, were seen as unwarranted intrusions into the plebeian public sphere and an attempt to regulate popular working class recreational past-times. Activities that had been considered legitimate practices by plebeians, which had previously attracted little interest from authorities, such as running races, street gambling and plebeian honour fights were now situated in opposition to police prescriptions of public order.⁷¹ Working class political leaders believed that the motive for public order was more preoccupied with social control, defined

⁶⁵ Michel Foucault, *Psychiatrie, und Medizin*, (Berlin, 1976); Pieter Spierenburg, 'Punishment, Power, and History', *Social Science History*, 28 (2004), pp. 625,26.

⁶⁶ E. P. Thompson, 'Eighteenth-Century English Society: Class Struggle without Class?' *Social History*, 3 (1978), pp. 152–54; E. P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past & Present*, 50 (1971), p. 78.

⁶⁷ Innes and Styles, 'The Crime Wave', pp. 395-96.

⁶⁸ Thompson, 'Eighteenth-Century English Society', p. 154.

⁶⁹ Storch, 'The Plague of the Blue Locusts', pp.62–71.

⁷⁰ *Ibid.*, p. 61.

⁷¹ D'Cruze, (ed.), *Everyday Violence in Britain, 1850-1950*, p. 8; King, 'Punishing Assault', p. 43.

by political considerations in the face of authorities' growing unease about the increasing politicisation of the masses, rather than a genuine mandate for the welfare of plebeian communities.⁷² John Storch's work on the increase in working class resistance to the authorities' attempts to control the streets illustrates the high levels of violence that often occurred when officers tried to stop large crowds of men congregating on the streets.⁷³ Similarly, later initiatives to enforce closing times for pubs were also interpreted as yet another new form of state control directed punitively at working class pleasure.⁷⁴

Although this historiography has focused from the mid-nineteenth century onwards, the themes outlined bear some relevance to this research period between 1780 and 1840. In the 1750s, Henry and John Fielding introduced mounted police patrols in London and attempted to create a centralised Police force for London. Similar plans for a professional police force were proposed as early as 1785. Although defeated, these bills encouraged new initiatives in police structure, such as introducing a new local rate to professionalise and arm watchmen. England's first professional police force commenced in London 1829 and was a result of various initiatives to rethink law and order amidst an increasing urban demographic.⁷⁵ Thus a process of incursion into plebeian space by authorities was already well under way before the mid-nineteenth century and can be identified through plebeian reactions to other peripheral figures of the plebeian honour fight such as watchman, beadles, constables as well as the 'new police'.

The stopping of plebeian honour fights or moving them on were common practices of the 'new police' from the late 1820s; this research has been unable to identify earlier instances of watchmen fulfilling this role. Armed usually with a stave and equipped with a rattle, watchmen were more likely to respond to the cry of 'thief' or 'murder' than interfere in established plebeian pastimes. Watchmen interceded in confrontations that were more likely to be defined as brawls, since they involved more than two combatants and had little regard for structure or fair play. Incidents involving extremes of violence or confrontations involving weapons would also provoke the watchmen's response. Daniel Mahoney, a watchman on duty on the 20 July 1822 responded to a cry of 'murder' from Ms Welch who

⁷² Storch, 'The Plague of the Blue Locusts', p. 66.

⁷³ Ibid.; see also Archer, 'Men Behaving Badly?', p. 47.

⁷⁴ Archer, 'Men Behaving Badly?', pp. 49–50.

