

Jeremy Brandreth – A True Englishman

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Knowing their next words would be their last to fall on human ears, Jeremiah Brandreth firmly exclaimed “God bless you all, and Lord Castlereagh too”, Issac Ludlum chose “I pray God bless you all – and the King upon his Throne, ” and William Turner uttered “This is all Oliver and the government, the Lord have mercy upon my soul.”<sup>1</sup> With these final words damning government entrapment, rope was put around the necks of three working-class men convicted of High Treason and they were hanged and beheaded. They were the ringleaders of what has since become known as The Pentrich Revolution. As a revolution, the Pentrich Revolution, also called “England’s Last Revolution,” was a complete disaster. The revolution lasted less than twelve hours, with one innocent civilian murdered and the revolutionary “army” running away from their first encounter with English troops. However, the significance of what these take-charge working-class men accomplished has influenced much of British life, including the shaping of allowable police actions and the makeup and sanctity of a jury by peers. Labour advocates and historians also use the Pentrich Revolution as a watershed moment in the awakening of agency of Britain’s working class. E.P. Thompson, in his seminal work, *The Making of the English Working Class*, classifies the Pentrich Revolution as “one of the first attempts in history to mount a wholly proletarian insurrection, without any middle-class support.”<sup>2</sup> Much of the research of this event has focused on the social, economic, and political aspects of the participants, the actual uprising and the trial. An important, yet overlooked facet is the influence cultural norms played upon the actors and their actions. According to Thompson the English Working Class as a class, was born and became aware of their

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<sup>1</sup> Home Office Papers /40/7 (1) as quoted in J. Stevens, *England’s Last Revolution: Pentrich, 1817* (Moorland Publishing, 1977), 108.

<sup>2</sup> E.P. Thompson, *The Making of the English Working Class* (New York: Pantheon Books, 1964), 668.

agency during the late eighteenth and early nineteenth century. During this time, many reformers emerged who fully supported the working class dreams and ambitions, but only if those dreams and ambitions were those that signified being a “true Englishman.” By investigating the cultural influences on the actions surrounding the trial of the Pentrich Revolution ringleaders, and Jeremiah Brandreth in particular, we will see how his actions shaped the narrative of the well-meaning working-class individual rising against an oppressive, manipulative government machine.

The 1790’s through the 1820’s were marked by radical changes in all aspects of life of British citizens. The industrial revolution was changing the economic realities and the way of life for the working-class while also expanding the middle-class. Further changes were being framed by the revolutionary ideas expressed by the American War of Independence and French Revolution threatened the philosophical foundations of the rigid British class society. A bad harvest in 1816 coupled with inflammatory rhetoric of radical newspapers fomented an environment of unrest and tension in the English Midlands resulting in the Pentrich Revolution.

As the historians J.L. and Barbara Hammond explain in their book *The Skilled Labourer 1760-1832*, the industrial revolution had destroyed a way of life for the average British worker. Whereas in 1760 a midland knitter had the freedom of determining how and when work was completed while remaining an integral member of the daily life of the family, the introduction of factories and machines meant the factory owner now controlled these actions. A Frame-work knitter had a ‘garden, a barrel of home-brewed ale, a week-day suit of clothes and one for Sundays and plenty of leisure.’<sup>3</sup> The advent of machines and factories changed this way of life. The owners of the machines did not see the machines that could do the work of 10 people as a labor saving device that would allow for more leisure, but as a way to gain more profit. A father who was used to working on

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<sup>3</sup> Quoting William Felkin’s *A History of Machine-Wrought Hosiery and Lace Manufactures* in J. L Hammond, *The Skilled Labourer, 1760-1832*, 2nd ed. (London, New York [etc.]: Longmans, Green, and co, 1920), 3.

his knitting took time out to work on his garden plot, help with the brewing of his ale and show his son how to fish, was now bound to the factory and its time management. Workers apprenticed in 1755 told the Factories Inquiry Commission in 1833 that they began working at home 10 hour days five days a week, but by 1830 they were working in the factories sixteen hour days six days a week and their whole family had joined them.<sup>4</sup> The wars with France from 1798 through Napoleon's defeat at Waterloo in 1815, and with the new United States of America from 1812-1815 profoundly impacted the trades of the midlands of England. Society was trying to find the correct role of government in the regulation of business and the lessons learned from the unrest of the first two decades of the 1800s was presented to the House of Commons in 1832. People had realized that the current situation meant that all contractions of the market really fell on the workers and their children,

“Thus if the demand and profit of the employer increase, the labour of the operatives, most of whom are children, augments till many of them are literally worked to death; if that demand diminish, the children are thrown partially or wholly out of work and left to beggary and the parish.”<sup>5</sup>

In December of 1811 employers throughout the Nottingham district were sent threatening letters signed by General ‘Ned Ludd.’ These letters warned the employers that if better wages and working conditions were not forthcoming his troops would proceed to wreck the expensive machinery that was putting the knitters out of work.<sup>6</sup>

England has a long tradition of violence against scientific progress. In the 1620 play by Thomas Shadwell, *The Virtuoso*, the main character Sir Nicholas Grimcrak performed scientific experiments, modeled after actual Royal Society experiments. In one of the final scenes, Sir Nicholas is besieged by weavers who fear he has created an automatic loom which would put them

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<sup>4</sup> Factories Inquiry Commission 1833, p. 180 quoted in *Ibid.*, 5.

<sup>5</sup> House of Commons, March 16, 1832 quoted in *Ibid.*, 9.

<sup>6</sup> Malcolm I Thomis, *The Luddites; Machine-Breaking in Regency England*, Studies in the libertarian and Utopian tradition (New York: Schocken Books, 1972), 11.

out of work. Trying to use a formal discussion on the benefit to all of mankind did not persuade the rioters to leave him alone, and in fact angered them so much they beat his assistant.<sup>7</sup> Unlike the fictional satire of Shadwell, the threats of General Ludd were put into action from 1812-1816 with a rash of machine breaking throughout the midlands unique in intensity and numbers.<sup>8</sup> The Luddites felt that if they destroyed these new machines they could return to their way of life and gain control over their own destiny again.<sup>9</sup> So widespread was their destruction that the appellation of being a Luddite has come to mean a person completely against modernity and is still widely used today.

