

Pitt's Terror Reconsidered: Jacobinism and the Law in Two South-Western Counties, 1791–1803

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It is now more than a decade since the first appearance of Clive Emsley's influential essay on the use of the sedition laws in the 1790s.¹ In a nationwide survey of the surviving legal evidence, Professor Emsley argued that the total number of prosecutions (under 200) was too small to justify the radical sobriquet, 'reign of terror', and concluded that Pitt's legal offensive against the democrats may have been severe in theory, but was in practice relatively mild. The central primes of the work has been repeated by its author more than once,² and has since found its way into student textbooks by other academics in the field.³ The low number of prosecutions is fundamental to Emsley's premis that magistrates not only fought shy of potentially complex cases, but considered radicalism too weak a force to warrant any greater effort. The unavoidable inference is that Reeves Associationist loyalism⁴ remained largely unthreatened as a dominant political ideology.

Emsley has already been challenged by Marilyn Morris for tying a definition of 'terror' too tightly to the actual use of the law and taking insufficient account of popular *fears* about prosecution.⁵ It is not the intention of the present essay to reopen that particular argument, nor to enter upon some impossiblist evaluation of the relativity of 'terror' in eighteenth-century political culture. What does warrant investigation however, since two hundred prosecutions are held to constitute something *less* than terror, is the accuracy of the figure itself. What is offered here is a case study of a region seldom considered pivotal by historians of radical politics, the relatively quiet counties of Somerset (including Bristol) and Wiltshire. Emsley identified a total of four prosecutions for sedition in this region; two (Thomas Brimble and Messrs Robinson) at the Somerset assizes in 1793 and two (George Wilkinson and Benjamin Bull) at Bath Borough Sessions the following year. It will be recognised that should the number now prove higher, the relative tranquillity of the region will make the figure more, rather than less significant, as a signpost to national trends. The second

section of the essay re-evaluates the competence with which sedition trials were conducted, and the 'reluctance' of central government to back many prosecutions initiated at local level.

A major difficulty facing any survey of eighteenth-century legal records is the diffuse, inconsistent and fragmentary pattern of their survival. In addition to the county Assize and Quarter Sessions for both Wiltshire and Somerset, certain boroughs, including Bath, Wells, Axbridge, Marlborough and Salisbury, held quarter sessions of their own (with varying judicial powers); and Bristol held both Assize and Quarter Sessions of its own. Petty sessional cases in any one of these districts might of course be heard at any time; the surviving record is extremely patchy and mostly contained in newspaper reports. In compiling his survey, Emsley consulted some, but not all, of these sources in the region and consequently a number of cases have been overlooked. For instance, by neglecting the Salisbury City Session rolls in the County Record Office, he missed the prosecution and acquittal for seditious speech of the tailor Thomas Batchelor in October 1796. Batchelor was reported by a city inn keeper for objecting to a loyal toast 'and in the most cynical, sneering, daring, wanton, opprobrious, seditious and traitorous manner' declaring 'the King, the King – I wish I had the bugger's head off'.⁶ Other omissions are the result of research limited to secondary sources. Bath's Borough Sessions for example, are not overlooked, but reliance on their coverage in the contemporary press rather than the records themselves leads Emsley to miss the prosecution of Thomas Wylde in 1794. Wylde, a hairdresser and gentleman's servant, was sentenced to six months in Bath gaol and fined forty shillings for wishing the abolition of Pitt's 'damned arbitrary government' and for the British army to be 'cut to atoms' by the French.⁷

The absence of other cases from Emsley's figures is more puzzling. Despite examining the Somerset Assize papers and the Crown officers' recommendation that the prosecution of Peter Sequest should go ahead in 1798, he has not included the subsequent trial. Sequest was gaol'd for a month at the assize for saying, 'I wish success to the French, God bless them'.⁸ Other unexplained absences include William Foreman, gaol'd for six months at Wiltshire assize in August 1794 for damning the King, and George Rogers of Taunton tried in April 1796 for remarks made during a thanksgiving service for the King's deliverance from a riotous crowd the previous autumn. 'Damn the King's prayer that was made for the King', Rogers had announced, 'Damn the King and the Constitution'. A Quarter Session jury found him not guilty. Emsley also overlooked the case of James Tally, gaol'd for two months at Somerset Quarter Sessions in July 1796 for seditious words and

incitement to desertion. Tally had approached a number of soldiers from the Fiftieth Foot in their billets at two public houses in Shepton Mallet, but was informed against by a sergeant for encouraging the men to 'cheat their King and Country'. 'Damn the King and Country', replied Tally, 'for the King would skin my nose and I would skin the King's nose'.⁹ Tally's case illustrates a further difficulty for historians engaged in case-counting, eighteenth-century bureaucratic shorthand. The charge is entered into the Sessions calendar and minute book as a non-specific misdemeanour. Its seditious nature is only revealed by the fortuitous survival of witness examination papers. William Cook, discharged for a breach of the peace at the Bath sessions in April 1798, was originally committed for seditious speech but the only evidence for it lies in the Home Office out-correspondence entry book.¹⁰ Details of unspecified offenses may be confirmed by matching Session rolls to newspapers, correspondence or justices' minute books, but the method is far from infallible. The Bath Quarter Session rolls list a total of sixty-one unexplained prosecutions for breach of the peace between 1792 and 1800.¹¹

Summary convictions by magistrates sitting in Petty Sessions are impossible to quantify because records for this period are virtually non-existent in many places. Sedition was not always an easy case to prosecute before a jury because questions of interpretation, intent or temporary drunkenness could be difficult to resolve beyond reasonable doubt. The jury at Peter Sequest's Assize hearing for example tried to deliver a verdict of *de facto* sedition without intention and had to be over-ruled by the judge who directed them either to acquit the accused or return a straightforward verdict of guilty.¹² Potentially expensive court hearings at which interpretative factors made the outcome uncertain may therefore have deterred local authorities from prosecuting some cases. Petty Session proceedings, perhaps under 19 Geo.II c.21 (for profane swearing), presented a relatively trouble-free alternative. Oaths made in the hearing of a single witness or two justices were punishable by fines – usually of one or two shillings – and magistrates certainly used the Act in other circumstances to secure convictions against men whom they suspected of a more serious offence, but where evidence was poor.¹³ Details of the precise words and nature of such oaths are relatively rare, but since qualification depended upon proof of blasphemy, the expression 'God damn the King' might as easily have been punished for profanity as sedition. A surviving book of summary convictions before the mayor of Bristol records a case in 1736 in which a man was fined a shilling under the Act, for inviting divine damnation upon the mayor himself and all the city justices. Use of the profanity laws may have declined in the second

half of the century, but several instances are recorded at Bristol in the 1780s. Unfortunately the record is poorly kept after 1789 and the book casts no light upon usage in the 1790s.¹⁴ Similar problems are encountered at Axbridge. Petty and General Sessional hearings for profanity, 'improper language to the Mayor, Aldermen and Burgesses' and even 'incorrect behaviour' are recorded during the 1780s, but their absence from the record in the 1790s coincides with administrative difficulties within the Corporation. Executive functions were effectively obstructed in the early part of the decade by acrimonious disputes between the magistrates and two successive town clerks over non-attendance and alleged dereliction of duty.¹⁵