⁷⁵ Jeremy Black, *Eighteenth-Century Britain, 1688-1783* (Basingstoke, 2008), pp. 189–92.

witnessed a man being attacked by several other men. Mahoney told the court ‘I endeavoured to get to the man who was receiving the blows, but I was pushed back by many of them and overpowered. I stopped till I saw the man knocked down and then ran out and sprung my rattle.’⁷⁶ The noise of the rattle would draw assistance from another watchman in the area. Watchmen were often depicted as ‘heavy handed’ in altercations and records suggest that they were not reluctant to use their staves. Occasionally the violence employed could result in fatalities and if so watchmen were not immune from prosecution. In 1826, John Ockenden, a watchman of four years, attended an altercation involving ‘drunken Irishmen’ and fearing that ‘murder would be done’ made such use of his staff that a fatality ensued. Ockenden was indicted ‘for the wilful murder of William Dalton’ at the Old Bailey but was found not guilty.⁷⁷ Resentment of the physicality often employed by members of the watch manifested itself in the violent reactions of the people who were directly involved in the incident. Perhaps there was less popular resistance directed at watchmen than the ‘new police’ because watchmen were largely seen as enforcing acceptable cultural norms and more accommodating towards established plebeian customs.

Plebeian reactions towards constables or officers employed in the new professional police force after 1829 were far more contentious and violent. Unlike members of the watch, these officers regularly contested plebeians’ use of public space. In 1829, at a fight in Child’s Hill, John Phillips told how a Hampstead constable ‘interfered’ at the fight saying ‘they must not fight in that parish, but go elsewhere.’⁷⁸ This occasion lacked a violent response because, although the constable has asked them to move on, he had not physically interceded in the fight. However, when William Fordham, a constable, tried to stop a fight in Bow Common in May 1822 by breaking through the ring formed around the two fighters, ‘the mob would not let me interfere’.⁷⁹ Although he did not suffer a sustained attack, the crowd physically prevented the constable from making any serious infringement upon the fight. In 1823, a constable named John Lloyd attempted twice to get into the ring to stop a fight in Bethnal Green but was physically ‘driven out’. George Gibson, a baker who was watching the fight testified later at court that one man ‘ran after the officer, and said if he did not get out of the ring he would knock his b - y head off’ and yet another ‘ran after him with a stick in his hand,

⁷⁶ *OBP*, 11 Sep., 1822, Thomas Clines (t18220911-32).

⁷⁷ *OBP*, 22 Jun., 1826, John Ockenden (t18260622-60).

⁷⁸ *OBP*, 10 Sep., 1829, William Davis (t18290910-51).

⁷⁹ *OBP*, 22 May, 1822, William Snellgrove Thomas Buckmaster, Samuel Dighton, Joseph Smith, Francis Boyd (t18220522-72).

and said “Go out of the ring, you have no business with it.”⁸⁰ As far as these plebeians were concerned, this was their business and the responsibility of regulating it fell to them. As long as there were no fatalities, there was little belief that representatives of authorities had any right to interfere with the fight and thus police encroachment into the ring would be met with resistance or a promise of violence.

At times, resistance escalated when police attempted to arrest or take a fighter into custody. In 1831, Arthur McGinnis and John Irving were fighting in the Westminster parish when a policeman arrived and took hold of one of them. John Tustin later testified how ‘the mob then broke in, and rescued him from the Policeman.’⁸¹ *The London Standard* reported in 1830 of an event where two police officers attempted to break up a fight between two Irish men. Not only did the officers have to contend with the fighters, but the men acting as seconds also resisted the police attempts to take them up. One of the seconds, after being ‘felled to the ground by a severe blow,’ rose and bit the hand of the officer so hard as to nearly bite his thumb clean off.⁸² One of the more severe reactions from plebeians towards police occurred in 1839 when a constable tried to ‘take up’ a fighter called John Pine outside the *Navy Arms*, Deptford.⁸³ John Pine had become embroiled in a dispute outside an alehouse ‘with a man named Carey opposite the Dockyard gate’. George Stevens, a police constable on duty there told them to desist and go home, or he would take them to the station-house. Constable Stevens later testified that John Pine ‘immediately struck me on the eye, and knocked off my hat—I immediately collared him’.⁸⁴ Stevens tried to drag Pine to the station house that was 400 yards away but met with increasing resistance from a mob that had gathered to watch the disturbance. Two other policemen came to Stevens’ aid, but the situation escalated as:

the mob was increasing very rapid, and when we got to the toll-gate they were very violent indeed, throwing stones, and striking both me and Aldridge—at that time Buckmaster, another constable, came up, and we all three endeavoured to get Pine towards the station-house—we could not succeed on account of the violence of the mob, and also of Pine, whom we had in custody—Baker, another policeman, then came up—in consequence of what the mob were doing we endeavoured to get Pine into the toll-house,

