DICKENS HAS MANY REPUTATIONS, AND NOW THAT HIS TRIUMPH AS A NOVELIST is conceded we hear rather less of him as a social critic, a journalist, and as a leading figure of his time. Perhaps this is right, if we are to consider only the novelist; but if we want to think of him as Lord Shaftesbury spoke of him, as a great "phenomenon" of his time, we cannot understand him unless we see how, even as a writer of fiction, he refused to keep simply to the world of his imagination. This determination may have arisen at first from his chosen career as a journalist. This is not the place to survey in any detail this career, running from his engagement on the *True Sun* to the editorship of his own journals *Household Words* and *All the Year Round*. Yet it does remain remarkable not merely that he worked for the *Morning Chronicle*, edited *Bentley's Miscellany*, and also helped to start the *Daily News*; but that, in addition, from the time of his first conception of his weekly *Master Humphrey's Clock* (in 1839) to the starting of *Household Words* (1850), it was his privately-declared ambition to comment directly on his own times, to "describe the administration of justice," or to write as if he were "a certain SHADOW, which may go into any place. . . a previously unthought of Power going about. . . which will represent common sense and humanity."[1] It was an ambition he went on to fulfil in the two journals which he edited for the last twenty years of his life, and to which he contributed over two hundred articles.

All this is a standard ingredient in any Dickens biography, however much or little is made of it. Yet two aspects of it have hardly received enough emphasis. One is the extent to which this ambition pervades Dickens' writing; and another is how much he owed to a further part of his career as a journalist. This is his connection with the weekly *Examiner*, to which he was not simply an active contributor but bound by an enthusiastic association with members of the group which wrote for it.

Very little has been said of this by any biographer, perhaps because Dickens' association with the journal was largely through his friend John Forster, who was at first literary and dramatic editor, and then the editor. For it is the common, misguided assumption that Forster did all he could to exaggerate and enlarge upon his friendship with Dickens, and since Forster took three volumes for his *Life of Dickens* it is invariably assumed that he must have said all there was to say. In fact Dickens contributed at least forty reviews and articles to the *Examiner* between 1838 and 1850, of which Forster only hazily mentions two (Forster, p. 132). Forster says nothing of the way in which he was the editor and Dickens his contributor; nor about how he must have helped to teach Dickens the techniques of getting out a weekly journal; nor of how he had to come to the rescue of the *Daily News* when Dickens sur-

[1] John Forster, *Life of Charles Dickens*, 3 vols., ed. J. W. T. Ley (London, 1928), II, 132 (hereafter cited as Forster); see also II, 190-192.

rendered the editorship in distress after less than three weeks in command. Neither does Forster comment on what may have been even more significant, Dickens' association with other contributors, especially an earlier editor, Albany Fonblanque.

The *Examiner* was a journal of marked quality and vigour, founded by Leigh Hunt in 1808. Its main editors at this time were Hunt (from 1808 to 1825), Fonblanque (1830 to 1847), and John Forster (1847 to 1855). In general terms it has recently been aptly described "for a modern audience" by Robert Gittings as "like a mixture of the *New Statesman*, *The Times* (new style), and (in good measure) *The News of the World*."[2] It kept closely to its traditions: it was radical, whiggish, and deeply concerned about administrative abuses and instances of injustice. And even under Leigh Hunt, Gittings rightly notes in the same article, "twenty or thirty years before Dickens, the tone and the style is remarkably the same." He refers to Dickens the novelist rather than the journalist; and if we accept his recognition of the likeness, we may also accept that Dickens' style and sympathies were like the *Examiner's*, not just because they had much in common, but because to some extent the journal helped to form him.

Almost certainly it did. For Fonblanque was an extremely able journalist. In *A New Spirit of the Age* (London, 1844), R. H. Horne remarked that "in his combined powers of the brilliant and argumentative, the narrative and epigrammatic, and his matchless adroitness in illustrative quotation and reference, Fonblanque stands alone" (p. 211). From a more critical standpoint, Carlyle was ready to characterise him in 1849 as "a serious-looking fellow, with fire in his eyes, who seemed to consider his task in the world was to expose fallacies of all sorts, which, in fact, he did with considerable adroitness and skill."[3] Fonblanque gathered many of his pieces together in *England Under Seven Administrations* (1837) and there is no doubt that they have a sharp cutting edge, and that they justify the respect in which the "philosophical radicals" held him as "the greatest journalist in England."[4] In 1833 Fonblanque had taken on John Forster as his literary and dramatic editor, and in October 1847 he gave him the full editorship. Other contributors in Dickens' time, for example, included W. J. Fox, Laman Blanchard, Bulwer Lytton, and (in 1848) Carlyle himself; and although Dickens' biographers usually tend to look on these men as belonging to *his* circle, it is also clear that many of such friends and journalists only came to him because they were first members of a group which had centered on Forster, Fonblanque, and the *Examiner*.