The Crown lawyers frequently advised magistrates not to proceed with prosecutions in which mitigating circumstances of drunkenness might move juries to leniency. But this did not necessarily preclude punishment. Once again, summary jurisdiction (for drunkenness rather than sedition) offered an alternative and records do survive of at least one instance of its use in the region. In February 1793, Edward Barrington of Stoke St Gregory was examined by a magistrate following a fight with a neighbour. The cause of the disturbance was Barrington's remark, 'Damn the King and parliament. I'll go up to my neck in Blood, guts, garbage, Turd and all to be in the forefront of the battle for a revolution'. Although sworn affidavits to this effect were taken, they were not used, probably because Barrington was considered a normally loyal man; a churchman and farmer, he had willingly signed loyalist resolutions a few weeks earlier. Instead, the magistrate convicted Barrington on the spot for drunkenness and committed both men to the next Assize for assault, a charge subsequently dropped. In effect Barrington had been dealt with by the law for a seditious offence without the sedition laws being invoked and without any recourse to a jury.¹⁶ Military courts were equally safe. Peter West, a private in the West Somerset Militia at Wells, was discharged from service with 400 lashes for a few intemperate phrases in 1793.¹⁷

The Crown lawyers' advice was not always straightforward. Emsley rightly draws attention to the cautious approach of many magistrates and to the doubts both they and the Home Office harboured over establishing proof of intent and verifying the use of precise words and phrases.¹⁸ But criteria of this kind may not always have been paramount. The above-cited case against Sequest was hardly a strong one. The jury's confused verdict, the fact that the accused had been drunk at the time, and the admission from the judge that Sequest had certainly not been 'in the free exercise of his intellectual faculties' should not be allowed to obscure the fact that the Home Office had pressed for prosecution.¹⁹ By contrast, a case against William Bennett

and Thomas Robins at Bath a year earlier had been abandoned on Crown lawyers' advice because the precise words of the offence had not been recorded or tied conclusively to the defendants. They were singled out for arrest (because witnesses had heard them call the King 'a rogue'), from amongst a larger group of radical activists, all of whom were prone to making 'parole declarations'.²⁰ The Crown lawyers chose however to ignore the seditious content of handbills found upon them when taken into custody (and submitted in evidence by the examining magistrates), including one in Bennett's possession with a diagram of a pike on the reverse.

One explanation for the behaviour of the Crown in these two cases may lie in the relative utility of prosecution for propaganda purposes. William Bennett, a member of the revolutionary United Britons, was a known and persistent Jacobin with a proclivity for physical force. By the time of his arrest at Bath, Bennett had been a Corresponding Society secretary in London and at Bristol (where he had twice been arrested but not charged for distributing seditious literature).²¹ His avoidance of prosecution (for seditious libel if not seditious speech) adds little strength to the argument that government were actively concerned with encouraging a maximum number of winnable court hearings, or that their prime targets were those who posed the greatest threat to the state. In cases of this type, arrest, detention and judicial harassment may have served a better purpose than prosecution. Government had no reason to provide the means by which committed radicals might lament their 'unjust' prosecution in public, nor to invite complicated legal conflict over the wording of indictments and the interpretation of the law. Men like Bennett might be expected to fight their cases with an unwelcome degree of competence,²² a supposition which is strengthened by the abandoned prosecution of two London journeymen in Somerset in 1794.

Thomas Meekins and Thomas Stone were seized at Kingweston after approaching a number of labouring men and asking them to join a pro-French conspiratorial cell. Neither appear to have been drunk. Strong affidavits were taken from witnesses who had heard them say 'We will drink success to the French' at a country inn, and ask for recruits to 'come forward with a large army, not in uniform, in a month'. Links were established between Meekins and the London Corresponding Society and there was clear interest in prosecution both locally and in Whitehall. Even when a key witness inconveniently died, magistrates assured the Home Office that two good replacements had been found. Whitehall's abandonment of this case at the last minute makes little sense, but a possible explanation may be found in the magistrates' concern about the dexterity of the defence. 'Friends' of the accused in London had been demanding copies of affidavits for several weeks and

were clearly not going to allow the prosecution an easy ride. The county bench was paranoid enough to refuse these applications and the tone of the magistrates' letters to the Home Office is apprehensive.²³

Enthusiasm in the Home Office for the case against Peter Sequest was not based on any suggestion of Jacobinism, nor yet it seems upon the likelihood of success. What made Sequest's crime so serious was that he was a parish tithingman. Moreover, he had made his unwise observations about the French whilst going from door to door compiling an inventory of property for possible requisition in the event of an invasion.²⁴ If prosecuted, his public contrition was virtually certain, and any remarks he might make in court would provide a useful reaffirmation of the loyalty of the parish. Indeed, the prosecution of a tithingman provided a perfect opportunity to demonstrate the principle of equality before the law. Sequest's crime, as one magistrate clearly realised, was of the most insidious sort:

It is hoped the defendant will be punished for his offence as an example to others as it might in great measure tend to prevent the seed of sedition from spreading throughout the country more than it has. This is much to be wished for.²⁵

Sequest was regarded as a small fish, rather like the Bath printer, George Wilkinson, 'too insignificant an object to create disorder', but deserving of punishment nonetheless because even 'the minutest seed of rebellion . . . might contaminate everything around it'.²⁶ In Wilkinson's case this was something of a misjudgment, as we shall see. Thomas Brimble, a loyal Saltford farmer taken up for cursing his monarch in a fit of rage in 1793, proved a model candidate for prosecution. At the end of a humiliating hour in the village pillory he preceded a six-month gaol term by hurling his hat to the sky and shouting 'God save the King'. This rather recommended him to the proprietors of several local newspapers who were then able to cast him as the prodigal son returned.²⁷ Yet it is difficult to imagine William Bennett behaving like this. The Home Office was certainly selective about the sort of cases it recommended for prosecution, but we should beware of oversimplifying any apparent reluctance to prosecute 'unwinnable' cases by constructing it as a function of the liberal (or essentially unrepulsive) nature of the State. The Home Office agenda does not seem to have been conceived with the intention of securing a maximum number of prosecutions, or of selecting only committed radicals. This being so, quantitative studies of prosecution would seem no more useful for calculating the extent of judicial terrorism than for measuring the strength or weakness of radicalism.