⁸⁰ *OBP*, 3 Dec., 1823, Thomas George, John Fawcett (t18231203-81).

⁸¹ *OBP*, 30 Jun., 1831, John Irving (t18310630-65).

⁸² *The Standard* (London, England), 18 August 1830.

⁸³ *OBP*, 21 Oct., 1839, William Calvert, William Pine, John Pine, John Burke (t18391021-2937).

⁸⁴ *Ibid.*

but the mob placed their backs against the door of the toll-house, and swore, if we put him in, they would break the windows, and we were obliged to desist from the attempt.⁸⁵

What had started off as a fight between Carey and Pine escalated into a situation where a mob in the hundreds were intent on preventing police officers from taking up one of the fighters. Indeed, even Carey, Pine's original opponent outside the *Navy Arms*, was seen pulling a fence rail up to assist in preventing the police taking Pine into custody. Previous disputes were forgotten as separate individuals coalesced into a crowd whose identity was formed in opposition to the 'new police'. It mattered less the particulars of the fight, or what was said; the attempt by this swarm of 'blue locusts' to stamp their authority on an established plebeian pastime was met with formidable plebeian resistance signalling that the 'battle for the streets' was well underway even in the early nineteenth century.⁸⁶

Conclusion

Foucault's concept of power rooted in communities compliments the theme of plebeian independence evident in the self-regulation of plebeian honour fights. Members of the crowd policed plebeian fights and were quick to censor transgressions or stop serious infractions of fair play. Before the advent of a professional police force, plebeians were accustomed to, indeed, expected to investigate, apprehend and bring charges against individuals they perceived as breaking the law. This pro-active behaviour is demonstrated by plebeians apprehending fighters fleeing the scene of a fatal fight or in disarming those brandishing weapons. These men are shown to have expended great effort and exposed themselves to considerable danger and did so under their conviction that it was the right and proper thing to do.

People who assisted plebeian fighters during fights, such as seconds, exposed themselves to prosecution if a fatality occurred to one or both of the fighters. With such risk involved it is not surprising that the role of the second was played by a family member or friend. However, accounts of impromptu plebeian honour fights reveal plebeians being asked to perform as seconds or even volunteering to assist fighters even though they had no prior

⁸⁵ *OBP*, 21 Oct., 1839, William Calvert, William Pine, John Pine, John Burke (t18391021-2937).

⁸⁶ Storch, 'The Plague of the Blue Locusts', pp. 68–71.

relationship or were unknown to the fighters. Unfortunately, the sources do not provide enough information to fully explain why plebeians would risk their liberty to assist a stranger in a fight. It may be that the risk of prosecution was considered small. Fatal plebeian honour fights are statistically visible due to their prosecutions in court but non-fatal ones are not. In that case, plebeian honour fights may have been common enough that resulting deaths from fights were comparatively rare and thus the risks of prosecution negligible. It was also likely that the involvement in the fight process appealed to a plebeian's sense of manhood and that to refuse this role when asked would be considered unmanly. Furthermore, plebeians in crowds already participated in the fight to some extent since they actively regulated fights, ensuring fair play between fighters who were most likely unknown to them. Thus, the next step up to further participate as a second would not represent an enormous one.