Whig politicians blamed the reduction of commerce on the governments' waging disastrous wars. Others blamed the government's Order in Council. A widely held view was that only Parliamentary reform could get rid of government corruption and restore order to the countryside. Thus the Luddite movement, originally organized by the workers to try and improve their day to day life, was co-opted by political opportunists who focused their anger not on the employers but on society and the government as a whole. In a pamphlet supporting the Luddites an author laid out what he saw as the maxims of the movement.

- I. That the Poor of this Realm are generally in great want and distress: and the middle ranks are becoming Poor.
- II. That the Suffering of the Poor are not the effects of a Divine Dispensation; but the offspring of wicked men and bad systems.
- III. That it is possible for Monopolization and Paper Money to make dearth and distress, even in the midst of wealth and abundance.
- IV. That much Trade and Commerce are not so beneficial to a nation as many are disposed to affirm.
- V. That nothing can effectually meliorate the condition of the Poor, and preserve the middle ranks from ruin; but a more equal distribution of landed Property, and PEACE and REFORM.

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<sup>7</sup> Act V. Sc. iii. Thomas Shadwell, Marjorie Hope Nicolson, and David Stuart Rodes, *The Virtuoso* (U of Nebraska Press, 1966), 119.

<sup>8</sup> Thomis, *The Luddites; Machine-Breaking in Regency England*, 17.

<sup>9</sup> Thomis demonstrates that although the Luddites originally focused on breaking machinery to improve wages for the workers it was quickly overshadowed by thieves who used the pretense of breaking machines to disguise robbery. Thomis, *The Luddites; Machine-Breaking in Regency England*.

- VI. That the Slaves in the West Indies have but little reason to envy the happiness of the Poor of Great Britain.
- VII. That Pheasants, Hares, Partridges, Snipes, Woodcocks and Moorhens, being protected by Laws and Game-keepers, are a PRIVELEGED ORDER compared with the Poor of this Realm.
- VIII. That there is no moral or political evil in the world which men may not remedy if they choose.<sup>10</sup>

Radical newspapers were publishing treatises against the government. In January of 1817 a new radical newspaper, *The Black Dwarf*, began publishing. Immediately the government felt threatened and imprisoned the editor, Thomas Wooler on charges of seditious libel. William Cobbett's *Political Register*, selling for half the price of regular newspapers, became the newspaper of the working class and actively incited the working-class to stand up for their rights and demand an active part in government. Fearing retaliation from the government William Cobbett went into exile in the United States in the beginning of 1817. The spread of newspaper reading to "the more ignorant classes", was belittled by some publishers because "the universal rage for spreading education among the poor" caused them to form "ill impressions." The passion for reading these radical newspapers caused one anonymous letter writer to remark that the Black Dwarf was "in the hat-crown of almost every pitman you meet."<sup>11</sup>

E.P. Thompson uses the sentiments expressed by the Luddite apologists and the overall decline of the workman's standard of living to cast the Luddite movement as a class conflict.

However, as Thomis demonstrates, the only way the Luddite movement could be presented as a

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<sup>10</sup> Reprint of George Beaumont's pamphlet "*The Beggar's Complaint against Back-Rent Landlords, Corn Factors, Great Farmers, Monopolizers, Paper Money Makers, and War, and many other Oppressors and Oppressions. Also, Some Observations on the Conduct of the Luddites, in Reference to the Destruction of Machinery.*" *The Luddites; Three Pamphlets, 1812-1839*, British labour struggles: contemporary pamphlets 1727-1850 (New York: Arno Press, 1972), 3.

<sup>11</sup> Hannah Barker, *Newspapers, Politics and English Society, 1695-1855*, Themes in British social history (Harlow, England ; New York: Longman, 2000), 51-52.

class conflict one would have to accept the premise that the working man's wages were deliberately lowered by the employers to keep the working class impoverished, which is misleading. The entire industry was hard hit by the government wartime policies. Major Cartwright, founder of the Hampden clubs and an advocate of Parliamentary reform and franchise for every household, informed the Luddites that the employers were not their enemies but "fellow sufferers from [the wars] economic consequences".<sup>12</sup>

### The Uprising<sup>13</sup>

Thomas Bacon, a well-known Pentrich radical brought Jeremiah Brandreth to the village of Pentrich on the 5<sup>th</sup> of June 1817. There was a general meeting of people and supposedly Brandreth made a pledge that each man who joined the march would receive 100 guineas, bread, beef, and ale when they arrived in Nottingham. The troop barracks would be attacked and if the troops did not join the marchers the attackers would 'go to work'.<sup>14</sup> Brandreth held numerous other meetings culminating in a final meeting on the 8<sup>th</sup> of June in the White House, a public house run by Nanny Weightman. This meeting was witnessed by multiple constables, Anthony Martin and Shirley Ashbury, who had come into the pub and drank ale with the insurgents for more than two to three hours. They testified that they heard talk of an uprising they were too frightened to report it to any magistrate. Brandreth took out a map and showed the people where they would be going and made up a fight song for his troops.

*Every man his skill must try,  
He must turn out and not deny;  
No bloody soldier must be dread,*

<sup>12</sup> Malcolm I. Thomis, *Politics and Society in Nottingham, 1785-1835*, 1st ed. (Blackwell Publishers, 1969), 83–84.

<sup>13</sup> The actions of the night of the 9th of June have been taken from Volume I and II of William Gurnery, *The trials of Jeremiah Brandreth, William Turner ... and others, for high treason*, vol. I and II, n.d.

<sup>14</sup> Stevens, *England's Last Revolution*, 23, The prosecutor was not able to provide proof that Brandreth was in Pentrich prior to the 8th of June during the actual trial.