Arguments about the 'reign of terror' need to be taken a stage further if case-counting is to have any purposeful meaning. There can be no practicable reason for distinguishing, as Emsley does, between detainees prosecuted for an offence and those examined and gaoled but released without charge before an approaching Sessions. Discharged suspects sometimes spent as long in gaol awaiting trial as convicted men serving their sentence. Meekins and Stone may have been discharged from the Summer Assize in 1794 without any evidence being offered against them, but not before they had spent eight weeks in the county gaol. A year later, John Chossoll, a seaman, was pulled from a ship in Bristol dock and detained by the mayor to answer charges of seditious libel and 'sundry seditious practices'. Only after examining his prisoner twice did the mayor accept that he had no evidence with which to charge him; Chossoll was released and a spy put on his tail. By this time, three weeks had passed.²⁸ Indeed, after Pitt's suspension of Habeas Corpus, detention without trial would seem as good a test as any of the severity of 'terror'. Unprosecuted cases are, for obvious reasons, even more difficult to count than those which reached court. Our knowledge of them may depend largely upon 'unofficial' and circumstantial documentation. Take, for example, the unfortunate Mr Pizzio, bundled into a Wiltshire lock-up in 1794 by a constable who claimed to hear him 'in a very hasty passion wish the French were immediately to enter the town and cut off all our heads'. He was not prosecuted at Quarter Session or Assize and the case appears only in the private correspondence of Lord Ailesbury's estate manager. No newspaper or other legal corroboration exists.²⁹ Little more can be gleaned from the cases of three men detained at Glastonbury in April 1798 for seditious behaviour, but released by an examining magistrate when they agreed to pay for a newspaper insertion declaring their loyalty.³⁰

Not all detentions are as poorly documented as this of course. Evidence survives of several which reflect the renewal of political tensions during the serious scarcity of 1800-01. Thomas Dyer of Bath was arrested for berating a peaceful procession of striking colliers in October 1800 for being 'such fools as not to bring Pikes with them instead of bludgeons, with which they might have been able to keep off the dragoons . . . an allusion to the proceedings of the Irish rebels'. His proffered explanation that this was a 'joke' did not save him from custody in the city gaol or the mayor's intention to prosecute him for sedition, but no trial appears to have followed.³¹ In July 1801, Isaac Dole spent two weeks in the same gaol after three witnesses heard him say 'Damn the King, I care no more for him than any other man, he is a bloody villain' at the Bird Cage inn. Dole was released on Home Office

advice.³² Nine days later, a Bristol magistrate and several constables swooped on a gang of youths who were pilfering sugar on the Quay. An unemployed shoemaker named Stephen Hurber tried to intervene:

I think they are very right, damme if I blame them at all. Gentlefolks have got it all their own way. They talk of the French coming here – the sooner they come the better I say – we can't be worse off than we are now.

Hurber, as the magistrate's sworn statement testifies, was immediately arrested for seditious language and taken to the city bridewell, but no record survives of any prosecution.³³

By adding instances of known arrest to those of known prosecution, we may dramatically increase the total number suffering legal harassment in the two counties, as the following table shows:

	prosecutions noted by Emsley	prosecutions not noted by Emsley	known arrests, possibly not prosecuted	total
Bristol	0	0	10	10
Bath	2	1	7	10
Rest of Somerset	2	5	6	13
Wiltshire	0	3	2	5
TOTAL	4	9	15	38

Whilst it is true that the national frequency of prosecutions was heavily influenced by cost, Home Office advice and magisterial self-confidence, as well as by the purely pragmatic and propagandistic criteria suggested earlier, regional and local factors have yet to be properly considered as determinants. Area micro-studies may shed new light on the operation of the sedition laws in the provinces, and on the community politics of arrest and enforcement. A low incidence of detention, for example, may indicate either loyalist hegemony or an abdicating magistracy. According to the record, there were no prosecutions for sedition at the weaving centre of Trowbridge, a circumstance which led the industry's foremost historian to find 'little evidence of any organised radical presence'.³⁴ Yet, in the light of militia reports from 1792, claiming that political disaffection in both Bradford and Trowbridge was rife, a contemporary judgement that the town's magistrates were 'not the best friends the government has' invites rather a different interpretation.³⁵ As we shall see, a similar paucity of prosecutions at Bristol may be linked less to a pusillanimous

magistracy than to the introspective independence of its civic tradition. By contrast, the rooting out of suspected Jacobins at Bath was conducted with the full participation of the mayor and magistrates and, particularly during the mayoralty of Dr Henry Harington from 1793–4, with considerable energy and vigour.

II

Four separate sedition cases were begun during Harington's year of office at Bath, three of which resulted in convictions and prison sentences at the Borough Quarter Sessions. There were 'many' other men, he believed, whose 'appearance and conduct afford cause of suspecting their intentions to be rather unfavourable at this crisis', but against whom 'no specific charges can be brought'.³⁶ An attempt to prosecute a man named Bourne for distributing copies of the 'Rights of Man' in the city had collapsed for want of evidence early in December 1792, and subsequent efforts by the Crown lawyers' local agent had been no more successful.³⁷ The first prosecutions for seditious speech at Bath were therefore initiated during the Harington mayoralty. Some suspects, like John Campbell, a radical publisher whose shop windows displayed 'every seditious and inflammatory publication that comes out' and who hosted corresponding society meetings in an upstairs room, were not proceeded against, perhaps because effective informal measures had been taken against them instead.³⁸ Another man, accused of seditious toasting at a club of which Harington was a prominent member, was ousted from his job as secretary. 'Prevention', declared a writer in the *Bath Chronicle*, 'is more salutary than punishment'.³⁹

Immediately following his inauguration, Harington announced his intention to clear all 'disorderly persons' from the city streets, obstructed the circulation of the anti-ministerial daily, *The Courier*, and accepted the chairmanship of the Bath Reeves Association.⁴⁰ As mayor he was the presiding magistrate at the trials of George Wilkinson, Thomas Wylde and the journeyman tailor, Benjamin Bull, and responsible for the arrest and seven day detention of a sergeant in the Dragoons for allegedly criticising the war.⁴¹ An anti-radical witch-hunt at the theatre and the despatching of spies to report sedition at dissenting services all took place during Harington's term of office.⁴² When complaints about his excessive zeal reached the Home Office, Harington shrugged them off by declaring his detractors 'indisputably deranged'. Nothing had been done, he maintained, but 'what the law will warrant and the Duty of a magistrate requires'. Following further complaints in 1796, the Secretary of State sent policing expert Patrick