All this is part of some separate subjects which need to be linked up, including the history of the journal, which has still to be written, and the biography of Dickens, about which there is already almost too much. For the present, these things have to be mentioned as part of the introduction to one of a number of newly-identified contributions to the *Examiner*, a contribution which itself can be seen as an example of Dickens' powerful efforts to take part quite anonymously in an endeavour to affect public opinion. In brief,

[2] *Times Literary Supplement*, 23 Nov. 1967, p. 1111.

[3] Sir Charles Gavan Duffy, *Conversations with Carlyle* (London, 1896), p. 84.

[4] Duffy, p. 84. Lady Rosina Lytton Bulwer, characterising Fonblanque as *Fonnoir*, also speaks of him as being "unquestionably the best living English political writer," in her novel, *Cheverley*, 3 vols. (London, 1839), III, 33.

perhaps it may be explained that as soon as Forster succeeded to the editorship in 1847 (when Fonblanque accepted an appointment at the Board of Trade) he arranged to improve the format of the journal, and had evidently called on some of his friends as contributors, including Dickens, W. S. Landor, and Carlyle. The next year was one which, by its events, was to arouse them all. Dickens possibly contributed nothing in 1847, ten or eleven articles in 1848, and about fourteen in 1849; and he then fell away to perhaps one or two in 1850 when (in March) he began his own weekly periodical, *Household Words*.

Now, many of these articles and reviews have long been ascribed to Dickens, and the greater number were collected and published by B. W. Matz as early as 1908. For although all were anonymous and none were ascribed to Dickens during his lifetime, Matz and others realised that the manuscripts of some of Dickens' contributions were in the Forster Collection (now in the Victoria and Albert Museum), and Matz successfully managed to identify most of them. Emphatic assurances were then given that no more could possibly be found. Yet, over the years, some others have been discovered; and now a more determined effort has made it possible for us to identify several more with assurance.[5] Examined one by one they are just journalism, and they really need to be studied singly and with care if they are to be understood. Yet as a collection they make a remarkably vivid commentary on many aspects of the times, a commentary which also tells us a good deal about Dickens and something about his work.

I

The article in question at present is "A Recorder's Charge," one of a series of four written by Dickens on the Tooting scandal, when one hundred and fifty children at a child-farm run by Bartholomew Drouet died of cholera. All four articles were printed on the front-page of the *Examiner*, as: "The Paradise at Tooting," 20 January 1849; "The Tooting Farm," 27 January 1849; "A Recorder's Charge," 3 March 1849; and "The Verdict for Drouet," 21 April 1849. The first two have long been identified because Dickens' autograph manuscripts were among those in the Forster Collection. "The Verdict for Drouet" has also been accepted as his because it was obviously part of the same set. The third article has simply not been noticed before. Of course, biographers

[5] B. W. Matz collected twenty-one of Dickens' contributions to the *Examiner* in his *Miscellaneous Papers* (London, 1908), which also includes almost all Dickens' contributions to his journals, *Household Words* and *All the Year Round*, except those gathered in his *Reprinted Pieces* and *Uncommercial Traveller* (hereafter *RP* and *UT*). For the identification and republication of other *Examiner* articles see the *Dickensian:* B. W. Matz, "Charles Dickens and the Italian Refugees of 1849," X (1914), 319-322; L. C. Staples, "Dickens and Macready's King Lear," XLIV (1948), 78-80; K. J. Fielding, "A New Article by Dickens: Scott and His Publishers," XLVI (1950), 122-127; Philip Collins, "Dickens on Ghosts: An Uncollected Article," LXIX (1963), 5-14; W. J. Carlton, "Dickens or Forster: Some *King Lear* Criticisms Re-Examined," LXI (1965), 133-140; A. W. C. Brice, "Ignorance and Its Victims," LXIII (1967), 143-147; see also *The Letters of Charles Dickens*, ed. Madeline House and Graham Storey, and others (Oxford, 1965), I. We have also written accounts of other new contributions, concerned with "Exclusion of Evidence" and with the Rush Murder case, which will appear soon in the *Dickensian* and *Dickens Studies*. There remain other newly identified pieces on prisons, public health, total abstinence, etc., which need separate treatment.

and editors are frequently careless, and some may have been misled by the over-confidence of Matz and J. W. T. Ley into believing that there was nothing else to discover. In partial defence of these earlier editors, it must be said that each volume of the journal has over seven hundred large pages, in small print and triple column, and so it is not as easy to find and identify an unsigned article as it seems after the event. But that all four are certainly by Dickens is abundantly clear both from internal evidence, and because they are obviously by the same hand and in the same series.