*He must turn out and fight for bread;  
The time has come you plainly see,  
The government opposed must be.*

Again, Brandreth's enticement to marchers, according to witnesses, was that they would receive bread, beef and a pint of rum when they got to Nottingham. He said the marchers would then go to London to form a new government which would make sure people would no longer go hungry. On the ninth Brandreth met with the people that were singled out by the prosecution as the ringleaders of the uprising, William Turner, Issac Turner, and George Weightman. The witnesses discuss what happened at the meeting. It sounds more like a group of football fans having a few too many pints before a big game than a planning meeting for an uprising against the most powerful government in the world. They talked of going to London and erasing the national debt, they talked of the entire country rising with them and people in Nottingham already rising. At 10 o'clock a group estimated between 60 to 80 men met at Hunt's Barn to begin their march to Nottingham Forest where they were to meet up with the people from the north. The night was very rainy and throughout the ordeal people complained of the rain and the need to get sacks to cover themselves and their weapons to protect them from the rain. The plan of action was to go to houses and businesses along the way and 'recruit' volunteers and get weapons for the marchers.<sup>15</sup>

The marchers started at Mr. Hardwick's where they received some weapons. They then went to a Mr. Tomlinson's house. Tomlinson locked his house and attempted to refuse to join the uprising. He was forced to go, but after about 300 yards George Weightman let him drop out. The group split up and Brandreth's group went to the home of Widow Hepworth. It was at Hepworth's place that the only fatality of the night occurred. The doors and windows were locked and Brandreth

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<sup>15</sup> Nineteenth century workers were used to the army and navy pressing people into the service and believed that this was an acceptable way to gather manpower for an uprising. The prosecution at the trial did not even make a point of arguing that impressing volunteers in the uprising was wrong, and in the case of Elijah Hall, the fact that a father let his son be taken to join the insurgents is presented as just the way things were.

became angry. He demanded that they be let in, or he would start shooting. A servant of Mrs. Hepworth, Robert Walters, went to the kitchen and started to put on his boots. Brandreth shot through the window in the door and hit Walters in the side and he later died.<sup>16</sup> The group then went to more houses, gathering 'recruits' and weapons as they went.

They reached the Butterley ironworks where Brandreth had said they were going to take over the factory to be able to make weapons for the uprising. It is at this junction that the group began to realize their uprising would come to naught. Brandreth had William Turner, a former army man, line the men up in columns of twos as if preparing for an assault on the ironworks. Instead of an assault, the men witnessed Mr. Goodwin, the shop foreman stand up to Brandreth. Mr. Goodwin said that the men should come to their senses and leave this madness, or they all would be hanged. Some of Brandreth's men broke ranks and were sheltered by the men in the ironworks. Brandreth marched his men away from the ironworks, having accomplished nothing against a force of a superintendent and a few constables. Brandreth took the men to the next village, Codnor, and his band of approximately 200 took over three pubs and drank and ate for a while. When presented with the bill, the leaders said that Bank of England notes were not going to be worth anything so they would not pay them. After the band left they went to the next town, losing people as they traveled. Again they stopped at the pubs to have some more food and ale.

By 6 AM the original group marched more than 12 miles through the rain and the dark and was approaching the village of Kimberley. It is here that they encountered English troops. The troops consisted of eighteen mounted men of the 15<sup>th</sup> Regiment of Light Dragoons, a sergeant and

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<sup>16</sup> Neal points out that Brandreth was never charged with the crime of murder, and many contemporaries feel that the shot was random and not meant to kill Walters. John Neal, *The Pentrich Revolution* (Pentrich Church Restoration Appeal Committee, 1966), 63.

an officer. The marchers fled in panic when the troops were spotted over a half-mile away.<sup>17</sup> The Pentrich Revolution was at an end.

### Awaiting Trial

The authorities quickly captured the people who partook in the activities of the night of the 9<sup>th</sup> of June. Some of them were captured that same night, but Brandreth actually got away for a few weeks and tried to leave Bristol to go to America. He was turned in by a government spy for the reward of 100 pounds in Nottingham and arrested on July 22.<sup>18</sup> The week after the uprising, on June 14, the *Leeds Mercury* decided to publish a second edition because they had allegations of transactions that were important to the “government and the people of the country.” This second edition began an expose of an individual named Oliver. According to the *Mercury*, Oliver had approached a bookseller in Derbyshire and tried to persuade him to join a revolution, “In fact, the whole tenor of Oliver’s conversation went to show that he had traitorous designs, and that he was in league with traitors.” They later state he was a *Green Bag Maker*, a paid government spy, in reference to the secret Green Bag that was passed to the Secret Committee of the House of Commons with reports from agents in the field.<sup>19</sup>

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<sup>17</sup> Ibid., 71.

<sup>18</sup> Hammond, *The Skilled Labourer, 1760-1832*, 362.

<sup>19</sup> “Second Edition,” *Leeds Mercury*, June 14, 1817, 2d edition.



An 1817 print from George Cruikshank which shows a week old Lord Sidmouth on the left talking to Oliver the Spy. On the right, ministers discuss how to pay him. The Green Bag is in the middle of the table, full of reports from the field. Meanwhile a horrified John Bull looks in through the window saying ““Oh! Oh! I have found out the conspirators at last. Poor starving John is to be ensnared into Criminal acts and then the Projectors and perpetrators are brought forward as principal evidence...””