Colquhoun to Bath where Harington's 'indiscriminate' harassment of everyone with a foreign accent had embarrassed a number of wealthy emigrés and greatly exceeded the requirements of the new Aliens Act. Harington indignantly defended his loyal record, but Colquhoun pressed Home Secretary Portland's 'advice' that government intentions towards aliens were 'somewhat different from what seems to be entertained in Bath'.⁴³

Harington did prosecute at least two genuine and committed local radicals. One, the journeyman printer George Wilkinson, was a United Irishman who had come to Bath to evade Treasury warrants in Dublin. His frequently-stated support for the French war effort did not endear him to his new employer, the staunchly loyalist publisher of Hannah More's anti-radical tracts, Samuel Hazard; Wilkinson was the first to be jailed by Harington.⁴⁴ The other, the tailor Benjamin Bull, was caught trying to pass on copies of the *Rights of Man* in the marketplace. Convinced that Bull was part of a wider Jacobin conspiracy in the city, Harington interrogated him without success for the names of his accomplices, and instructed the town clerk to prepare a case for the capital offence of treason, for 'if anything can tend to alienate the affections of the King's subjects from their known duty of allegiance, what can do it more effectively than this pamphlet and publishing it?' This was prevented by the Crown lawyers,⁴⁵ but Bull's prosecution and twelve-month sentence remain the most punitive in our sample. Harington appears to have been working to a double agenda here, namely disarming both jacobins and trade unionists. Effective and frequent strikers, the journeymen tailors were 'perpetually talking and conversing on politicks', even 'refusing to work for a master tailor unless he was of the same political principles as the journeymen'. The utility of the prosecution was revealed a few months later once Bull's family was 'almost destitute of food and clothing'; then the Harington regime headed a subscription for their relief in exchange for Bull's assurance that he was 'truly penitent', and ready to 'solemnly renounce' his sedition in public.⁴⁶

Neither Bull nor Wilkinson were wealthy men and Harington was clearly prepared to risk giving them a platform at the Quarter Sessions on the assumption that neither could afford the services of competent lawyers. Indeed, Wilkinson's counsel rested his clients' 'defence' on the undesirability of pursuing a trial which would publicise his 'foolish' political opinions when they were better 'treated with silence and contempt'. The jury, having been addressed to the contrary by mayor Harington, and told by the prosecuting solicitor that the return of a guilty verdict was no more than their 'duty as loyal and good subjects', deliberated for a mere two minutes.⁴⁷ Thomas Wylde's 'lame'

counsel 'behaved trifling and not like a lawyer in his questions to the witnesses or in his harangue to the jury'. The men of 'rank and distinction' packing the public benches shouted, huzzaed, clapped and waved their hats so forcefully to indicate their dislike for Wylde that an escort of guards had to be called for to convey him to prison in safety. Yet the town clerk did not consider the defendant unfairly disadvantaged or the trial prejudiced. On the contrary, it had been 'so fair and upright that it reflects honour to the court before whom the trial was had'.⁴⁸

The treatment of radicalism and sedition by magistrates at the prosperous commercial port of Bristol was entirely different. The pride and detachment felt by the Corporation in the city's independent economic and judicial status (Bristol held its own court of Assize) created a local polity that looked rarely to Whitehall for inspiration or guidance. At a time when church and king rhetoric drew damaging parallels between dissent and radicalism, the dissenter-dominated Common Council may have been especially loathe to attract outside attention from an anglican-led political establishment. Bristol was unique amongst major British towns in declining to form a Reeves Association, a failing which flabbergasted the local press and even drew a disappointed comment from the Duke of Brunswick, commander of the European Coalition army against France.⁴⁹ Attempts to start an Association in the suburb of Clifton and a church and king True Briton Society in the city itself at the end of January 1793 were shortlived and received no support from the local authorities. Instead, the Corporation chose to endorse two public meetings called to pass anti-radical resolutions at the Guildhall and pledged itself to the eradication of jacobinism.⁵⁰ By its own assessment, this should not put the magistrates to a great deal of trouble. In the Recorder's opinion radicalism in 1793 was 'ineffectual . . . and we rejoice in the general disposition of the inhabitants which has left us nothing out of the usual course to present'. This was followed within a year by the mayor's assurance to the Home Secretary that he had 'not received any information of the existence of any . . . [corresponding] societies . . . in this city'.⁵¹

It is certainly true that the Home Office correspondence files hold very few letters from the civil power at Bristol during the 1790s, and that sedition trials are virtually absent; consequently historians have been more than ready to write off radicalism altogether.⁵² There is considerable evidence to suggest however that introspection and a pre-occupation with the damaging effects any public exposure of jacobinism might have on the commercial stability of the port were the greatest factors in Corporation quietism. In the aftermath of the

Birmingham Church and King riots of 1791, for instance, the quaker mayor, John Harris was disturbed by five anonymous letters threatening mob violence against dissenting chapels and private houses in the city, including his own. Harris informed London, but was insistent that no public notice about them should be printed in the *London Gazette* in case it should 'excite in the common people a disposition to do that which it is both our inclination and duty to prevent'. Instead he asked for troops to be stationed near the city in readiness and briefed the constables. One alderman considered even this an unnecessarily alarmist response, complained to Whitehall about the mayor's adventurism and instructed the constables to behave as though no disorder was expected lest 'the attention of the multitude be excited by the means taken to prevent it'. He then told the Home Office to destroy his letter to be on the safe side. No rioting materialised although Harris later admitted (without describing) a few 'unpleasant' incidents.⁵³ The mayor who succeeded him, John Noble, shrugged off the diverse 'handbills, paragraphs, anonymous threatenings and incendiary letters' to which he was subjected throughout the year, taking no action to discover the senders and declining to make any of them public.⁵⁴

The Corporation were especially sensitive about potential disruptions to shipping and anxious not to arouse fears about jacobin arson in the dockyards. On one terrible night in 1777, the docks were fired, much money lost and 'the people frightened out of their senses', by a pro-American republican incendiary, James Aitken (or John the Painter). The memory endured and made Bristolian merchants continually apprehensive about the new radicalism of the 1790s; particularly in view of its apparent hostility to commercial vulgarity.⁵⁵ In 1793, two months after the 'discovery' of a jacobin conspiracy to fire the port of London, the mayor of Liverpool wrote to Henry Bengough, his counterpart at Bristol, enclosing an anonymous note with details of 'diabolical designs' against shipping in both cities. Bengough tightened security on the quay and briefed his nightwatchmen, then sent a reply to Liverpool saying no such notes had been received in Bristol. However, a marginal note in the Corporation Letter Book links the Liverpool letter with an anonymous note received by Bengough in December 1792 (now lost). He had sent a copy of this note to Whitehall after sitting on it for nearly three weeks, together with the usual request against reproduction in the *Gazette* and the offering of rewards.⁵⁶ The Home Secretary finally lost patience with the tight-lipped introspection of the Bristol judiciary in October 1793 when military intervention against a crowd protesting against tolls on Bristol Bridge resulted in more than sixty deaths and woundings. Despite the seriousness of the incident, no immediate report was sent to Whitehall and Home