The earliest reports of the disaster began to be made known in the press by January 1849.[6] On 29 December the first child had died at the Juvenile Pauper Asylum run by Drouet at Tooting, which is about eight miles southwest of London. This "asylum," in which children were accepted from the various parishes and Poor Law unions of London to be kept and clothed for 4s.6d. a week, was conducted by Drouet for profit, and at the time of the outbreak it held 1,372 children. Once it took hold, the cholera spread fast and killed quickly. By 6 January there were 229 cases and 52 dead. Fatalities mounted rapidly. The children were overcrowded, undernourished, and thinly clad; the buildings were poor, and the whole place was surrounded by open sewers. It was insufficiently staffed for such an emergency, and the doctor in charge was only twenty-five; he was inexperienced, had been there two months, and he was paid for his full time service just fifty pounds a year. January, 119 by the 11th, 126 by the 12th, and in all to over 150. Some of The number of deaths rose to 84 by 8 January, 100 by 9 January, 112 by 10 those removed from the institution also died within the same period.

At the inquiries which followed, it immediately became a critical question who was responsible for the children there; and it was eventually accepted that it was both the Boards of Guardians of each parish or Poor Law union, which had each sent its contingent of children, and Drouet, who had terms of agreement with the Boards. But under the New Poor Law of 1834, the Poor Law Commissioners themselves held that they had only an indirect responsibility; for although they might, for example, have laid it down that the children should not be sent, they could not interfere with details. Their judgment was upheld. The newly-appointed Board of Health had still less power, for under the Public Health Act of 1848 its authority had been expressly excluded from London or for twelve miles around; and although it had some powers under the Nuisance Prevention Act, these were severely restricted. Nevertheless, by 5 January it had sent out an inspector, Dr. R. D. Grainger,[7] who reported back almost immediately and who did more than anyone to help make the truth known. For while the various Guardians were at first anxious (as a rule) to hush the matter up, and began by expressing full support for Drouet, Grainger's report to the Board was starkly direct.

There is no need to detail its horrors. Yet perhaps it must be said, to justify those who demanded an inquiry, that many of these children died in

[6] The *Morning Chronicle*, checked by *The Times*, has been used for reports of inquests and trial, as well as Richard Grainger's report, published official correspondence, and other sources. The whole story is told within the space of three weeks. Newspaper reports are full and thorough.

[7] Richard Dugard Grainger (1801-65), lecturer at St. Thomas' Hospital, fellow of the Royal Society, and member of the council of the Royal College of Surgeons, was noted for his concern with public health.

cold, dark, crowded rooms, three or more in a bed, inevitably crying and vomiting, with only the most primitive sanitation, and sometimes cared for only by other children whose lives were endangered because there was no one else at first to help. Of course, after the first few days there was speedy action, and then the Board of Health made its opinion uncompromisingly known that the place must be cleared and that each parish should take its uninfected children away. Even so there was some resistance, for the Guardians were doubtful and the Poor Law Commissioners flatly contradicted the advice. But at the Board, Dr. Grainger, Dr. Southwood Smith, Edwin Chadwick, and Henry Austin were determined. When consulted by the Chelsea Guardians, they told them that "the question was one of life and death, and would rest on [their] shoulders." Chadwick made clear his opinion that their having done nothing about the removal was "dereliction of duty"; and Southwood Smith said that they were leaving the children "utterly to perish" (*Morning Chronicle*, 10 Jan., p. 3). On consideration, the Guardians then decided that it was not "expedient" to remove them, but offered Drouet nurses and medical aid instead.