Through the next month the *Mercury* investigated and followed the exploits of Oliver. As the month progressed they changed his name from “Oliver” to “Oliver the Informer” to “Oliver the Spy.” The newspaper knew it had a blockbuster of a story, beginning the article *Exploded Plots* in the June 21<sup>st</sup> issue with the statement, “The exposition made in our last paper of the plotters against the public tranquility, has produced a sensation in the Metropolis – the Senate – and the nation at lagged, and has seldom been exceeded.” The *Mercury* argued that the traitorous acts committed by the uprising in Derbyshire County were instigated by the government agents themselves. After all “a first Minister of State ought to know, that when a spy cannot find a plot, he will make one: and when he know that his employers have a *Green Bag* to fill, he will not fail to present them with his

well-time contributions.”<sup>20</sup> The immediate consequence of these revelations was the release of a group of men charged with rioting in Huddersfield. The judge refused to countenance the testimony of the government spies and all were set free. The papers of the time heralded the verdict as a triumph of the “very lowest ranks of society” against the weight of the power and influence of the government.<sup>21</sup>

The government became worried that the unrest within the country would actually blossom into a full blown revolution unless they made some examples out of the Pentrich mob. The first decision was that they would not charge the prisoners with something as simple as rioting or murder; instead they would charge them with treason. By charging the prisoners with treason the government had different rules on the composition of the judicial panel and how the jury would be empaneled. The government attempted to select the jury that would be most beneficial to their case. Following the advice of the solicitor of Derby, they postponed the trials until after the harvest was in so that the farmers called to sit on the jury would not be upset and whose “temper would be prejudicial to us.”<sup>22</sup> Mr. Lockett, the solicitor, also packed the jury list with only those individuals that were not from the areas where the insurrection took place, nor on areas that bordered the affected areas. He wrote to the home office on October 11, “I am happy to inform you that we are prepared for the trial. I have intelligence upon which I can depend as to every Juror. The list throughout is most respectable. There will be but few challenges on the part of the Crown.”<sup>23</sup>

This packing of juries is especially interesting in light of the trial of Thomas Wooler for seditious libel in London in the summer of 1817. Wooler published an impassioned plea for repeal of the packing of special juries in *An Appeal to the Citizens of London Against the Alleged Lawful mode of*

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<sup>20</sup> “Plot Exploded,” *Leeds Mercury* (Leeds, England, June 21, 1817).

<sup>21</sup> The *Annual Register*, 1817 p. 73 quoted in Hammond, *The Skilled Labourer, 1760-1832*, 366.

<sup>22</sup> Home Office Papers, 42, 169, August 11, quoted in *Ibid.*

<sup>23</sup> Home Office Papers 42, 173 quoted in *Ibid.*, 367.

*Packing Special Juries*. Wooler argued that the magistrate was selecting jurors because a juror might be “a rag-merchant, and HE [the magistrate], *did not think rag-merchants* were of that respectable description of persons who *ought* to sit on Special Juries.”<sup>24</sup> Wooler, the editor of the radical paper *The Black Dwarf*, was a proponent for parliamentary reform and the rights of the working class but did not come to the defense of Brandreth when his defense lawyers attempted to raise the issue of jury selection in the treason trial. It appears that the selection of juries of the “lower classes,” when they went to trial, were not as important.

The press reports on the government’s attempts to ferment rebellion in the Midlands coupled with the revelations of the jury packing began the historical narrative that became the hallmark of the telling of the “Pentrich Revolution.” John Neal, who wrote the first book about the rising in 1881, *The Pentrich Revolution*, interviewed many of the people directly involved in the uprising and focused on the actions of the government in the instigation of the riot.<sup>25</sup> Hammonds’s 1967 book, *The Skilled Labourer, 1760-1832*, is perhaps the most definitive work that highlighted the government manipulation in the affair. The government conspiracy narrative is constructed through the existing records which were kept by the government people and the intellectual elites of the time. The Hammonds and Neal focused their energy on “proving” the government conspiracy, but did very little to investigate the underlying conditions which would cause a few hundred men to gather on a rain soaked evening and begin a march to London.

R.J. White disagrees with the image of the government as the orchestrator of the grand conspiracy. White portrays Lord Sidmouth, the Home Secretary as a complete novice in developing a network of domestic intelligence. He likens Sidmouth’s employment of Oliver “as a man might tip

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<sup>24</sup> Thomas Jonathan Wooler, *An appeal to the citizens of London against the alledged lawful mode of packing special juries*, 1st ed. (London: Black Dwarf, 1817), 7.

<sup>25</sup> Neal, *The Pentrich Revolution*, Introduction.

a total stranger who offers to steer him through a fog.”<sup>26</sup> In White’s narrative, the government was afraid of a revolution. The joining of Oliver, a totally disreputable character, with Brandreth resulted in the Pentrich Revolution which seemed to be arranged for “the special benefit of the Home Secretary.”<sup>27</sup> In Whites telling, the confrontation at the Butterley becomes the “Battle of Butterley”<sup>28</sup> and Jeremiah Brandreth “the stalwart, desperate fellow who burns with desire to strike a blow for – something, although he may not know precisely what.”<sup>29</sup> White argues that the revolution is looked as a failure by people who did not experience it, but that oral tradition within Pentrich still had people cowering in their farm houses and hiding in ditches from these fierce determined men on their march through the countryside.<sup>30</sup>

E.P. Thompson takes a different view of the uprising. He sees the turn of the century as a time when “English working people came to feel an identity of interests as between themselves, and as against their rulers and employers.”<sup>31</sup> Referring to the unrest of the Luddites and uprisings in the Midlands, Thompson asks the question, “To explain their actions, need we look any further into the immediate economic and industrial grievances?”<sup>32</sup> In Thompson’s telling the government had legitimate reason to be frightened. In 1803 the government had exposed a plot to assassinate the Prime Minister and had sentenced six men to death, with Colonel John Despard being the last man in England sentenced to be hanged, drawn and quartered. The government was convinced that “disaffection must be ringed round and isolated; and this might be done by attaching to it the suspicion of pro-Bonapartist conspiracy or (after 1815) wild, insurrectionary intention.”<sup>33</sup> According to Thompson, historians cannot determine the inner-workings of the anti-government organizations

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<sup>26</sup> Reginald James White, *Waterloo to Peterloo* (London: Heinemann, 1957), 165.

<sup>27</sup> *Ibid.*, 162.

<sup>28</sup> *Ibid.*, 171.

<sup>29</sup> *Ibid.*, 168.