Secretary Dundas was embarrassed by his reliance upon press reports for news of what had happened. The heavily implicated Corporation resisted local pressure for a public inquiry and informed Dundas the matter could safely be left in the hands of the civil power. The Corporation insisted that 'subversive' political elements had been behind the demonstrations, but conducted no noticeable investigation and certainly brought no prosecutions.⁵⁷ The scanty information provided by successive mayors about the strength of radicalism in the city was almost certainly partly responsible for the mission of Treasury solicitor Thomas Mudge, despatched by Henry Dundas in December 1792 to file reports on political affiliation in the West Country.⁵⁸

This is the context in which the use of the sedition laws in Bristol must be assessed. It is certainly true that prosecutions were the exception rather than the rule, but with no Reeves Association to agitate or instigate them, magistrates were left to deal with radicalism as quietly and effectively as they wished. The Bristolian practice of vesting full magisterial power in the twelve Aldermen of a closed Corporation, effectively negating any pretext of judicial and executive independence, was both cause and effect of much deep-seated hostility and suspicion between the governed and their governors. These tensions were made glaringly obvious by the magistrates' recourse to military muscle to uphold tolls on Bristol Bridge in 1793, for not only were the magistrates all members of the Corporation, but ex-officio Bridge Trustees as well. Public trials of citizens arraigned for seditious speech risked highlighting local political antipathies in a way that was unlikely to bestow much credit on the Corporation. As the table at the end of this essay shows however, any shortfall in prosecutions was more than made up for by arrests and detentions and, as their treatment of the reformist Constitutional Society in 1797 illustrates, by the sending of overt signals of approval to church and king mobs. Aware of the Society's revival in January, mayor James Harvey interfered with their mail, reported their disaffection to Whitehall and received instructions to 'frustrate any attempts that may be made'. In the weeks following, William Bennett was twice arrested for distributing the Society's 'seditious' literature (but on neither occasion prosecuted), and on the second instance given a severe beating from a hostile crowd which went entirely unpunished. For the next two days, a loyalist crowd were permitted to lay siege to the Society's rooms, assaulting members, smashing windows and doors and stealing furniture. Repeated requests for help, sent by the secretary John King to the mayor, were eventually met by an appearance from Harvey who thanked the crowd for their 'loyalty', publicly branded King a 'bad subject', confiscated a firearm and promised to deal with him according

to law if the crowd agreed to disperse. At the close of the second day, Harvey found it necessary to arrest two Church and King men for throwing stones but released them the following morning. He made no subsequent attempt to commit John King for a seditious offence, despite securing his admission that he was the author of the inflammatory pamphlets Bennett had already been arrested for distributing.⁵⁹

In May 1797, Harvey intercepted more incriminating mail addressed to King and was strongly advised by Whitehall to make a prosecution. Still he took no action but in July uncovered radical intentions to hold an outdoor public meeting at Bristol in defiance of the Seditious Meetings Act of 1795. The magistrates 'put a stop to it' by undivulged means, and 'took steps' to prevent the newly arrived John Thelwall from lecturing.⁶⁰ The only occasion of the entire decade on which one can, with any certainty, locate a Bristol radical at a full court hearing, was when John King prosecuted a Church and King rioter for assault in August 1797. King was hooted by a large contingent of the defendant's friends who packed out the public benches and cheered the jury when they found the man not guilty.⁶¹ To suggest however, that the sedition laws were not invoked would be nonsense.

* * *

This case study has illustrated the difficulties facing quantitative methods of approaching qualitative research. If the degree to which British citizens were subjected to a reign of judicial terror in the 1790s is to rest upon the number of prosecutions, or even of arrests, then accurate enumeration is important. The practice of eighteenth-century law and the nature and quality of the surviving evidence make exhaustive collation impossible however. This essay has proved that previous estimates in one region were well short of the mark; it can only suggest through extrapolation that the national overview is equally inadequate.⁶² Picking through Clive Emsley's original list of cases for example, and checking them against a far from comprehensive survey of documents in Home Office 42 series, exposes a number of previously uncounted detentions. In documents from December 1792 alone there are details of at least six cases in London, two in Kent, one in Gosport and one in Richmond. Quite possibly none of these men were prosecuted, although Thomas Atkinson, a private in Chatham barracks was certainly court-martialled at the end of the month.⁶³

Essentially, an assessment of Pitt's 'reign of terror' must rest not upon the total number of prosecutions but with the use or threat of

repression as a whole, both judicial and informal, and as far as the law is concerned, with the number of people interfered with by the magistracy, whether prosecuted or not. The appropriateness of the charge may be geographically variable, for the implementation of 'terror' – by which I mean the creation of a climate in which political dissent was muzzled and the constitutional right to freedom of expression curtailed by widespread and officially endorsed threats, beatings and gaolings – was, as we have seen, a locally administered affair. Political dissent was certainly terrorised at Bath by Henry Harington, a man whose best epitaph is his celebrated toast,

May Knaves who plot the State to vex
Find Law provides for all their necks.⁶⁴

Here, by October 1793, virtually anyone who 'presumes to think or speak differently . . . shall be marked (for this is the phrase) as a Jacobin', and fear of reprisals had become so general that Harington's administration was even able to prevent a public meeting to protest the quality of the city's water supply. Anonymous notices 'forbade any meeting on pain of being branded a Jacobin. This had a better effect than calling out the militia for not a man dared to show his nose.'⁶⁵

Mark Philp's observation that the real signal given by the authorities through the sedition laws was that 'the stakes had been raised in such a way as to make seeking reform tantamount to attempting the breakdown of the rule of law', seems an eminently fair one.⁶⁶ Moreover, the climate of terror may not have been dependent upon the judicial nexus alone. The coincidence of democratic politics with famine during the 1790s led inexorably to the enhancement of military policing. In Roger Wells' view, it was this combination of military and legal innovation that made 'the government's resort to multifarious intimidation and terror . . . crystal clear'.⁶⁷ Certainly, popular responses to the harshly policed scarcity of 1800–01 were punctuated by democratic and even republican rhetoric far more openly than in the previous crisis of 1795–6. The politicisation of the hungry may have been both cause and effect of the reaction of authority to impending famine. It is perfectly legitimate for historians to debate the meaning of 'terror', and to attempt to understand it in the British as well as the more familiar French context,⁶⁸ but a retreat from the use of incomplete research to substantiate either radical failure or the liberality of the elite is long overdue.