Meanwhile, neither the local authorities nor the Guardians did anything to look into the causes of the outbreak themselves. Eighty children were buried in the churchyard at Tooting until the local doctor refused to allow any more; but the coroner for Surrey refused to hold an inquest. It was left to Thomas Wakley, M.P. for Hull, editor of the *Lancet,* coroner for Middlesex, to set going three separate inquests as soon as children who had been removed from Tooting died within his district. He knew and admired Grainger as his former pupil. He was a man, moreover, as Dickens knew, of great humanity, appalled that but for medical coroners such as himself, "hundreds of the poor pauper children would . . . have sickened and died; and been buried by the score, without more ado than the promulgation of a poor-law inspector's report, or the report of the officer deputed by the Central Board of Health to inquire into the causes of the disease." The former, he explained in the *Lancet*, could have done no good, the latter was concerned with "the causes of cholera" more than "pity for the youthful victims of bad legislation and pestilence."[8]

Wakley's conduct of the inquests was wonderfully thorough and controlled. He was determined to get at the truth with complete fairness, and to establish as far as he could where the responsibility lay, even though one of

[8] 27 Jan. 1849, p. 103. Thomas Wakley (1795-1862), reformer and controversialist, had been elected coroner for West Middlesex in February 1839 after campaigning in favour of the appointment of coroners with medical rather than legal qualifications. He transformed the status and importance of the position. He also founded the *Lancet* in 1823, and may also now be remembered as the subject of Mr. Chicheley's and Dr. Sprague's disapproval in *Middlemarch*, ch. 16. But see the *Dictionary of National Biography*, and S. S. Sprigge, *Life and Times of Thomas Wakley* (London, 1897). Dickens knew him first as an M.P., since he is noticed in "A Parliamentary Sketch," in *Sketches by Boz*. But after being one of a jury at an inquest presided over by Wakley on 14 January 1840, he became better acquainted with him. The case is described in "Some Recollections of Mortality" in the *Uncommercial Traveller*, and by W. J. Carlton, "Dickens in the Jury Box," *Dickensian*, LII (1956), 65-69. The inquest was on the death of an illegitimate, new-born child, whose mother was thought to have ended its life. Both Wakley and Dickens believed in her innocence and assisted her; and she was eventually acquitted of all but the offence of concealing the birth. Dickens speaks of Wakley, in this *Uncommercial Traveller* essay, as "nobly patient and humane," and he first published the essay in *All the Year Round* (16 May 1863) on the anniversary of Wakley's death.

the main problems was that the cause and nature of cholera were still imperfectly understood. Yet it soon became clear that no one in the immediate neighborhood had caught it, that only one of fifty adults in the institution was affected, and that when the children were removed to be properly fed and cared for, their health improved dramatically.

The various inquests were stretched by adjournments over several days, so that Dickens wrote his first article, "The Paradise at Tooting," on 20 January, detailing some of the evidence, before the juries reached their decisions. He was quick to point out that there were said to be clear signs of the disease (premonitory symptoms) before the first death, and that Drouet must have seen and known of the "Notification" or general warning about cholera issued by the Board as early as October 1848.[9] He was scathing about the shiftiness of the Boards of Guardians, and ended by contrasting the self-government of London with the frequently maligned Board of Health:

> If we had been left to the so-much vaunted self-government. . . the Drouet testimonial might have been in full vigour. But the Board of Health – an institution of which every day's experience attests in some new form the value and importance – has settled the question. Plainly thus: The cholera, or some unusually malignant form of typhus assimilating itself to that disease, broke out in Mr. Drouet's farm for children, because it was brutally conducted, vilely kept, preposterously inspected, dishonestly defended, a disgrace to a Christian community, and a stain upon a civilised land.

Now, it is worth noting that while it was the common practice of the *Examiner* to take up specific cases of injustice, this was probably the first time that Dickens ever wrote about one as a journalist; and there can be little doubt that one of the most effective reasons prompting him to take action, apart from his association with John Forster, was that the Secretary of the Board of Health, Henry Austin, was his brother-in-law. Austin was in the forefront of the battle; he was in close touch with Dickens; and we can see that, as they went on during the next two or three years, they used each other in the same kind of way, though no letters between them are known that comment on the Drouet case itself. Austin would turn to Dickens, asking for help with publicity in the cause of Public Health, and Dickens would use Austin to give him information about causes of this kind that he wanted to support.[10] The story of their collaboration has yet to be told, but it is clear that as well

[9] On 5 October 1848 the Board of Health published its "Notification" giving full warning of the dangers of cholera, its symptoms, and (as far as then possible) advice on its treatment and how to lessen the danger. Masters of schools and workhouses were particularly warned to be active in anticipating it. The notice was signed by Henry Austin as Secretary, and given the widest publicity. See, for example, the *Morning Chronicle*, 7 October, p. 2.

