

The Character of Credit. Personal Debt in English Culture, 1740–1914

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Margot Finn's book *The Character of Credit: Personal Debt in English Culture, 1740–1914* is the first volume in a new series published by Cambridge University Press (Cambridge Social and Cultural Histories) which seeks to draw social and cultural history more closely together. In this respect the book is a resounding success, charting the ways in which economic and social relations were mediated through cultural forms. Many of the themes will be familiar to readers of Craig Muldrew's work on credit in early modern England, which revealed the extent to which economic transactions took place within a web of social relationships.⁽¹⁾ It is Margot Finn's achievement to demonstrate conclusively that the social and cultural relations created by credit continued to play a major role in the lives of all classes between 1740 and 1914. Economic activity remained a fundamentally social activity, embedded in historically specific cultural norms and expectations that profoundly limit the usefulness of analytic categories derived from classical political economy.

Far from this period seeing a transition from status to contract as the economy became more recognisably 'modern', Finn's account reveals 'the protracted nature and partial effects of the eighteenth century's modernising impulses' (p. 327). 'Formal and informal loans, gifts of money and of goods, begging, borrowing, cadging and ultimately flight were essential economic strategies ... and remained integral to consumer culture in the Victorian and Edwardian years' (p. 2). Focusing on these credit relations reminds us that customers and traders were bound together by more than a cash nexus: they were often also friends or neighbours, and these 'networks of mutual lending ... encouraged all parties to surround their contractual agreements with a scaffolding of extra-legal customs, obligations and expectations' (p. 95). *The Character of Credit*

presents a mass of fascinating evidence which brings the cultural meanings of exchange to life in a remarkably vivid way, demonstrating how considerations of status shaped the way that consumers, creditors and judges saw and engaged in economic transactions.

Finn's book explores this theme through three separate but interconnected perspectives: representations of debt in novels, diaries and memoirs; the transformation of imprisonment for debt; and the use of the small claims courts to mediate disputes between creditors and debtors. The argument begins with a discussion of a range of novels, from Samuel Richardson's *Pamela*, to John Galsworthy's *In Chancery*, which illuminate models of economic behaviour that cannot be described in simple contractual terms. Finn's readings are both subtle and suggestive. For example, she shows that the concern with paper credit and financial speculation in *Pamela* coexists with a multiplicity of 'highly traditional personal credit relations centred on gifting activities', thereby undermining those interpretations of *Pamela* which see the novel as resting on the emergence of market-oriented individualist mentalities (p. 27). The evidence from the novels demonstrates that these forms of exchange are laden with meanings which render them anything but impersonal. Pamela's decisions to accept or refuse gifts from her mistress, or her suitor Mr B repeatedly demonstrate that gifting behaviours served to locate both donor and recipient in social, sexual and moral hierarchies. Attention to these forms of exchange blurs the boundaries between public and private, market and home, and sheds new light on women's role in the circulation of goods. Indeed, the sustained engagement with the representation and practice of women's economic activity throughout the text will make it required reading for anyone interested in gender history.

From fictionalised accounts, Finn turns to diaries and autobiographies in order to study the 'shifting conceptualisation of the individual's personhood in the consumer revolution' (p. 9). The presentation of the self was a crucial element of access to credit, and throughout Finn's account one encounters people making strenuous efforts to accumulate the symbolic capital needed to make ends meet. Given that shopkeepers only rarely had precise knowledge of an individual's economic assets, '[c]reditors sought constantly and unsuccessfully to read debtors' personal worth and character from their clothing, their marital relations, their spending patterns and their perceived social status' (p. 21). In this way 'tradesmen not only responded to consumers' efforts at self-fashioning but also helped to position these individuals within hierarchical social relations' (p. 10). Finn uses her material to probe not just the public presentation of the self, but also how people saw themselves. Her account of these processes, based on a wide range of novels, diaries, letters, and prison and court records, is ambitious, original, and occasionally startling.

Finn argues that 'in keeping with centuries of Christian doctrine, literary and historical texts of this period typically denote debts as "misfortunes" and describe debtors as "unfortunate"' (p. 28).

By underlining the inevitable vicissitudes of the human condition, representation of personal debt as a species of misfortune emphasised the power of charity and divine providence – not the force of individual economic volition – to release debtors from their obligations (p. 28).