Appendix – Sedition cases in Somerset, Wiltshire and Bristol, 1791–1803

DATE OF ARREST	NAME	LOCALITY	OFFENCE	PROSECUTION (with date where known)
Apr 1791	George Johnson	Chippenham	Publishing seditious paper	?
Dec 1792	John Richardson	Salisbury	Drinking Tom Paine's health	Discharged at assize, Mar 1793
Feb 1793	Pte. Peter West	Wells	Treasonable expressions	400 lashes at court martial
Mar 1793	Edward Barrington	Stoke St Gregory	Seditious words	Convicted for drunkenness in petty session
Mar 1793	Thomas Brimble	Saltford	Cursing the King	1 hour in pillory & 6 months gaol at assize, Apr 1793
Jul 1793	Messrs Robinson	London	Supplying 'Rights of Man' to Somerset bookseller	Fined £100 at assize, Jul 1793
Oct 1793	George Wilkinson	Bath	Seditious words	4 months gaol and 20s fine at borough sessions, Jan 1794
Apr 1794	Thomas Wylde	Bath	Seditious words	6 months gaol and 40s fine at borough sessions, Apr 1794
Jun 1794	Mr Pizzio	Marlborough	Seditious words	?
Jun 1794	Thomas Meekins & Thomas Stone	Kingweston	Attempting to raise an army to assist the French	Discharged at assize, Aug 1794

DATE OF ARREST	NAME	LOCALITY	OFFENCE	PROSECUTION (with date where known)
Aug 1794	Benjamin Bull	Bath	Distributing 'Rights of Man'	1 Year gaol & 20s fine at borough sessions, Aug 1794
Aug 1794	William Foreman	Warminster	Damning the King	6 months gaol at assize, Aug 1794
Aug 1794	Sgt. Seager	Bath	Seditious words	Released after 7 days
Sep 1795	William Lisk	Wells	Distributing seditious handbills	?
Dec 1795	John Chossoll	Bristol	Seditious words	Released after 3 weeks
Dec 1795	George Rogers	Taunton	Seditious words	Acquitted quarter session, Apr 1796
Jun 1796	James Tally	Shepton Mallet	Enticing soldiers from duty and seditious words	2 months gaol and fined 1s at quarter session, Jul 1796
Oct 1796	Thomas Batchelor	Salisbury	Seditious words	Acquitted at borough sessions, Oct 1796
Mar 1797	William Bennett	Bristol	Distributing seditious pamphlets	Released
Mar 1797	William Bennett	Bristol	Selling seditious newspapers & pamphlets	Released

DATE OF ARREST	NAME	LOCALITY	OFFENCE	PROSECUTION (with date where known)
Aug 1797	William Bennett & Thomas Robins	Bath	Distributing seditious pamphlets & seditious words	Acquitted or discharged at borough sessions, Oct 1797
Jan 1798	James Griffin Crosse	Bath	Damning the King	Acquitted or discharged at borough sessions, Jan 1798
Mar 1798	William Cook	Bath	Seditious words	Acquitted or discharged at borough sessions, Apr 1798
Apr 1798	James Vincent, Richard Vincent & James Laver	Glastonbury	Inciting hatred and contempt for His Majesty	Released
May 1798	Peter Sequest	Keynsham	Seditious words	1 month gaol and fined 1s at assize, Aug 1798
Mar 1799	Edward Fitzgerald, Garrett Byrne & James Mulloy	Bristol	Seditious conspiracy with United Irishmen	Fitzgerald & Byrne taken to London for questioning; Mulloy released
Jan 1800	William Jenner	Bristol	Seditious correspondence with French	Released
Oct 1800	Thomas Dyer	Bath	Seditious words	?
Jul 1801	Isaac Dole	Bath	Seditious words	Released

DATE OF ARREST	NAME	LOCALITY	OFFENCE	PROSECUTION (with date where known)
Jul 1801	Ann Watkins	Bristol	'Unguarded expressions' to militia men	?
Jul 1801	Stephen Hurber	Bristol	Seditious words	?
Feb 1803	?	Bristol	Seditious words & involvement with Despard conspiracy	?

* I should like to thank John Styles for discussing much of the following material with me when it was still on the drawing board, Clive Emsley for his good humour, tolerance and advice after reading an earlier version; and the British Academy for awarding me the Fellowship that funded the research.

Notes

¹ Clive Emsley, 'An Aspect of Pitt's Terror: Prosecutions for Sedition during the 1790s', *Social History*, 6, 2 (May, 1981).

² For example, Clive Emsley, 'Repression, terror and the rule of law in England during the decade of the French Revolution', *English Historical Review* (Oct. 1985), and *idem.*, 'The impact of the French Revolution on British politics and society' in C. Crossley and I. Small (eds), *The French Revolution and British Culture* (Oxford, 1989).

³ See for example, H.T. Dickinson, 'Popular Conservatism and militant loyalism, 1789-1815' in H.T. Dickinson (ed), *Britain and the French Revolution, 1789-1815* (1989), p. 103; *idem.*, *British Radicalism and the French Revolution, 1789-1815* (Oxford, 1985), p. 40; under 200 prosecutions 'hardly constitutes a government-inspired reign of terror'. Dr Derry agrees on identical grounds. J.W. Derry, *Politics in the Age of Fox, Pitt and Liverpool; Continuity and Transformation* (1990), p. 97. Professor Christie uses Emsley to justify his reduction of the phrase to 'a gross exaggeration': I.R. Christie, *Stress and Stability in Late Eighteenth Century Britain; Reflections on the British Avoidance of Revolution* (Oxford, 1984), p. 36.

⁴ Without wishing here to become embroiled in a debate about the ambiguous meanings, nature and politics of 'loyalism' in the 1790s, I take Reeves Associationist loyalism to mean the pro-ministerial and anti-democratic stance of John Reeves' Association for the Preservation of Liberty and Property Against Republicans and Levellers, formed in 1792.

⁵ M. Morris, 'The Monarchy as an Issue in English Political Argument During the French Revolutionary Era', (unpub. Ph.D. thesis, University of London, 1988).

⁶ W[iltshire] C[ounty] R[ecord] O[ffice], Salisbury Quarter Session Rolls, A3/110/38, information of James White, 31 Oct. 1796.