[10] Henry Austin (1812?-61), an architect and civil engineer, had married Dickens' sister, Letitia, in 1837. Dickens had recommended his talents to Lord Morpeth, and, after Austin's death wrote that he had been "closely acquainted with" his "qualifications and services during the whole of his public career." During 1848 he was appointed Secretary, then Chief Inspector, of the General Board of Health, and for a time served as Secretary of the Metropolitan Commission of Sewers. Dickens' letters to Austin in the Pierpont Morgan Library show that the two worked in consultation over articles on Public Health in *Household Words*, and sustain the inference that they also worked together over similar articles (which can be identified) in the *Examiner*. *Bleak House* and Nemo's graveyard owe something to Austin, who sent Dickens the *Report on a General Scheme for Extra-Mural Sepulture*, 1850. See also Dickens' *Speeches*, ed. K. J. Fielding (London, 1960), pp. 104-110, 127-132.

as Dickens' being very widely experienced in social work, he was also frequently extremely well-informed through official channels.

Meanwhile, a few days after the first article, the jury at Holborn gave its verdict on 23 January: "That Bartholomew Peter Drouet is guilty of manslaughter, and that the jury have to add that the guardians of St. Andrew's parish, Holborn, acted most negligently in their engagement with Mr. Drouet. . . . They regret that the Poor Law Act is quite insufficient for the purposes for which it is intended, and hope that the time is not far distant when the necessity for such establishments as Mr. Drouet's will entirely cease" (*Morning Chronicle*, 24 Jan., p. 7). Drouet was indicted for trial at the Central Criminal Court, and the juries of other inquests came to similar conclusions.

Dickens then responded with the second article, "The Tooting Farm," on 27 January, in the *Examiner*, which is also one previously known to have been his. He was emphatic that "we have no intention of prejudging a case which is now to be brought to issue before a criminal court. It will be decided upon the law." What he did wish to point out, "in a few words," was why it was so desirable "that this case. . . should be rigidly dealt with upon its own merits; and why that vague disposition to smooth over the things that be, which sometimes creeps into the most important English proceedings, should . . . have no pin's-point of place to rest upon."

For he was strongly concerned that it was becoming a class or political issue, and that this abuse of the already unpopular Poor Law would be used by Chartists to arouse discontent among the class most strongly affected by it. He went on to say: "There are few poor working-men in the kingdom who *might* not find themselves next year, next month, next week, in the position of those fathers whose children were sent to Tooting; and there are probably very few poor working-men who have not thought 'this might be my child's case, tomorrow.'" He then continued: "No opportunity of doing something towards the education of such men in the conviction that the State is unfeignedly mindful of them, and truly anxious to redress their tangible and obvious wrongs, could be plainer than that which now arises. . . . If the Poor Law, as it stands, be not efficient for the prevention of such inhuman evils, let it now be rendered more efficient. . . . It is to challenge and to win the confidence of the poor man on his tenderest point, and at his own fireside. . . . Let the debtor and creditor account between the governors and the governed, be kept in a fair, bold hand, that all may read; and the governed will soon read it for themselves, and dispense with the interpreters who are paid by the chartist clubs."

Again, it should be clear that nothing in either of these pieces was exaggerated. The evidence of the parents makes miserably obvious how remote they found the farm; how when they had made the journey to it they might be turned away; and how some of them were only casually and indirectly informed of the deaths of their own children. The outbreak was first officially reported, not by Drouet or his doctor, but by a grandparent who had walked out to Tooting and back to see a grandchild and who informed the Poor Law Guardians of the parish. Even so, it is true that but for Grainger, Wakley, and the Board of Health, no inquiries might have been held, for the Boards of Guardians (who, of course, represented the ratepayers) might well have allowed matters to continue as before. The immediate reaction of some of the authorities to the earliest reports of the outbreak had been the

classic one that it might be due to the children's "extra Christmas fare!" Even after the first few hundred children had been removed, two of the Poor Law unions were reported as ready to send new drafts of hundreds of children to an institution where a dozen or so were dying each day.

Dickens' sympathies were clear, and it is remarkable that he was so confident in the evidence given at the inquiries, and in the way in which they had been conducted by Wakley, that he was not only opposed to Chartist unrest but he spoke as if he trusted completely in the law. As it happened, his confidence was misplaced, and almost all he feared came about.