<sup>30</sup> *Ibid.*, 171.

<sup>31</sup> Thompson, *The Making of the English Working Class*, 11.

<sup>32</sup> *Ibid.*, 484.

<sup>33</sup> *Ibid.*, 485.

because the sources are misleading and clouded, and these sources are misleading and clouded because working people intended their papers to be that way. The working people were realizing that their aims were not in solidarity with each other as much as they were in opposition to their employers and all their actions must be hidden from their employers and the government.<sup>34</sup> Thus the lack of sources of working people's motives and actions is a result of the awakening of the working class as a class. In this narrative, the removal of the standard price for goods and set wages for workers was "the crisis point in the abrogation of paternalist legislation, and in the imposition of the political economy of *laissez faire* upon, and against the will and conscience of the working people."<sup>35</sup>

Thompson argues that the Pentrich rising should be seen as one of "the first attempts in history to mount a wholly proletarian insurrection, without any middle-class support."<sup>36</sup> However, the government's effort to insure that middle-class jurors from the immediate area were not put on the jury because of their sympathy for the proletarian prisoners seems to disprove this assertion. Nevertheless, using the economic climate of the area, Thompson argues that an uprising was inevitable and the government was behaving responsibly in ensuring that it occurred under the circumstances they had engineered and which they could control. The government had used Brandreth and the uprising to impose repressive legislation such as the suspension of Habeas Corpus and the Six Acts in 1819. In reviewing the actions of the participants Thompson does say "Brandreth's long silence had in it a heroism which has been little understood."<sup>37</sup> This silence can be better understood by looking at the cultural norms for the working class and the actions of Brandreth's defense at his trial.

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<sup>34</sup> Ibid., 487.

<sup>35</sup> Ibid., 543.

<sup>36</sup> Ibid., 668.

<sup>37</sup> Ibid.

The courts are a place where the common people have a chance to confront the power of the government. Within a structured environment, where actions and language (in the words of James Epstein) “is routinely narrowed and compromised,” the working class and the underprivileged are offered a chance to be heard, not only in their time but to leave an historical record of their ideas.<sup>38</sup> The underclass is given this opportunity because laws must appear just and fair in order for them to be effective.<sup>39</sup> The pre-trial press for Jeremiah Brandreth had already put the government on the defensive in convincing the people that the laws being enforced in the courtroom were fair.

According to historian Amnon Yuval, radicals of the time adopted one of two different defense models. In the first model the radical did not care about the outcome of the trial and argued for the radical position. In this model the defendant usually did not have legal counsel and managed to turn the courtroom into a stage for his cause. It seems as if some defendants welcomed the notoriety they achieved for taking this principled stand and for the opportunity to delivery fiery speeches. The second model was more conciliatory in nature and functioned more as the defendant throwing himself on the mercy of the court for becoming too passionate in the support of radical ideas which led him into being accused. According to Yuval, those who opted for the second model had a better success rate in escaping punishment, but those who took the aggressive stance were remembered as true believers and in many instances lionized for their principled stand.<sup>40</sup> The accused in the Pentrich Revolution opted to use the second model but have passed into history as principled defenders of working-class ideals. This is because Brandreth, Turner, and Ludlum were in a unique situation driven by their unique place within the British class hierarchy.

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<sup>38</sup> James Epstein and ebrary, Inc, *Radical Expression Political Language, Ritual, and Symbol in England, 1790-1850* (New York: Oxford University Press, 1994), 111.

<sup>39</sup> E P Thompson, *Whigs and Hunters* (Penguin Uk, 1990), 258–269.

<sup>40</sup> Amnon Yuval, “Between Heroism and Acquittal: Henry Redhead Yorke and the Inherent Instability of Political Trials in Britain during the 1790s,” *Journal of British Studies* 50, no. 3 (July 2011): 624–625.

Brandreth could not engage the court in fiery speeches in support of his causes because he was not an educated man. There are no accounts of Brandreth espousing anything but the concerns of the working class. Brandreth deeply resented the economic situation of the country. He was a member of the Luddite uprisings of the previous years and appears to be a firm believer that the way of life of the stocking knitters and textile workers of the midlands was being undermined. When his solicitor Mr. Denman first met with him and explained that he would probably be executed for his actions Brandreth replied, “I need not care whether I live or die, for there are no ‘Derbyshire ribs’ now.”<sup>41</sup> Brandreth was not worried about a revolution, he was dejected because his profession of making ‘Derbyshire ribs’ stockings was no longer around. The one thing he could do was be stoic in the face of adversity. It is this stoicism and his cultivation of indifference usually associated with the upper-class of England that has been used to present Brandreth as a true Englishman to be admired.

Turner was a 46-year-old stonemason. A former soldier whose actions in the uprising, according to the witnesses, seemed to be more in line with a sergeant martialing the troops for a donnybrook, a bar tough out for a good time. The third and last man executed for the Pentrich Revolution was Issac Ludlum. Ludlum was a failed farmer who was working at a stone quarry. He was the father of a large family. Both Turner and Ludlum made repeated requests for leniency and fell down and wept when confronted with the execution.<sup>42</sup> The people who many considered the ringleaders of the movement, Thomas Bacon, a well-travelled and well-read member of the Hampden clubs and framework-knitter, and John Cope another well-read member, did not participate in the uprising on the night of the 9<sup>th</sup> of June.<sup>43</sup> E.P. Thompson’s claim that the uprising did not have middle-class support may stem from the fact that the middle-class radicals backed out of concrete action supporting the revolt against the government they had so vehemently advocated. The other

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<sup>41</sup> Sir Joseph Anrould, *Memoir of Thomas, first Lord Denman, formerly Lord Chief Justice of England* (London, England: Longmans, Green, and co, 1873), 116.

<sup>42</sup> Stevens, *England’s Last Revolution*, 87–92.