Misfortunes could befall anyone of whatever rank, and no distinction could be drawn between the moral virtue of the debtor and the creditor. For example the painter Benjamin Haydon, who relied on access to credit and gifts from aristocratic patrons to mitigate his perpetually precarious economic situation, refused to identify his indebtedness as a marker of moral worth. Throughout his life he interpreted the credit extended by patrons as a particular manifestation of divine providence, and personal indebtedness was seen as a trial by which his moral character would be redeemed. For Haydon 'unpaid debts were the "proper correctives" of worldly man, mechanisms of moral regeneration rather than tokens of lapsed economic virtue' (p. 73). In this respect, Finn suggests, he tended towards the pre-millennialist evangelical understanding of the Atonement described by Boyd Hilton, in which 'Providence always acted miraculously, and it was presumptuous to expect to comprehend its dispensations, or to seek, by rational and prudential calculations of one's behaviour, to avoid its blows in future'. (2)

Throughout the book Finn demonstrates the persistence of this view of debt as a misfortune, an interpretation which distanced debtors ‘from the rigid conceptions of personal agency, responsibility and culpability associated with modern economic individualism’ (p. 128). Some of the most remarkable examples come from the study of imprisonment for debt in the second section of the book, as the interpretation of personal insolvency as a species of misfortune served to distinguish imprisoned debtors from the criminal population. The account of how these perceived differences shaped distinct penal regimes for debtors significantly extends Joanna Innes’s earlier work on the King’s Bench Prison by studying a range of metropolitan and provincial debtors’ prisons. This is in many ways the best part of the book, a superb social history which conveys a great deal of detail about the organisation of the prisons and the lives of the prisoners within them.

The idea that imprisoned debtors were victims of misfortune is reflected in the fact that technically they were imprisoned not for punishment, but for safe custody, and could demand maintenance from the creditors who had imprisoned them. It is also reflected in the widespread charitable activity designed to support or liberate imprisoned debtors which Finn uncovers: between 1772 and 1831 the Thatched House Society freed 51,250 debtors at an average cost of £2, 19s, 6d (p. 162). However, it is in the prisons that we start to see a transformation in the culture of credit towards the end of the eighteenth century. The distinctive cultures and practices of debtors’ prisons rested on the foundations of the custodial tradition of confinement and the tendency of high legal costs at common law to focus debt litigation disproportionately on the wealthier portions of society (p. 150). *The Character of Credit* demonstrates that changes in the legal system flooded prisons with tens of thousands of plebeian debtors, and suggests that this combined with new theories of penal discipline to challenge the interpretation of debtors as victims of misfortune. Under these circumstances the debtors’ prison was transformed from ‘an asylum capable of protecting its inmates from the full wrath of their creditors into a more punitive institution intended to exact retribution for economic misbehaviour’ (p. 154).

The process of reform revealed here was highly uneven and prompted intense debate over whether or not imprisonment for debt should be abolished, leading to a number of Acts of Parliament between 1838 and 1846 which fundamentally reshaped the system. Particularly significant was an act of 1842 which redefined the concept of fraud. Whereas it had previously been held that credit transactions were fraudulent if the debtor contracted without ‘reasonable or probable *expectation*’ of rendering payment, henceforth a fraudulent transaction would be one where debtors had contracted without ‘reasonable assurance’ of making full payment to their creditors. The Small Debts Act of 1845 allowed judges to imprison small debtors for up to forty days if they proved to have contracted their debts fraudulently, and, in a major departure from the practice in the courts of requests, such imprisonment did not liquidate the debt. Perhaps most significantly, the Small Debts Act of 1846 replaced the courts of requests with the county courts, which could imprison debtors for up to six weeks at a time, and could do so repeatedly for contempt if they failed to pay their debts. This was a dramatic transformation. As one Home Office official explained in 1845, petty debtors were no longer ‘imprisoned for safe custody alone, or in satisfaction of their Debts – But as a punishment either for fraudulent or dishonest conduct, or for a wilful disobedience of the orders of a Court of Law’ (p. 174). These new attitudes to the imprisoned debtor prompted a steady stream of changes to the way that prisons treated of both small-claims debtors and those who owed more substantial sums, as traditional privileges were removed and debtors were exposed to penal discipline. Yet the newness of the concept of the ‘penal debtor’ meant that it was not accepted by all, and Finn pays careful attention to the resistance to the idea found among prisoners, prison governors, the public and government officials. The 1860s saw a further burst of reform which, as Gerry Rubin and Paul Johnson have shown, effectively restricted imprisonment for debt to the working classes.⁽³⁾ This state of affairs lasted until 1970, with imprisoned debtors remaining at the margins of the penal system.