⁷ There are several sources for this prosecution: B[ath] G[uildhall] R[ecord] O[ffice], Philip George Papers, indictment, Crown vs Wylde; *Bath Herald*, 3 May 1794; P[ublic] R[ecord] O[ffice], T[reasury] S[olicitor] 11/1071/5056, correspondence between town clerk and crown solicitors. Wylde escaped from gaol before his sentence was complete.

⁸ PRO. TS.11/1079/5390, indictment papers for Crown vs Sequest, 11 Aug. 1798. PRO. H[ome] O[ffice] 43/10, Wickham to Adams and Ireland, 14 May 1798; *Bath Chronicle*, 28 July 1798.

⁹ For Foreman see PRO. Assi[ze] 21/17, Western Circuit Process Book (recognizances on release, 1795), and *Salisbury Journal*, 9 Aug. 1794. For Rogers and Talley see S[omerset] C[ounty] R[ecord] O[ffice], Q/SO 16 and Q/SR 364/3, Quarter Session Minute Book, and information of Thomas Troke and Thomas Gould; and *Bath Chronicle*, 28 July 1796.

¹⁰ BGRO. Quarter Sessions Calendar, Apr. 1798; PRO. HO. 43/10, Wickham to mayor of Bath, 11 Apr. 1798. The mayor had written to the Home Office for advice on whether to proceed with prosecution. Another 'breach of the peace' case at Bath, against James Griffin Crosse in January 1798, was bracketed 'damning the King'. At Bristol, the prosecution of William Bennett for distributing seditious pamphlets was abandoned when the mayor conceded that no breach of the peace had actually occurred: B[ristol] R[ecord] O[ffice], C[orporation] L[etter] B[ook], Harvey to Vicary Gibbs, 3 Mar. 1797.

¹¹ BGRO. Quarter Session Rolls.

¹² *Bath Chronicle*, 23 Aug. 1798.

¹³ Examples are recorded in Elizabeth Crittal (ed), *The Justicing Notebook of William Hunt, 1744–1749* (Wiltshire Record Society, Devizes, 1982), pp. 16, 460.

¹⁴ BRO. Summary Convictions 1728–1795. The only two entries in which the offending words are recorded are the 1736 case: 'God damn the justices and you too'; and one dated 2 Sept. 1782 for twenty-one utterances of 'God damn you'.

¹⁵ Axbridge Town Hall, General Sessions Book i/19, 1784–1834, cases dated 1 July and Aug. 28 1786, 6 May 1788 and 21 Oct. 1789. Disputes with the clerks are recorded in the back of the Chamberlain's Accounts, i/5, 1765–1804. I would like to thank Frank Jarman and the Axbridge Town Trust for allowing me to consult these papers.

¹⁶ PRO. TS.11/1007/4053, Southey and Beadon to Chamberlaine and White, 23 Dec. 1792.

¹⁷ *Bath Chronicle*, 21 Feb. 1793.

¹⁸ Emsley, 'Pitt's terror . . .', pp. 160–64. It should not be inferred however that cautious advice from the Treasury Solicitor betrayed benign or libertarian attitudes. Crown solicitors recommended Portsmouth magistrates to drop a proposed prosecution against an excise officer in 1793 because sacking him would be just as salutary and considerably less complicated: PRO. HO. 42/27, Joseph White to mayor of Portsmouth, 7 Dec. 1793.

¹⁹ PRO. HO. 43/10, Portland to Ireland, 14 May and 4 June 1798; *Bath Chronicle*, 17 May 1798.

²⁰ PRO. HO. 43/9, John King to Jefferies, 16 Aug. 1797.

²¹ For Bennett's background and history see S.W. Poole, 'Popular Politics in Bristol, Somerset and Wiltshire, 1791–1805', (unpub. Ph.D. thesis, University of Bristol, 1993), pp. 98–9, 104, 107–10. For his previous detentions see BRO. CLB. Harvey to Gibbs, 3 Mar. 1797 and John King, *A Statement of the Facts Relative to the Riot at Union Street*

Bristol . . . *With Some Free Observations on the Conduct of the Civil Power* (Bristol, 1797).

²² Bennett had already done so in fact, when doubts over the technical correctness of a committal procedure caused a nervous mayor of Bristol to release him from custody in March 1797: BRO. CLB. Harvey to Gibbs, 3 Mar. 1797.

²³ PRO. HO. 42/31, Granville to Dundas, 22 June 1794, examination of Meekins and Stone and information of James Reynolds, 16 June 1794; HO. 42/32, Walsh to Dundas, 7 July 1794.

²⁴ *Felix Farley's Bristol Journal*, 19 May 1798.

²⁵ PRO. TS. 11/1079/5390, indictment papers, King vs Sequest, together with related correspondence.

²⁶ *Bath Herald*, 3 May 1794.

²⁷ *Bath Chronicle*, 18 Apr. 1794.

²⁸ BRO. CLB. Harvey to Portland, 2, 7, 11 and 28 Dec. 1795; PRO. HO. 43/7, King to Harvey 5 Dec. 1795.

²⁹ WRO. Savernake Estate Papers, 1300/4630, Thomas Potter to Mr Wilson, 25 June 1794.

³⁰ *Bath Chronicle*, 10 May 1798.

³¹ PRO. HO. 42/52, Attwood to Portland, 21 Oct. 1800.

³² PRO. HO. 42/62, information of Willement, Wilkinson and Hucklebridge, 16 July 1801; HO. 43/13, Edward Hatton to the Town Clerk of Bath, 1 Aug. 1801.

³³ BRO. Sessions Papers, bundle Apr. 1801–Apr. 1802, information of Robert Claxton, 27 July 1801.

³⁴ Adrian Randall, *Before the Luddites: Custom, Community and Machinery in the English Woollen Industry, 1776–1809* (Cambridge, 1991), p. 273.

³⁵ PRO. HO. 42/23, Captain Craufurd to Dundas, 20 Dec. 1792, reports the 'busy' activity of 'violent levellers' in the district. For the magistrates see HO. 42/35, Garnett to Portland, 18 July 1795.

³⁶ PRO. HO. 42/28, Harington to Dundas, 9 Feb. 1794.

³⁷ PRO. TS. 24/2/7, S. Vezey to White, 9 Dec. 1792.

³⁸ Campbell lost his job as editor of the *Bath Register*, was forced to stop selling the radical *Courier* and, according to Henry Hunt, had his house pulled down by a Church and King mob 'acting under authority'. Bankrupt, he left the city in the Summer of 1794: PRO. HO. 42/30, anon to Dundas 12 May 1794; *Bath Herald* 12 July 1794; Henry Hunt, *Memoirs of Henry Hunt Esq., Written by Himself in His Majesty's Gaol at Ilchester*, 2 vols. (London, 1821), II, pp. 43–4.