<sup>43</sup> *Ibid.*, 20–24.

members of the uprising, some of which were later sentenced to transportation to the Botany Bay prison colony in Australia felt that they were marching for “a bigger loaf and the times altering.”<sup>44</sup> They envisioned a huge turn-out of workers with bands and boats and that they would be back in a day or two.<sup>45</sup>

### The Trial

The trial convened on Thursday the 16<sup>th</sup> of October, 1817, well after the crops were gathered and the farmers selected by the government could attend. Jeremiah Brandreth was selected as the first prisoner to be tried and was represented by Mr. Denman and Mr. Cross. The chief judge, Lord Chief Baron Richards, in an attempt to stop public opinion from swaying the outcome of the trial, stated that nothing of the proceedings was to be published until after all of the proceedings were concluded. As expected, of the first 26 prospective jurors, eight were sworn in, two were challenged by the Crown, and 16 were challenged by the prisoner. Mr. Denman and the Attorney General then became embroiled in an extended discussion on the proper timing of challenging a witness. It was obvious to all that the government was not going to need to challenge very many prospective jurors and in the interest of fairness Mr. Denman argued that if the government was going to challenge a juror the defense should not have to waste one of their 30 allotted challenges. The four judges weighed in on the matter and said it was a matter of custom that the prisoner had the chance to challenge first, then the Crown and then the juror was sworn in. It was not a law or a rule, but the precedence was set that way and the court would not go against precedent.<sup>46</sup>

The prosecution began by stating their case with the three charges against the prisoner, the first was that “the prisoner, together with other persons, some of whom are named in the

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<sup>44</sup> Testimony of Elijah Hall Gurnery, *The trials of Jeremiah Brandreth, William Turner ... and others, for high treason*, I and II:116.

<sup>45</sup> Stevens, *England's Last Revolution*, 26.

<sup>46</sup> Gurnery, *The trials of Jeremiah Brandreth, William Turner ... and others, for high treason*, I and II:1–34.

indictment, and others stated to have been unknown to the grand jury, levied [sic] war against His Majesty” the second was that they were “Compassing and imagining to depose the King” and finally they were “Conspiring to levy war against the King, in order to compel him to change his measures.”<sup>47</sup> He then makes sure the farmers of the jury understand the meanings of the words within the statue. He told the jury that “compass” does not mean what it means in normal usage, i.e. to effect[sic] the actual deed or “have done that which I intended”, instead for law it means what was intended to do by certain means. He wanted to make sure that all he had to prove was that the intention was there and the fact that the whole exercise was a dismal failure did not impact the finding of guilty in the case. He then made his avenue of attack against the prisoners clear. He was not going to charge them with conspiring for a country wide outbreak. Although Brandreth may not have participated in the previous proceedings of setting up the insurrection he must have known what was going on there because he acted upon it and he did not care if there was a word of truth of the general uprising through the country only that Brandreth acted upon it and encouraged others to do so also.<sup>48</sup> Thus, the government didn’t care that their own agents may have fomented the rebellion, real Englishmen do not take up arms against their sovereign. Englishmen were given great rights and responsibilities that Brandreth had used against the benevolent government.

“One of the rights of Englishmen, as settled by the glorious constitution as established in 1668, and which I hope these men will never break down, was that an Englishman might have arms for his defence; little did those who established that right as against arbitrary power, imagine that they were putting into the hands of such men as Brandreth and his conspirators an opportunity of taking from the honest English farmer the gun he had for his defense, and converting it not an instrument for the destruction of his fellow subjects, and the destruction of the government and constitution of their country.”<sup>49</sup>

The prosecution then began calling witnesses. He began with witnesses who said they had heard Brandreth and fellow prisoners in different pubs talk about a revolution that would change the

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<sup>47</sup> Ibid., I and II:37–39.

<sup>48</sup> Ibid., I and II:43.

<sup>49</sup> Ibid., I and II:48–49.

way things were. The first few witnesses were actually constables who had overheard the conversations in an open pub two days prior to the uprising. They could not remember the exact details because they were all in the pub for three or four hours. The defense's cross examination of these witnesses began to lay out the defense for Brandreth. They asked why these constables did not report the talk to a magistrate. The constables said they were afraid because Brandreth and his pals said they would burn them out of their homes if they talked. The defense then pointed out that these people were freely discussing these issues with people they knew to be constables in attendance.<sup>50</sup> Denman was laying the groundwork for their defense of Brandreth; these people were really a bunch of bar toughs that were getting more and more agitated. At most the whole thing should be considered a riot that got out of hand, but in reality it was just a mob action of a bunch of drunks.

The prosecution continued with the witnesses who had been taken from their house and forced to give the band of men on the 9<sup>th</sup> of June either weapons or men. These witnesses expressed their fear of the men, but they could not say what the band was advocating. When asked what Brandreth had said, they said he had promised them money, food and plenty of ale when they got to Nottingham.<sup>51</sup> The really damning testimony came on the morning of the second day of the trial. Ms. Hepworth testified that her manservant, a Robert Walters was shot and killed. She believed it was Brandreth who fired the pistol, but she did not see it.<sup>52</sup> (The government never charged Brandreth for murder, and Brandreth never took responsibility for shooting Walters.) The rest of the witnesses recounted the uprising as already discussed.

When the prisoner was able to present his case Mr. Cross begins with a spirited disagreement with the definition of treason. Quoting Justice Blackstone he states that Justice

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<sup>50</sup> See the testimony of Anthony Martin and Shirley Ashbury Ibid., I :67–78.

<sup>51</sup> See testimony of James Shipman Ibid., I :85.

<sup>52</sup> Testimony of Ms. Hepworth Ibid., I :122 ff.

Blackstone had remarked that during the reign of Henry VIII new and strange treasons were revived, including “assembling riotously to the number of twelve, and not dispersing upon proclamation, was one amongst the new-fangled treasons of the that reign, which were total abrogated in the reign of Queen Mary.”<sup>53</sup> He later shows that during the reign of Queen Mary that a law was passed that assembling of multitudes of people under arms to change the laws, was only the crime of felony.<sup>54</sup> He then attacks the governments treatment of the rising around Pentrich directly as an assault on all Englishmen.