There is common ground shared between the courts and plebeian's attitudes towards plebeian honour fights. The court's toleration of plebeian honour fights that ended fatally is evidenced by the verdicts and sentences that favoured defendants who observed its customs and rituals compared to those who transgressed them. Surviving plebeian fighters being fined only one shilling and discharged, or other lenient sentences imposed by the court, demonstrates the judiciary's recognition that that plebeian honour fights served a social purpose in plebeian communities. Seemingly courts accepted the plebeian honour fights as a tool for dispute resolution, but unfair play or assistance that contributed towards fatalities was not. Those who not only watched but in their efforts were deemed to extend the length of a fight were often treated more harshly than the surviving fighter. What was least tolerated was aid or assistance that prolonged fights to the point of death.

The similarities evident between plebeian and courts attitudes towards plebeian honour fights conflict with government policy. Initiatives to impose order on the streets through new policing methods and more severe sentencing for murder and manslaughter that also applied to cases of fatal plebeian honour fights met resistance on the streets and in the courtroom. Before these initiatives, representative of authorities such as beadles and watchman tended to ignore plebeian honour fights. As long as there were no fatalities or damage to property, this process of dispute resolution ran without interference from authorities. However, from the early nineteenth-century new efforts from constables and police officers in keeping order and stopping fights was met by plebeian resistance determined to continue regulating their own

spaces. Likewise, resistance to the government's initiative to increase punitive sentences can be seen in the courts. From the 1820s maximum sentences for manslaughter tripled, yet the sentencing for plebeian fighters found guilty of this charge rarely exceeded the pre-1820s maximum limit of imprisonment.

The enactment of plebeian honour fights and the way fatal fights were treated in court can be seen as a conflict between established customs and new government directives. The plebeian honour fight entailed processes and actions independent from authorities. Plebeians' self-regulated violence in events that either resolved disputes or tested manhood. Such events usually took place in public spaces that came to be seen as challenges to new policing methods to impose order on the streets. Plebeian resistance to the government's attempts to 'reclaim the streets' was mirrored by the judiciary's refusal to implement the maximum sentences to surviving fighters recently passed by the legislature.

Chapter 8: Conclusion

This study has advanced a number of historiographies such as masculinity, violence, and criminology, but most importantly in its recovery and assessment of the plebeian honour fight it has highlighted a complexity in plebeian culture. From the early modern period an association with the ‘many headed monster’ and the mob violence of the Georgian period cast the plebeian in a negative light in regard to their violent behaviour in comparison to those of the higher social classes. This is not to say that Georgian plebeian males did not at times enact vicious drunken violence, or used violence for criminal gain, or violence against women, or were led in mobs assaulting people and tearing down houses. What this thesis argues is that not all plebeian male violence can be viewed to have a negative impact on plebeian society. The sophisticated rituals and practices of the plebeian honour fight suggest a more complex construction of plebeian manliness in its application of violence than the current historiography of masculinity credits.

Although the modern duel is well known for settling matters of honour between elites, the importance of plebeian honour in the eighteenth century is less known. Current historiographies note the importance of reputation and honour to those of the lower classes in the early modern period while less is made of it in the Georgian period.¹ In arguing that all plebeian honour fights were related to matters of plebeian honour, despite the cause, this study advances early modern historiographies by illustrating that plebeian honour was still very much relevant in the Georgian period. Male sexual honour, insults, and the questioning of manhood clearly affected reputation and thereby honour. However, this thesis has also shown that disputes over material concerns such as money or property were also viewed similarly as matters of honour. For example, plebeians who did not pay their share of a reckoning, or money borrowed, or failed to return property broke an obligation of trust. Of course, the recovery of items deemed lost or stolen reason enough to fight, but as the action which led to this was also a betrayal of trust and obligation then plebeian disputes were also caused by attacks on honour or failures of reputation.

¹ Amussen, ‘Punishment, Discipline, and Power’, pp. 24–26; For more on issues of credit, trust and reputation please see: C. Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (London, 2016); Margot C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003); Alan Bray, *The Friend*, 1st Edition (Chicago, 2003).