The third section of the book moves on from the study of imprisonment for debt to examine the courts as a locus in which debtors’ identities were contested. The eighteenth and nineteenth centuries saw the proliferation of summary small-claims courts, and the story of these courts is a compelling one, which weaves together the history of consumption, the development of the law and the growth of the state. We are

not only given details about who sued in the courts, but the different strategies deployed by debtors, creditors and judges. Finn is absolutely right to stress the importance of the fact that married women were allowed to give evidence in these courts, and the gendered dynamics of courtroom performance are explored with enviable subtlety. Finn concludes that although these small claims courts were established ‘to modernise legal processes of debt reclamation by liberating them from customary constraints’, they instead ‘repeatedly registered and affirmed entrenched social beliefs, identities and practices that constrained fully contractual consumer behaviour’ (pp. 3–4). This was facilitated by the fact that the small-claims courts were explicitly enjoined to draw upon ‘equitable’ reasoning, whereby the strict letter of the common law was mitigated by taking account of the particular personal circumstances of each case.

The suggestion is that the common law upheld the ideals of the autonomous individual and contractual liability, whereas ‘equitable’ reasoning allowed judges to insist upon ‘the legitimate role played in economic transactions by social relations’ (p. 309). The ability of county court judges to order payment by instalments, for example, gave them a means of mitigating the severity of the common law. There can be no doubt that county court judges often departed from the letter of the common law, and this is an important point, but the argument does seem overstated in some respects. In the first place, as Michael Lobban has shown in his book *The Common Law and English Jurisprudence, 1760–1850* (Oxford, 1991), common law judges were able to exercise considerable discretion in their interpretation of the law: it did not operate as a strict body of rules. Secondly, some of the examples Finn gives of ‘equitable’ reasoning are perfectly compatible with common law judgements. Take, for example, the two cases described on page 269. In the first, a judge is described as deviating from the common law by suggesting that a husband’s liability for his wife’s contracts might depend on the sufficiency of any allowance he gave her. In fact this was a disputed point at common law, not a deviation from a firm point of law.⁽⁴⁾ In the second case a county court judge ruled that a husband remained liable for his wife’s debts even though they were separated. This sort of judgement, it is suggested frustrated the superior-court judges and legislators who sought to substitute autonomous individuals for social individuals. However, this interpretation ignores the longstanding rule of the common law that if a husband forced his wife to leave the marital home by his misconduct (as in this particular case), she had authority to pledge his credit and he could not revoke it.⁽⁵⁾ To associate the common law with a straightforward liberal individualist position can therefore be misleading.

This small quibble aside, *The Character of Credit* presents a sweeping and powerful argument, bringing together a huge body of exceptionally interesting source material from an impressive number of archives. It tells a story of how judges, debtors and tradesmen successfully resisted the march of ‘modernisation’, seen as the emergence of the freely contracting autonomous individual and strict contractual liability of liberal economic theory, by continuing to see economic transactions through the lens of social relationships, obligations and pressures. It is an important story, and one told with great skill, although the overarching explanatory framework is based on such large generalisations that it sometimes sits awkwardly with the subtle analysis of the details.

Readers of this book will find themselves in no doubt that throughout the period in question indebtedness was interpreted as a misfortune rather than a sign of moral failing, but this idea is pursued so relentlessly that alternative ways of thinking about debt are largely ignored. The result is that it is difficult to see the themes developed in the book in any sort of perspective. Rival interpretations of credit and debt surface only momentarily, as when we are told in passing that ‘Gentlemen, Clergy, Merchants, Manufacturers, Traders and Farmers’ from Halifax who signed petitions in the third quarter of the eighteenth century ‘associated credit with luxury, dissipation and vice’ like ‘adherents of the classical republican tradition’ (p. 216). What was this tradition? Who else held these ideas? What happened to them? Such questions are never posed, and produce the uncomfortable feeling that the reader is being treated to a restricted view of a much broader vista. Consider again the case of Benjamin Haydon. We are told that his indebtedness caused him ‘acute shame’, and that in 1834 he described his lot as a ‘state of degradation, humiliation, & pain of mind’, while he called imprisonment for debt a ‘disgrace’ (pp. 69–70). Such language does not fit comfortably with the idea of a morally innocent debtor fallen prey to misfortune. ‘Degradation’ and ‘disgrace’ suggest that indebtedness did have consequences for one’s moral character, while ‘shame’ surely suggests some notion of