“A common riot is not treason; but it is said that by construction all riots that have a public object are, treason – that an attempt by force and violence to alter the law is treason. Gentleman, doctrine of this sort is infinitely more dangerous than Acts of Parliament, however far they may extend the law of treason. A man knows not when he is safe, if a few lines of doctrine, written by a lawyer, however earned, in his closet, shall have all the force and effect of an Act sanctioned by the King, Lords, and Commons in Parliament assembled. A Riot...is not treason.”<sup>55</sup>

Cross then discussed the state of the country that forced men such as Brandreth to take action. Mentioning the just completed war and the expected joyous bounty that was to come from the cessation of hostilities juxtaposed against the wretched economic straits the country was in, he highlights the common mans frustration with the fruit of peace which left him, “instead of fruit chewed bitter ashes.” Cross cited pamphlets from well-known radicals, such as Corbett, which blamed all the problems on the government enticing the working class to petition for redress of grievance and to actively strike out against the government. This line of defense enabled Jeremiah Brandreth to implement the defense of apologizing to the government in an attempt to get a lighter sentence while also not attacking the ideals of the radical movement. Cross had not attacked the ideas of the radical movement, only that they were written in a way that would excite “these poor

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<sup>53</sup> Ibid., I and II:186.

<sup>54</sup> Ibid., I and II:188.

<sup>55</sup> Ibid., I and II:191.

illiterate persons.”<sup>56</sup> This defense is only available to those people of the working-class and was skillfully employed by Cross and Denman.

Cross then dismantles the government’s case by again highlighting the illiterate, backward stereotype of the working-class. When discussing the conspiracy he says that the only thing that all of the conspirators agreed on was that they were going to go and petition for more bread and rum. This seems to be a small cry from waging war on the nation. He then brought up that the Shipman’s testimony when asked what would happen to the marchers. He had said that they would get bread and rum and when asked what the women left behind would get he replied a provisional government would be sent down to provide roast-beef and ale in plenty. Cross said that these workers thought a “provisional government” meant that the government would provide “provisions” for everyone. This could hardly be construed as trying to overthrow the government as much as it was trying to provide for himself and his family.<sup>57</sup> He concluded by again highlighting the class differences between the judges, the jurors, and the working class. For

“...when there is a famine in the land, disturbances will break out. Those who have food from day to day from the cradle to the grave, and have no conception of the emotions of a fellow creature with a famished family about him – with a wife and children wanting food; we can have no adequate conception of these things; but, alas! these five and thirty wretched creatures could feel them – the law has provided for the case of poor illiterate people occasionally drive to despair by famine, and has said that when that happens,” the riot act will be read and they should disperse. In this case they dispersed without the riot act being read and “although this was a riot of great enormity – undoubtedly of great enormity, yet I trust you will feel that it was but a riot still.”<sup>58</sup>

Mr. Denman, in his defense of Brandreth takes a similar tack in some instances and a completely different tack in others. Like Cross, he begins with the history of what constitutes a riot and what constitutes a war and lays out many instances of English juries finding that destruction of

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<sup>56</sup> Ibid., I and II:199.

<sup>57</sup> Ibid., I and II:200–204.

<sup>58</sup> Ibid., I and II:207.

property and mayhem very seldom crosses the line from riot to war. He then belittles the witnesses that say they saw Brandreth in the pub organizing for the overthrow of government. He states that the people to be found in these places “are irritated, they are drunk, they are half asleep, they hold violent language, they say absurd things, and among other absurd thing they sing absurd verses.” He states the only unifying theme all the witnesses could agree on was “a bigger loaf, and the going on a party of pleasure on the Trent from Nottingham.”<sup>59</sup> Denman then makes a case that the government did not prove that Brandreth had met with anyone to effect a countrywide uprising, referring of course to the government spies of which the newspapers were full of stories. This tack allowed the defense two avenues of argument. If the government produced the spies, then the defense could show that the government was in fact the instigator of the conspiracy, and like the trial in Huddersfield, the prisoners would be release. If the government did not produce the spies to show the conspiracy, Brandreth would be shown to be ignorant of a general plan to overthrow the government and would not be guilty of treason.

Denman then chastises the government for the selection of the order of trying the cases. By trying Brandreth first they have taken the so-called ringleader and tried to influence the juries feelings towards all of the prisoners. Denman points out that his client, Jeremy Brandreth, had not shaved and came to the courtroom dressed completely different from when he led the uprising. He was in some sort of disguise that didn’t work at all for all recognized him. This disguise could be “from some crazy imagination of his own, or some folly equal only to the folly of that night, he has chose[sic] so to appear I know not, but I do think it is unfortunate that his case should be first

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<sup>59</sup> Ibid., I and II:236–237.

presented to a Jury.”<sup>60</sup> All the men to be tried in this affair are joined to the results of this case and the drunken remembrances of people in a pub should not be used to indict them all.

When the Chief Solicitor gave the governments summing up he reviewed the definition of war and riots and made special mention of the fact that the people in the Pentrich rising were armed. He then brought up the fact that he did not need to bring in any people to prove that a conspiracy took place prior to the night of the 9<sup>th</sup> of June. The fact that Brandreth had shown up and told people that they were to meet other people in Nottingham Forrest was enough to show that not only was there a conspiracy, but that Brandreth was acting upon it. There was no reason to produce other conspirators because they were not on trial for the actions that happened on the 9<sup>th</sup> of June.<sup>61</sup>

In giving the summation of the case to the jury The Lord High Judge made a special point of the fact that the defense did not contradict any of the witnesses and in many cases did not even ask any questions in cross-examination. When discussing the murder of Robert Walter he stated that “though this atrocious murder appears in this case, it is not treason...yet if people pursue the object they are charged to have had in view by the atrocious means, you being charged to enquire what object they had, will perhaps more easily decide what was their real object,”<sup>62</sup> thus validating Mr. Denam’s concern that Brandreth was the first prisoner to be tried. He ended his summation with reference to the class differences between the prisoners and the jurors, “Gentlemen, that these people were in a low situation of life is no excuse at all; for a crime is not less a crime because the man who commits it is poor.”<sup>63</sup> The jury came back after 25 minutes of deliberation with a verdict of guilty.