This study's assessment of the plebeian honour fight runs counter to existing historiographies that argue for decreasing levels of public violence through the long eighteenth century. Historians have noted that men of all classes increasingly turned away from violence, preferring to resolve their disputes through litigation.² Shoemaker has argued that for the eighteenth-century, resolving disputes through court procedures was an increasingly costly affair and that consequently plebeian participation in such legal proceedings was in decline.³ Similarly, scholars have noted the middle-classes' rejection of the use of violence from both classes above and below. Indeed, this thesis has found middle-class men refusing challenges to fight from plebeians, preferring to settle their disputes through negotiation or litigation.⁴ Yet, it has also been demonstrated that the plebeian honour fight was a tool for dispute resolution consistently deployed by plebeian men throughout the long eighteenth-century. Indeed, the proclivity of plebeian honour fights and the authorities' toleration of them, as shown in court proceedings, challenges such arguments concerned with the declining importance of violence during the eighteenth-century. This thesis is an important contribution to this discussion because it highlights another form of dispute resolution available to plebeians during a time of increasing financial costs in settling disputes in court. It also challenges existing historiographical arguments that tend to view all violence homogenously by illustrating how, although elite public violence decreased, the controlled violence enacted in plebeian honour fights flourished during the Georgian period.

The current historiographies seemingly underestimate the important positive role that violence played in ideals of plebeian manliness.⁵ This thesis argues that plebeian manliness was not about maleness, it was a moral evaluation of what it meant to be a man. The ability to fight within the parameters of the fair fight required the characteristic of self-control. It was the moral decision not to escalate the violence to lethal levels that differentiated the violence from that used in brawls or employed in episodes of intentional murder and robbery. It was the successful management of violence that enabled the plebeian honour fight to resolve

² Shoemaker, 'The Taming of the Duel', pp. 525–45.

³ Shoemaker, *The London Mob*, pp. 231,32.

⁴ Andrew, *Aristocratic Vice*, pp. 2,13.; Tosh, 'Masculinities in an Industrializing Society', p. 342; Wood, *Violence and Crime*, p. 37. See also example of refused challenge in Misson, *M. Misson's Memoirs and Observations in His Travels over England*, pp. 304–6.

⁵ Foyster, 'Boys Will Be Boys?', pp. 37–39,166; Amussen, 'Punishment, Discipline, and Power', pp. 24–26. Shepard, *Meanings of Manhood*, pp. 127–51; Spierenburg, 'Faces of Violence,' pp. 1-2.; Davis, 'The Rites of Violence', pp. 51–91.; Schwerhoff, 'Criminalized Violence and the Process of Civilisation', pp. 12,31; Lacour, 'Faces of Violence Revisited', pp. 653-54.; Muchembled, *La Violence Au Village*, pp. 7-8, 94.

disputes and settle matters of status attainment in such a way that both participants would view the outcome as fair. Consequently, the violence and the way it was employed within the plebeian honour fight was a positive aspect of plebeian manliness and thus can be argued to make a contribution to plebeian society. By highlighting this positive role of violence in plebeian culture this study hopes to give scholars pause for thought and identify other areas where the character of violence functioned productively in society.

The assessment of the rituals and practices of plebeian honour fights also challenges existing historiographies that categorise plebeian violence as either being ritualised or impulsive.⁶ While plebeian honour fights could be impulsive, responding to an immediate challenge or slight, it was still governed by rituals and customs of fair-play. Rituals such as the prefight slap and the challenge gave the opposing fighter the choice whether to defend his honour or not. The matter of honour could be defended there and then, or another place and time could be arranged. Thus, the violence of the plebeian honour fight is seen to be both impulsive and ritualised at the same time, fitting in neither historiographical category. As such, this study believes such categories may need to be looked at again in regards to being used as tools for examining plebeian violence.