For the case had to come before the Central Criminal Court, and at the opening session (26 Feb. 1849) the Recorder made it the special subject of his opening charge to the Grand Jury, when he too began by telling them that they must act "solely on the evidence that would be laid before them." Yet his address was in fact so emphatically biased in favour of Drouet that it provoked Dickens to write his next article. In it, what the Recorder said is quoted perfectly fairly; but it must be said in addition that it still seems to have been peculiarly specious for the Recorder to have argued that so very little was known about cholera that it could simply be called "a dispensation of Providence, independent of all the causes that had been assigned." Nor, when we consider that there had been no danger of cholera in Britain until the latter part of 1848, was it anything but absurdly irrelevant to argue, as he did, that "the evidence showed that the same treatment had been pursued" by Drouet, "for a period of six years without any such result taking place." Even the Recorder's solemnly elaborated view of the law affecting manslaughter was not the one taken by the judge, or even by defending counsel, when the case came to trial. On points of law it is clear that Dickens was right; the Recorder was wrong.

No one can be sure about motives, but it may be that the trial had already taken another political turn. For the Recorder was Charles Ewan Law (1792-1850), the second son of the politically-prejudiced former Tory Lord Chief Justice, Lord Ellenborough; and he himself was rightly described as "a tenacious supporter of Conservative principles."[11] Thomas Wakley however had entered Parliament in 1835 as an ardent reformer, and had first made his reputation in the House by a speech on behalf of six Dorset workers who had been transported for conspiracy in uniting to resist a reduction in their wages. Law had also entered Parliament in 1835 (as representative for the University of Cambridge) and had staunchly stood firm as a Tory. Wakley is said to have had strong sympathies with the Chartists; he advocated the repeal of the Irish Union, the repeal of the Corn Laws, and was reputedly an enemy to lawyers. Charles Law, on the other hand, was a protectionist, and owed his whole place in society to the legal system. Since Wakley had openly identified himself with the Holborn jury's verdict of manslaughter as soon as it was given, it is hard not to imagine that the Recorder at least felt that he had to redress the tendency the inquests had assumed under the Middlesex coroner, and that he therefore expressed an unjust bias himself.

Dickens' reply to this opening address, which has not been recognised as his before, was as follows (from the *Examiner*, 3 Mar. 1849, p. 129):

[11] "Appendix to Chronicle," *Annual Register of 1850*, XCII (London, 1851), 252.

People who went to see Mr. Catlin's party of Indians at the Egyptian Hall, were in general mightily entertained to observe how necessary "medicine," or mystery, was to the greater part of their proceedings; and how impossible the red men considered it to set hopefully about any grave undertaking without divers preliminary conjurations from the "medicine man." Really, the custom obtains quite as extensively among the white men of England. What an enormous amount of Medicine is held to be necessary, among us, before we can set about the plainest piece of business! Worse still. In some cases – as in that of the church, for example – our Medicine men differ violently among themselves, and in a conflict of Medicine set all England by the ears, when it is only desirous to say its prayers in peace. In parliament, besides a great deal of very indifferent Medicine constantly practised and never varying, we have the standard Medicine of a select committee,[12] which is one of its most perplexing and complicated mysteries, and very bad Medicine indeed. At court we have ceremonies far more ridiculous than anything in the Ojibbeway code of *etiquette*.[12a] In law, we have a solemn jingling of words and phrases which is the most bewildering and unmeaning Medicine of all.

The grand jury, coming into court at the Old Bailey on Monday last to be regaled with a little Medicine of this latter kind, were addressed by the learned Recorder for the City of London, who, as Medicine man, danced round and round them, and the general question of the Tooting case, in the following wild manner:

The charge in question was made against the keeper of an establishment for the reception of pauper children, at Tooting, *and he was accused of having caused the deaths of no less than four children, by a degree of criminal neglect, in not giving them proper food, by crowding them together in an unwholesome atmosphere, and a general inattention to those precautions which were necessary to preserve a number of children, placed together under such circumstances, in a state of ordinary bodily health.* It appeared that several parishes, acting under proper authority, had sent a number of children to the establishment in question, where they were placed under the charge of the defendant, who was to receive a stipulated price per head for the children. The exact number that was so received did not exactly appear, *but there was no doubt that it was larger than the capabilities of the establishment could properly provide for, and that the children were consequently crowded together in a manner likely to be injurious to their health, and predispose them to the attack of any epidemic or contagious disease.* The indictment would probably allege that it was the duty of the defendant, by the contract he had entered into, to supply

[12] Implying that select committees, as well as being a way of delegating matters for inquiry that could not be dealt with by the whole House, were also a means of disposing of them. There had recently been select committees, for example, on the Irish Poor Law (appointed 5 Feb. 1849), the Slave Trade (16 Feb.), and they were about to be appointed on the Management of Government Schools of Design (15 Mar.), Public Libraries (15 Mar.), and Smithfield Market (16 Apr.), all subjects on which Dickens held and published opinions.