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<sup>60</sup> Ibid., I and II:243.

<sup>61</sup> Ibid., I and II:254.

<sup>62</sup> Ibid., I and II:295.

<sup>63</sup> Ibid., I and II:310.

The defense for the remainder of the prisoners followed the same lines with one important distinction. Since all subsequent cases already had the fact that the Pentrich Revolution was not a riot and was the waging of war against the government, they could not argue that line of reasoning any longer. Realizing that the government had purposely selected Brandreth as the first case to taint the feelings of all subsequent juries, Denman and Cross refashioned their portrayal of Brandreth. No longer was he the easily influenced, illiterate bar bum who was leading an out-of-control riot he was now the manipulator of the working-class. He became the man of swashbuckling legend. Denman actually quoted lines from Byron's *Corsair*

Sunburnt his cheek, his forehead high and pale,  
The sable curls in wild profusion veil;  
There breathe but few, whose aspect could defy  
The full encounter of his searching eye.  
There was a laughing devil in his sneer,  
That roused emotions bot of rage and fear;  
And where his frown of hatred darkly fell,  
Hope withering fled, and mercy sighed farewell.”<sup>64</sup>

The defense was still using the stereotype of the working-class as being ignorant and easily swayed by those in power. The only difference was the person doing the swaying was Jeremiah Brandreth, The Nottingham Captain. The results were the same for Issac Ludlum and William Turner and George Weightman; they were all sentenced to be hanged and beheaded. Because Weightman and helped some of the pressed men in leaving the march he was given leniency and was sentenced to transportation along with 18 of the other conspirators.

The newspapers reported the findings of guilty and specifically the stoical way in which Brandreth conducted himself. The Morning Post from London remarked on the changed demeanor of Brandreth in the Nottingham Captain article of the 21<sup>st</sup>. They remarked on his great stoicism and

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<sup>64</sup> Ibid., I and II:I 236.

his “great anxiety to remain with “his brethren.””<sup>65</sup> The 23<sup>rd</sup> October Issue of the Trewman’s Exeter Flying Post said that on Brandreth’s way back to prison, “There was no cheering as he passed, nor was there any expression of an opposite nature; but the verdict of the Jury seemed to have made him an object of greater public interest than he had been at any time anterior to the trial, or during its progress.”<sup>66</sup> There was much speculation about why the defense did not bring up Oliver, with some suggesting that Cross and Denman were money hungry lawyers that had taken all the money Brandreth could muster and did not care to provide adequate defense.<sup>67</sup> Others point out that the prisoners were not allowed to meet with anyone and were kept on bread and water and may not have known of the exposure of the government spies. The only thing Brandreth could do was act in a way he believed a true Englishman should, bravely and taking responsibility for his actions. According to his Chaplin. Brandreth refused to implicate anyone else in his actions and said, “he had endeavoured to make his peace with God, and he did not see that it was necessary for him to make any statement for the satisfaction of man.”<sup>68</sup>

Brandreth’s place in English lore as the brave working-man standing up against the government was cemented on the day of his execution when Shelley penned his work *We Pity the Plumage, but Forget the Dying Bird: An Address to the People on The Death of the Princess Charlotte*. In this work Shelley compares the national outpouring of grief for the death of Princess Charlotte to the execution of the Pentrich prisoners. He argues “the accident of her birth neither made her life more virtuous nor her death more worthy of grief. For the public she had done nothing either good or evil,”<sup>69</sup> meanwhile, of Brandreth, Ludlum, and Turner, “They too had domestic affections, and were remarkable for the exercise of private virtues. Perhaps their low station permitted the growth of

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<sup>65</sup> “Nottingham Captain,” *The Morning Post* (London, England, October 21, 1817).

<sup>66</sup> “Trial of Brandreth for High Treason Concluded.,” *Trewman’s Exeter Flying Post* (Exeter, October 23, 1817).

<sup>67</sup> Henry Hunt, *Memoirs, Henry Hunt*, vol. III (London, England: Gutenberg ebook, 2005), 143.

<sup>68</sup> Stevens, *England’s Last Revolution*, 102–103.

<sup>69</sup> Percy Bysshe Shelley, *The Prose Works of Percy Bysshe Shelley*, ed. Richard Shephard (Kingston vale: R. Shepard, 1888), 372.

these affections not consistent with a more exalted rank.”<sup>70</sup> Shelley remarks on the calmness of Brandreth and his acceptance of the sentence. Shelley tells the people of England to mourn the death of the one who would rule over them, but the greater tragedy was that “LIBERTY is dead,” and although Charlotte dying brought grief “it was a private grief. But *man* has murdered Liberty, and whilst the life was ebbing from its wound, there descended on the heads and on the hearts of every human thing, the sympathy of an universal blast and curse.”<sup>71</sup>

The transformation of Jeremiah Brandreth from a member of the lowest sort to a hero was complete. He is not remembered as someone who terrorized the countryside and struck fear into the hearts of the farmers, he is remembered as a good man, a true Englishman who fought bravely for the common-man against the machinations of the government. Almost 200 years have passed since the Pentrich Revolution and the Pentrich Historical Society uses the profile of Jeremiah Brandreth as its logo while members of labour unions periodically reenact his march. Jeremiah Brandreth was not surprised by the government treachery, nor was he aware of his symbolization of the awakening consciousness of the working-class. He was only aware that his way of life was changing and he could only react as he believed a brave Englishman should. This unexpected bravery from a member of the working-class has ensured that many would try to claim him as their champion but all would remember his bravery.

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<sup>70</sup> Ibid., 372–373.

<sup>71</sup> Ibid., 380.

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