This research also advances the historiographical debate regarding the use of public and private space during the Georgian period. Aside from soldiers and sailors, plebeians whose occupations involved the negotiation and management of public and semi-public spaces, such as car-men, coachmen and publicans, featured most prominently in plebeian honour fights. Negotiating urban streets was problematic, often giving cause for disputes that would have been settled by plebeian honour fights. Similarly, alehouse landlords were responsible for keeping an orderly house and as such often had to manage intoxicated plebeians in difficult situations. The findings that plebeian honour fights were not tolerated within private spaces supports the historiographical arguments that violence was not tolerated within homes.⁷

Furthermore, in support of arguments regarding a more complex view than the binary one of space this thesis has shown that plebeian view of space was also more nuanced.⁸ In charting

⁶ Lacour, 'Faces of Violence Revisited', pp. 653,54.; Muchembled, *La Violence Au Village*, pp. 7-8, 94.; Spierenburg, 'Faces of Violence,' pp. 1-2.; Davis, 'The Rites of Violence', pp. 51-91.; Schwerhoff, 'Criminalized Violence and the Process of Civilisation', pp. 12,31.

⁷ Shepard, *Meanings of Manhood*, p. 148; Shoemaker, *The London Mob*, p. 5; Wood, 'Locating Violence', p. 27.

⁸ Bailey, 'I Dye [Sic] by Inches', pp. 273, 294.; Withington, 'Intoxicants and Society in Early Modern England', p. 117; Wood, 'Locating Violence', pp. 27-29.

the differences between locations of challenges in alehouses or shops and the resulting fights that were relocated to an outdoor public space, it has been shown that plebeians recognised the semi-private nature of indoor spaces open to the public.

This thesis also suggests ways in how gender historians can further investigate aspects of plebeian manliness through examination of gesture in illustrating how the rituals and practices of the honour fight embodied plebeian masculinity. Disrobing and the handshake, offered at various stages of the fight, were actions performed by the body that implied consent to the question of the plebeian honour fight at that time. Although disrobing may well have served to protect expensive clothes, this thesis has shown how it also communicated a serious intent to fight while allowing a pause in the proceedings. This pause can be seen as an element of control as it framed the fight and allowed for plebeians to psychologically prepare themselves giving fighters who were possibly having second thoughts an opportunity to back out of the fight. Similarly, handshakes communicated and signposted the confrontation ensuring both fighters were willing to fight, or that one wanted to submit, or that all had been resolved at the end. As such, these sophisticated rituals were also embodiments of plebeian masculinity that were essential to the successful performance of manliness during the fight process.

In compiling a dataset that included the ages of men in plebeian honour fights this research also give pause for thought to historians of masculinities concerned with the relationship between male age and violence. This study's data reveals that the most prolific of plebeian fighters were in their high teens and twenties, lending weight to Foyster's arguments that young men were more likely to fight in tests of manliness.⁹ It also supports Sheppard's arguments that young men were more prone to violence when rebelling against patriarchal norms.¹⁰ However, what it further reveals is that the plebeian honour fight was also frequently used by men in their thirties and forties and even those into their sixties and seventies. This adds a different perspective to the violence employed in plebeian honour fighting. It challenges arguments that suggests such violence was the province of youthful passion eager to prove manliness. Indeed, the sources suggest that in plebeian culture full plebeian manhood was not attained until the age of twenty-one as men this age or older were

⁹ Foyster, 'Boys Will Be Boys?', p. 166; Berry and Foyster, *The Family in Early Modern England*, p. 104.

¹⁰ Shepard, *Meanings of Manhood*, pp. 94, 293.

very unlikely to fight with those aged twenty or under. Thus, as long as males had attained full manhood status, the plebeian honour fight had currency across all age groups signifying that this model of manliness was one that plebeian men of all ages wanted to engage with. Such interesting findings may make other historians consider the consistencies as well as the changes in models of masculinity through life-cycles.