culpability. The idea that debt might result from moral failings features prominently in Margaret Hunt's study of 'the middling sort'. She found that seventeenth- and eighteenth-century traders persistently ascribed commercial failure 'to immoral acts on the part of parties to business transactions.' Such men 'were almost unanimous in believing that failure came as a result of extravagance, lack of industry, and especially inattention to one's accounts, keeping bad company, ... drunkenness, illicit sexual activity, and maintaining extravagant family members, especially sons'.⁽⁶⁾ This divergence between the findings of two historians working on overlapping periods requires some explanation.

One possible cause of this problem is that *The Character of Credit* tends to ignore differences between different kinds of debt. The cultural meanings of debts owed to banks, for example, are not necessarily comparable to debts owed to family members.⁽⁷⁾ More importantly, it is not immediately obvious why the case of someone incurring debts in order to tide their business over a short-term cash-flow problem should be seen as equivalent to the case of someone who owes gambling debts incurred at the card table. Observers will surely attach very different moral valuations to the debtors in these two cases. Consider Hogarth's series of prints *The Rake's Progress* (1735), which chart how a wealthy young gentleman's extravagant expenditure and gambling led ultimately to the debtor's prison and madness. Hogarth's message here is fundamentally moralistic, associating gambling and indebtedness with moral decline, but such voices are absent from *The Character of Credit*. In practice, the book focuses almost exclusively on retail credit, but this only begs the question of how representations of other kinds of credit interacted with these discourses. In view of the material Finn has assembled, I am in no doubt that an important way of conceptualising indebtedness was as a misfortune, imputing no moral deficiency to the debtor, but I am less certain of how important this trope was compared to alternative languages, because the alternatives are not discussed. Nor am I sure of the limits beyond which the language of misfortune could not be deployed to describe a debtor's situation.

The overwhelming emphasis on the idea that debt was seen as a misfortune has the unfortunate effect of making the perspective of those seeking to enforce strict contractual liability seem rather alien: their values, ideas and expectations are presented as completely opposed to the dominant beliefs of the society they lived in. This limits the explanatory force of the account, because it is by no means clear how or why the liberal individualist perspective gained ground if it was so marginalized. With the exception of the discussion of how imprisoned debtors and criminal prisoners were forced into the same penal regimes, the causes of this shift away from the language of 'misfortune' are left remarkably vague. 'Financial panics provoked by the expansion of credit trading, mounting antagonism to aristocratic habits of indebtedness, hostility to the National Debt and the rising cost of administering the Poor Laws' are all mentioned as rendering Georgian men and women 'increasingly sensitive to issues of credit and debt' (p. 152). No doubt these are all important developments, but little or no evidence is offered to establish any kind of causal relationship linking these factors to the developments charted in the book. In fact, the penultimate page suggests that the fundamental changes in debt and credit relations did not occur until the interwar period, outside the time-frame of the book. *The Character of Credit* does not reject the idea of a transition from status to contract in economic relations, but in focusing on the status part of the question, the overall process is left thoroughly mysterious.⁽⁸⁾

Dr Finn might reasonably respond that the history of the liberal individualist perspective has been exhaustively studied by others, but one still wishes that she had paid more attention to the 'modernising' forces assailing the traditional moral economy that she describes in such detail. Framing the narrative in terms of this conflict has the unfortunate effect of anachronistically forcing people into one of two camps – 'modernising' or 'traditionalist'. As a heuristic device, this has obvious merits, but it underestimates the diversity within each category. The 'liberal' camp which saw economic relations in terms of individual autonomy, and which sought to enforce contractual rigour, can readily be associated with the political economy of Adam Smith and John Stuart Mill, but this group also contained those Christian political economists described by Boyd Hilton, whose perspective was very different. As Hilton has shown in *The Age of Atonement*, there was an influential body of economic thinkers in the early nineteenth century whose outlook had been shaped by post-millennialist evangelicalism, and who 'regarded debt as sinful'.⁽⁹⁾