³⁹ *Bath Chronicle*, 7 Feb. 1793.

⁴⁰ *Bath Herald*, 9 Nov. 1793; *Courier*, 17 Oct. 1793, 2 Jan. 1794.

⁴¹ *Bath Chronicle*, 26 Aug. 1794, 2 Sept. 1794.

⁴² *Courier*, 21 Nov. 1793.

⁴³ PRO. HO. 42/27, Harington to Dundas, 22 Nov. 1793; HO. 5/2, Portland to Harington, 14 Sept. 1796 and Thomas Carter to Colquhoun 15 Sept. 1796; *Bristol Mercury* 12 Sept. 1796. Harington had ordered a general inspection of alien licences. Only twenty five out of three hundred and documents which met with his approval and many others reportedly fled the city to avoid 'investigation'.

⁴⁴ Wilkinson was to maintain strong links with the United Irishmen in London and France, the loose Furnivals Inn radical grouping in London and the Bath and London Corresponding Societies. In 1804 he was dismissed from the Bath Volunteer Infantry for organising a strike amongst his fellow soldiers. See Poole, *op. cit.*, pp. 105, 115, 125.

⁴⁵ PRO. TS. 11/506, Jefferies to Portland, 17 Aug. 1794.

⁴⁶ For tailoring disputes see for example *Bath Chronicle*, 23 Mar. to 18 May 1775 and 24 Feb. 1785; BGRO. George Papers, indictment papers for prosecution of Sloan, Bennett and Jones, 1784; papers relating to the case against Benjamin Bull, 1794; *Bath Herald*, 15 Aug. 1795.

⁴⁷ BGRO. George Papers, prosecutor's notes for the trial of George Wilkinson; *Courier*, 16 Jan. 1794.

⁴⁸ *Courier*, 16 Jan. 1794, PRO. TS. 11/1071/5056, Jefferies to White, 29 Apr. 1794.

⁴⁹ *Felix Farley's Bristol Journal*, 8 Dec. 1792; British Library Additional MS 16,927, Reeves Papers, Brunswick to Moore, 5 Dec. 1792.

⁵⁰ *Felix Farleys Bristol Journal*, 15 and 22 Dec. 1792; 12 Jan. and 2 Feb. 1793.

⁵¹ BRO. Quarter Session and Assize Papers, May 1792 to March 1793, 'Address to the Grand Jury', Apr. 1793; CLB, Morgan to Dundas, 21 May 1794.

⁵² See for example, Bristol Public Library, Samuel Seyer, 'Notes for a Topographical History of Bristol' (unpub. 19th century MS, n.d.), p. 246; M. Harrison, *Crowds and History: Mass Phenomena in English Towns, 1790-1835* (Cambridge, 1988), pp. 239-40, 274; M. Vlaeminke, 'Bristol During the French Revolutionary War, 1793-1802', (unpub. M.Litt. thesis, University of Bristol, 1984), pp. 102, 111.

⁵³ *Evening Mail*, 1-3 Aug. 1791; BRO. Corporation Letter Box, 1791, bundle 27, anonymous threatening letters; PRO. HO. 42/19, Harris to Dundas, 21 July, George Daubeney to Evan Nepean 25 July, and Harris to Nepean, 25 July 1791.

⁵⁴ *Sarah Farleys Bristol Journal*, 6 Oct. 1792.

⁵⁵ For Aitken see *The Life of James Aitken, Commonly Called John the Painter, an Incendiary* (London, 1777), and John Latimer, *Annals of Bristol in the Eighteenth Century* (Bristol, 1893), pp. 427-8.

⁵⁶ BRO. CLB. Henry Bengough to Mayor of Liverpool, 16 Jan. 1793, Bengough to Dundas 7 Jan. 1793; Corporation Letter Box, 1792, Bundle 23, Dundas to Bengough 17 Jan. 1793. The possibility that the anonymous threat concerned an attack on shipping is strengthened by a later letter to Whitehall from the man who 'discovered' such a plot in Liverpool early in 1793. Interesting parallels may be drawn between Bengough's reaction and the response of the mayor of Liverpool, who disappointed his informant by apprehending none of the named suspects he was supplied with. Other men, arrested and brought to trial for seditious speech by loyalist Liverpoolian merchants, were allegedly discharged by the magistrates at the opening of the borough sessions: PRO. HO. 42/43, B. Roberts to Portland, 21 Apr. 1798.

⁵⁷ The fullest modern account of the Bridge riot is provided by Harrison, *op. cit.*, pp. 271-88.

⁵⁸ PRO. HO. 42/21, Mudge to Dundas 8 Dec. 1792.

⁵⁹ For the revival of the Constitutional Society see *The Courier*, 3 Feb. 1797 and PRO. HO. 43/8, Portland to Harvey, 25 Jan. 1797. For the attack on their rooms see King, *Statement of the Facts*, and BRO, Corporation Letter Box, 1796, unnumbered bundle, John King to James Harvey, 28 Mar. 1797. There are no newspaper accounts or reports in the Home Office papers.

⁶⁰ BRO. CLB. Harvey to Portland, 20 May 1797, and 1 Aug. 1797; PRO. HO. 43/9, John King to Harvey, 23 May 1797, Portland to Harvey, 7 Aug. 1797.

⁶¹ *Felix Farleys Bristol Journal*, 19 Aug. 1797.

⁶² Some comparative figures may be useful. Nick Rogers' limited regional survey has located some 950 prosecutions for seditious words by English Jacobites between 1689-1760. This figure, it has been suggested, could be extrapolated to a round 2,000. A useful discussion on Jacobitism and the sedition laws appears in P.K. Monod, *Jacobitism and the English People, 1688-1788* (Cambridge, 1989), pp. 233-66.

⁶³ PRO. HO. 42/23, cases against Thomas and Chisnage (f.424); Harris (f.479);

Martin and four others (f.485b); Faulkner (f. 497); Greathead (f.533) and Atkinson (f.541).

⁶⁴ Attributed to Harington by Jerome Murch in his *Bath Celebrities* (Bath, 1893), p. 149.

⁶⁵ *Courier*, 16 Oct. 1793.

⁶⁶ M. Philp, 'Introduction' in Philp (ed), *The French Revolution and British Popular Politics* (Cambridge, 1991), p. 13.

⁶⁷ R. Wells, *Wretched Faces; Famine in Wartime England, 1793-1801* (Gloucester, 1988), p. 287.

⁶⁸ Whilst the nature and scale of British repression clearly bears little resemblance to the Jacobin Terror in France, comparisons may more easily be made between symptomatic factors; systems, for example, of denunciation, spying and informing.