Examining the practices of the plebeian honour fight has revealed how important independence was to ideals of plebeian masculinity. The plebeian honour fight allowed for the resolution of dispute within plebeian society, independently from authority, resonating with Foucault's argument that 'power is rooted in families and neighbourhood communities no less than in state institutions.'¹¹ Fights would take place in a public place independent from any proprietor or landlord. Aspirations of plebeian manliness would temper the application of violence and as noted, rituals would affirm and sign post the fight process. Lay-medicine applied by plebeians was the first-hand treatment that injured fighters received and outside professional medical treatment was infrequently sought. Crowds, not representatives of authorities, regulated their own recreational spaces and conduct of the plebeian honour fighters in ensuring fair play. Plebeians even pursued fighters who had grossly transgressed the parameters of fair play by foul blows or the use of weapons at considerable danger to themselves. Thus, this thesis has argued for the sophistication of the plebeian honour fight, allowing disputes to be resolved wholly within plebeian communities.

This study of the origins of the prizefight and its close relationship with the honour fight reveals the ways in which plebeian culture influenced the character of national identity. To date, historians have attributed nineteenth-century working class fighting practices to an emulation of the prizefighter or boxer.¹² This research has contested that argument and made a case for the originality of the plebeian honour fight arguing that it predates the commercialisation of the prizefight that began in the mid-eighteenth century. By tracing the development of the prizefight, this thesis illuminates the influence of aristocratic patronage on the prizefight. It has argued that elites who distrusted the effeminate influences of polite or sensibility models of manhood were attracted to the hard physicality that was important to plebeian ideals of manliness. Moreover, it is also argued that the format of the hugely popular

¹¹ Michel Foucault, *Psychiatrie, und Medizin*; Spierenburg, 'Punishment, Power, and History', pp. 625-26.

¹² Archer, 'Men Behaving Badly?', pp. 46-47; Wiener, *Men of Blood*, pp. 45-48; Wood, *Violence and Crime*, p. 30.

prizefight in the 1780s was a fusion of elite and plebeian fighting rituals. Importantly, original ideals of plebeian manliness such as courage, prowess, fairness, and the ability to endure pain and hardship in some part contributed to the qualities attributed to boxing. Consequently, this thesis argues that the current historiography concerned with English national identity during the Georgian period underestimates the contribution of plebeian culture to the martial national character. Historians like Colley place the formation of English national character in opposition to the Catholic or in particular French 'other'. Wilson identifies similar 'manly' qualities but attributes the character to one honed by war. Neither argument credits the qualities of plebeian manliness in constructions of national identity, which have been evidenced in this thesis by analysis of political commentaries, newspaper reports, and images of John Bull and Jack Tar. The practice of boxing was believed to inculcate an English superiority over those from the continent. Boxing was a demonstration not just of physical hardiness, but also a moral one outlined by the non-use of weapons and sense of fair play. These are the same attributes that boxing inherited from, and were still relevant to, plebeian ideals of manhood. Thus, this study further illustrates that in examining facets of plebeian culture new views on established middling and elite historiographical arguments can be formed.

This research has also advanced the historiography of criminology whose general consensus was that the courts were reluctant to hang offenders or punish severely across all crimes. However, it has been shown that varying degrees of toleration revealed in the sentencing of surviving fighters or other non-combatants in fatal cases of plebeian honour fights suggests this reluctance to punish severely was more nuanced than the current historiography suggests. A surviving fighter who had fought unfairly was more severely punished in comparison to those fighters who had observed popular notions of fair play. Similarly, plebeian seconds who were seen to prolong fights till the death of a fighter were also punished more severely than the surviving fighter who threw the fatal punches. Furthermore, in demonstrating sympathy from the judiciary in regard to ideals of plebeian manliness that governed plebeian honour fights, this thesis also suggests that the judiciary and plebeians resisted aspects of government initiatives in the 1830s and 1840s. Both sections of the community resisted the encroachment of government legislation and initiatives in their own manner. Plebeians regulated their own spaces and resolution processes and resisted new policing methods to impose order on these public spaces. Government legislation intended to punish crime more severely by increasing the maximum sentences for murder and manslaughter, among other

offences, were for the most part ignored. Judges continued to sympathise with the fair play and self-control displayed by plebeian honour fighters, sentencing those found guilty of manslaughter with the most lenient option available to them.