[12a] Compare "Court Ceremonies" by Dickens in the *Examiner* (15 Dec. 1849), reprinted in *Miscellaneous Papers*.

proper food and clothing, and to take proper precautions to preserve the health of the children placed under his charge, and that he had criminally neglected to perform that duty. The depositions were very voluminous, and he was bound to say that they contained many statements which were not legally admissible, and which would not be received or admitted by a judge. A good deal of the matter consisted of hearsay evidence, and of conclusions drawn by parties who did not state any facts upon which those conclusions were founded. The cause of the deaths appeared to be clearly proved to be cholera, and by the depositions it appeared that there had been a good deal of speculation as to how the disease of cholera was occasioned, and how far it might have been prevented, in the present instance, supposing more food had been given to the deceased children, and they had been provided with more clothes and greater comforts. *In an ordinary case of manslaughter*, the cause of death was generally distinctly alleged against the party accused, but in this case the offence which appeared to be imputed to the defendant was, that by a certain course of improper treatment he had predisposed the system of the deceased children to receive the disease, and had rendered them peculiarly liable to be attacked by the disorder. The important question, however, was, *what act* had been done by the defendant that had conduced to the death of the deceased.

The Recorder talks about "an ordinary case of manslaughter," as if there were nothing whatever in the Tooting case to make it an *extra*ordinary one. The question is, *what act* has been done by the defendant to conduce to the death of the deceased! Is it? Or does the question extend itself into a series of acts, no one among them in itself perhaps involving the terrible catastrophe so widely known, but all, taken together, involving that degree of gross neglect of ordinary precaution for the safety of human life, which constitutes one form of manslaughter? Suppose another kind of "farmer," being skipper of a ship, had taken on board for his profit an unheard-of number of apprentices, and "by a degree of criminal neglect in not giving them proper food, by crowding them together in an unwholesome atmosphere, and a general inattention to those precautions which are necessary to preserve them," had so reduced and wasted those apprentices that after certain weeks of this ill-treatment scurvy or erysipelas broke out among them, and swept numbers of them away. Does the Recorder mean to say that to sustain a charge of manslaughter against that man, it would be necessary to prove any one specific act on his part amounting to inoculation for scurvy or erysipelas? "Did the defendant do *any act*." "They must see *what act* had been done." Again and again the Recorder jingles and juggles with this phrase. "Under these circumstances he would ask them who could say that the defendant was the cause of the children being attacked by cholera, and yet they must be satisfied that this was the case before the defendant would be amenable to the present charge." But supposing the grand jury had taken it into their heads to ask the medical witnesses whether, the children being attacked by cholera, the defendant was the cause of its being physically impossible that they could recover, in that lazaar-house which was his Mint, – would they have travelled very far out of the strict justice of the case?

"The question is *what act* has been done." This is the great Medicine for the Grand Jury. Let us test the Medicine. Here is a proclamation, we will imagine, published with the sanction and authority of the Crown, and made notorious in every newspaper and channel of information, cautioning all engine-drivers on railways, that by reason of some uncommon condition of

the atmosphere they are liable to a new class of fatal accidents; enjoining them, upon the first appearance of certain warnings which usually precede these accidents, and which are plainly described, to stop; and instructing them with what remedies to be provided beforehand, at the cost of a few pence, and how to use them, on the instant, for the protection of all under their charge. One engine-driver, having in his care the largest and the worst-appointed train in the kingdom, which is very profitable to him, sets these instructions at defiance, disregards the warnings which have been foretold to him, and which manifest themselves to his senses beyond all question, and going on headlong, comes to a crash, and destroys one hundred and fifty-five passengers,* – are we to be told that before he could be tried for the manslaughter of four of these unfortunates, it would be necessary to show that he had put a luggage-van across the railway, or a hundredweight of gunpowder into the boiler?