For them, financial failures ‘were not “mysterious visitations, inscrutable as potato-rot or rinder pest,” but the logical outcome of sin.’ Moderate evangelicals supported free markets not because they were simply the best mechanism for allocating resources, but because interference with the free play of market forces would obscure the ‘clockwork providence’ by which men were tested and punished by God for sins like avarice.⁽¹⁰⁾ In this respect the distinction between ‘useful’ and ‘false’ credit becomes important, because it was ‘false prosperity – *undue* Credit, and *over*-trading’ which were punished by providence.⁽¹¹⁾

Hilton’s work suggests that the place of debt in religious discourses was more contested than *The Character of Credit* allows, and it is unfortunate that various denominational and theological differences are so regularly subsumed under the label ‘Christian’, and that religion barely features in the account of the nineteenth and twentieth centuries. Consideration of this Christian political economy also reminds us that those who supported the strict enforcement of contracts did so for a variety of reasons and should not necessarily be classed together. It is highly significant, for example, that these evangelically influenced economists opposed the introduction of limited liability, while Liberals like J. S. Mill and Robert Lowe supported limiting liability for debt.⁽¹²⁾

For this reason, the changes in the credit laws in the 1840s, at least, need to be contextualised in terms of debates within liberal political economy, rather than seen as the authoritative statement of a reified liberal individualism. It is surely important that many of the changes in credit law were made while Sir Robert Peel was Prime Minister – a man closely associated with Christian political economy (and whose banking reforms surely affected attitudes towards credit).⁽¹³⁾ It is regrettable that *The Character of Credit* never really explores the motives of legislators, when changes in the credit laws and penal reforms lie at the heart of the book. It is surely not enough to cite Patrick Polden’s view that the story of small debt legislation is ‘profoundly unedifying’ when the book raises so many interesting questions about the interpretations of legal reform offered by Polden and Lester (p. 236).⁽¹⁴⁾ Consider how the legislation of the 1840s increasingly treated debtors as having contracted fraudulently. Lester presents this as a common sense reform to help tradesmen, but in the context of Finn’s argument it becomes something more problematic: a revolt against the culturally dominant representation of debtors as simply unfortunate. The ideas and intentions of legislators might shed some light on the nature of these reforms, but they are ignored and one is left wondering why the law was changed at all, yet alone why the law was changed in the way that it was.

A recognition of the diversity within each group complicates the dichotomy between ‘liberal individualist’ or ‘modern’ and ‘social’ or ‘traditional’ interpretations of debt, but a more fundamental problem is that it is extremely difficult to assign individuals to a particular side in the conflict between these perspectives. One man’s creditor was often another man’s debtor, and while tradesmen may have shared the values of the moral economy, they also had to enforce contracts in the courts if they were to remain in business. *The Character of Credit* is not blind to this, and is often at its most interesting when probing these tensions, but a more explicit recognition of the conceptual difficulties involved would have been welcome. It is not clear why tradesmen were so anxious to assess the character of their customers if debt was not seen as the result of personal failings, and this is a problem created by the author’s polarisation of ‘liberal individualist’ and ‘social’ interpretations into a dichotomy.

Take the case of Thomas Falconer, one of the county court judges described by Margot Finn as adhering to ‘classical liberal conceptions of economic exchange and personal autonomy’, in contrast to the equitable standards upheld by many of his colleagues (p. 259). Now there can be no doubt that Falconer was a devoted disciple of Bentham, but in many respects he held ideas which clearly align him with the ‘equitable’ approach. He described court orders for payment by instalments as ‘a wise and most humane provision’; he had ‘the greatest repugnance’ to imprison women due to the ‘almost certain loss of character’ which attended imprisonment; and he mocked those who sought to replace credit with cash-only transactions.⁽¹⁵⁾ Considerations of equity and the social circumstances of the debtor are most clearly evident in the following passage:

It is a merciful provision of the County Courts Act, 1846, that a Judge may anticipate default in the payment even of instalments ordered, and limit the amount for which an execution on the goods may be levied. By section 105 also, of the same Act, if from sickness or other sufficient cause the defendant is unable to pay the debt, or damages, or instalments ordered, the Judge may suspend any judgement, order, or execution, on terms from time to time. Mercy may be thus shown to poor people when overwhelmed with or suffering from sickness, accident, or poverty. [\(16\)](#)

In Finn's account of the clash between liberal individualism and traditional moral economies based on social ties, Falconer is presented as fighting for the former when he was, in fact, playing for both teams simultaneously, and there is no reason to believe that he was unusual in this respect.