This study represents only the beginning of how ideals of plebeian manliness shaped violent dispute resolution processes and more research is required to fully assess this process. This thesis has argued that the plebeian honour fight was not purely an emulation of elite fighting rituals or the prizefight. It has suggested that the plebeian honour likely developed to fulfil the important social role of dispute resolution that it played within the plebeian communities. Tracing back the origins of the plebeian honour fight into the early modern period and beyond would allow for the relationship between plebeian ideals of manhood and violent resolution processes to be more fully explored closer to their origin. In defining the origin of the plebeian honour fight, a more robust argument could be made for the influence of plebeian masculinity on ideals of cross-class masculinities and constructions of national identity. For the Georgian period, English legal records present the opportunity to further test the generic quality of the plebeian honour fight in how it was performed across the country. A research project could also investigate more fully why a regional form of dispute resolution such as parring was seemingly only practiced in Lancashire.

This thesis inclusion of images of boxing and honour fighting has also raised more questions. Contemporary artists such as Rowlandson were fascinated with plebeian life, why weren't there more pictures (diaries, newspapers and court records suggest the proclivity of the plebeian honour fight). Although there are many depictions of prizefights, this study could only find two prints of normal plebeian males fighting. What was it at the time that directed their eyes to the prizefights neglecting the plebeian honour fight? Was it because the prizefight was more organised and more well attended? Was it easier to depict plebeians in all out chaotic brawls with no structure? Was a ritualised plebeian fighting practice that typified English fair play too much of a positive attribute for contemporary artists to credit plebeian culture with? These questions could form the basis of another research project to examine in more detail contemporary middling and elite attitudes towards plebeian culture.

The chronological focus of this study ends in 1840 and sees the fair conduct of fatal plebeian honour fights still tolerated in court, but due to its public nature the plebeian honour fight was now more likely to be closed down by police as public disturbances. Does the honour fight go

on? Historians have identified certain plebeian honour fight characteristics in the Victorian period but do not link them to ideals of manhood predicated on fair play. It could be that professional policing methods, the state's increasing monopoly of violence, and a more accessible court system gradually eroded the frequency or need for an independent tool for plebeian dispute resolution. It also seems that the sense of fair play shared between elite and plebeian masculinities became more and more associated with elites. In 1867, the Marquess of Queensberry endorsed a draft of boxing rules that in the eyes of posterity appropriated the fair play and good conduct associated with prizefighting increasingly to elite culture. There is also an argument that elites increasingly owned the notion of fair play on the playing fields of cricket and rugby.¹³ Did the government's pacification of public spaces and the association of fair play with elite and middle classes drive such honour fights underground? Of course, some of the rituals are still evident in professional boxing in the twenty-first century, but there are not many other fights that resemble the plebeian honour fight. Gang violence and football hooliganism may well have their own rituals and rules, but both seem more vicious and lack the positive contribution to society that the honour fight realised. Ritualised schoolboy fights behind the bike sheds may share some of the qualities of the honour fight yet accounts of such fighting for men are rare. Fighting bouts organised in Gypsy communities, who invariably consider themselves outside the law, use a similar format to resolve disputes. More research is needed in answering what the future held for the Georgian plebeian honour fight.

¹³ See Norbert Elias and Eric Dunning, *The Quest for Excitement: Sport and Leisure in the Civilizing Process* (Oxford, 1986).

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