A single volume cannot hope to provide a comprehensive history of personal debt, but each of the three sections in *The Character of Credit* illuminates important aspects of a vast subject. The questions it raises about the social and cultural embeddedness of economic relations are of major importance to economic historians, the history of the debtors' prisons is an outstanding piece of social history, and the work on plebeian encounters with civil law is of considerable significance. If the book raises more questions than it answers about how these three aspects of personal debt are connected, and how they changed over time, then that is only because it has set out to map *terra incognita*. This is not just a book that deserves to be widely read, but a book which ought to prompt and guide a great deal of further research by historians following the paths opened up by Margot Finn. *The Character of Credit* sets a high standard which future books in the Cambridge Social and Cultural Histories series will do well to match.

Notes

1. Craig Muldrew, *The Economy of Obligation: the Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998). [Back to \(1\)](#)
2. Boyd Hilton, *The Age of Atonement: the Influence of Evangelicalism on Social and Economic Thought 1785–1865* (Oxford, 1988), pp. 14–15. [Back to \(2\)](#)
3. G. R. Rubin, 'Law, poverty and imprisonment for debt, 1869-1914' in G. R. Rubin and David Sugarman, *Law, Economy and Society, 1750-1914: Essays in the History of English Law* (Abingdon, 1984), pp. 241-99; Paul Johnson, 'Class law in Victorian England', *Past and Present*, 141 (1993), 147-169; Paul Johnson, 'Creditors, debtors, and the law in Victorian and Edwardian England' in ed. Willibald Steinmetz, *Private Law and Social Inequality in the Industrial Age. Comparing Legal Cultures in Britain, France, Germany and the United States* (Oxford, 2000), pp. 485-504. [Back to \(3\)](#)
4. John William Smith, *Leading Cases in Various Branches of the Law* (2 vols, London, 1832) vol. ii, pp. 421, 423–24. See in particular *Liddlow v Wilmot*, 2 Stark. 88 (1817); *Emmet v Norton*, 8 C. & P. 506 (1838); *Johnston v Sumner*, 27 *Law Journal Report* (N.S.) Exch. 345 (1858); *Beale v Arabin*, 36 *Law Times* (N.S.) 249 (1877); *Eastland v Burchell*, 3 Q.B.D., 436 (1878); and *Debenham v Mellon*, 6 H.L. (E.) 34 (1880). [Back to \(4\)](#)
5. Matthew Bacon, *A new abridgement of the law*, (7th ed., 8 vols, London, 1832), vol. i, p. 719. See also *Boulton v Prentice*, 2 Strange, 1214 (1745). [Back to \(5\)](#)
6. See Margaret R. Hunt, *The Middling Sort. Commerce, Gender and the Family in England, 1680–1780* (Berkeley, Ca., 1996), p. 37. [Back to \(6\)](#)
7. Hunt, p. 29. On the widespread existence of debts to family members see Hunt, pp. 23–4. [Back to \(7\)](#)
8. Dror Wahrman makes some perceptive comments about how cultural histories struggle to account for change in 'The new political history: a review essay', *Social History*, 21 (1996), 352–4. [Back to \(8\)](#)
9. Hilton, *Age of Atonement*, p. 263. [Back to \(9\)](#)
10. Hilton, *Age of Atonement*, p. 69. [Back to \(10\)](#)
11. Hilton, *Age of Atonement*, p. 135. [Back to \(11\)](#)
12. Hilton, *Age of Atonement*, p. 259–60. [Back to \(12\)](#)

13. Boyd Hilton, 'Peel: a reappraisal', *Historical Journal*, 22 (1979), 585–614; Boyd Hilton, 'The gallows and Mr Peel' in ed. T. Blanning and D. Cannadine, *History and Biography: Essays in Honour of Derek Beales* (Cambridge, 1996), pp. 88–112.[Back to \(13\)](#)
14. Patrick Polden, *A History of the County Court, 1846–1971* (Cambridge, 1999); V. Markham Lester, *Victorian Insolvency: Bankruptcy, Imprisonment for Debt, and Company Winding-up in Nineteenth-Century England* (Oxford, 1995).[Back to \(14\)](#)
15. Thomas Falconer, *On County Courts, Local Courts of Record, and on the Changes Proposed to be Made in Such Courts in the Second Report of the Judicature Commissioners* (1873), pp. 94, 98, 102.
[Back to \(15\)](#)
16. Falconer, p. 21.[Back to \(16\)](#)

The author is happy to accept this review and does not wish to comment further.

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