Is it easy to believe that the parallel case to this, the Recorder utterly dismisses from his and the grand jury's consideration? In all these wanderings and repetitions of words about ordinary cases of manslaughter, there is not one word of reference to the extraordinary circumstances of the time; to the bounden duty of the keeper of such an establishment to adapt his arrangements in some degree to the peculiar peril of the time; to the circular of the Board of Health, expressly addressed to masters of asylums, schools, workhouses, and all such institutions, warning them not to be defective, in all the respects in which this place was most defective; to the total neglect of that circular in this particular case; to the appearance of the premonitory symptoms one fortnight before the breaking out of the disease; and to their being passed over with the same shameful indifference and neglect which characterised the whole administration of the house! On all these vital points of the case, there is not one word in the Recorder's charge. Nay, the Recorder deems it a great point in the defendant's favour "that the same treatment had been pursued for a period of six years without any such result taking place;" and really is as cool upon it as if it were notorious to the whole world that the cholera had been among us all that time!

The magnates of the city have been taking very high flights into the regions of Noodledom lately, borne aloft upon the balmy air of Smithfield; and it would seem as if the Recorder were dutifully meting out his Medicine by the standard at Guildhall.[13]

In the same spirit he talks about there having been no complaint with reference to the food generally, down to the month of June last, "when there was some complaint with regard to the potatoes." As if there had been no difficulty of complaint! As if nobody remembered anything of the defendant's

* The Registered number of deaths from cholera at the Tooting establishment to January 20th. [Note in *Examiner*].

[13] "Noodle" and "Noodledom" occur in *Bleak House* (ch. 12), also in *Household Words* in "The Sunday Screw" (22 June 1850) and in "Our Commission" (11 Aug. 1855). Noodle was a character in Dickens' favourite *Tom Thumb the Great* by Henry Fielding. Sydney Smith's "Noodle's Oration" from his "Bentham on Fallacies" (*Edinburgh Review*, XLII [1825], 369-389) was also well-known to Dickens, who refers to it in the opening sentence of "The Paradise at Tooting." Whether to move the cramped, brutal and insanitary Smithfield market from the centre of London was also a subject of debate by City government which met at the Guildhall. It was likewise a favourite topic of Dickens, as in *Household Words*, "The Heart of Mid-London" (written with W. H. Wills, 4 May 1850) and "A Monument of French Folly" (8 Mar. 1851).

conduct to the boys when they *did* complain! As if the surviving children had never been weighed against other pauper children, and found in an extreme state of physical deterioration! As if there were no evidence of dire and gnawing hunger having been among them habitually!

The Recorder's speech might be a good enough address for the defendant's counsel, but it is a very bad charge from the judicial bench. It could not have been much more out of place at Covent Garden Market the other day,[14] when the modest Mr. Charles Cochrane[15] and his literary friend Mr. G. W. M. Reynolds,[16] author of the Mysteries of London, and of the Revolution of Trafalgar Square,[17] appeared upon the hustings in hopes to inclose and cultivate for themselves a snug little farm of a grievance, out of the Tooting paradise. It is so peculiarly the misfortune of these illustrious patriots to damage and debase any cause with which they connect themselves, that we should hail their expatriation for life on any constitutional grounds, with unbounded satisfaction.

Although we cannot but lament that the Poor-Law Amendment Act did not invest the Commissioners with due powers for the government of such a place as that at Tooting, we are glad to find, from Mr. Baines's[18] explanation in the House of Commons, that such powers will now be conferred upon

[14] A meeting in Covent Garden (27 Feb. 1849) on the Tooting scandal and the Poor Law. After a brief fracas with the High Bailiff who was supposed to have closed the meeting, it is reported: "Mr. Reynolds then proceeded to address the meeting on . . . the poor-law and the particular individuals whom he thought connected with its administration, alluding to them in terms something short of courtesy. The crowd were excessively pleased, and were cheering the speaker with uproarious applause, when four carpenters, armed with hatchets, mounted the platform and began to demolish the hustings. . . . But Mr. Reynolds had the honour of being attended from the market by a mob of costermongers, errand boys, and pickpockets from the purlieus of St. Giles. This ended the proceedings of the day" (*Morning Chronicle*, 28 Feb. 1849, p. 5).

[15] Charles Cochrane (1815-55) was an eccentric Chartist leader who served as president of the National Philanthropic Institute, Leicester Square, London, 1842-1850, and who had stood as an M.P. for Manchester in July 1847, losing the election.

[16] George William MacArthur Reynolds (1814-79), editor of the *London Journal* in 1846; began *Reynold's Miscellany*, 1850; became a Chartist leader, 1848; wrote sensational novels; had plagiarised Dickens with his *Pickwick Abroad* (1839) and *Mister Timothy's Bookcase* (1842). He went bankrupt, and was featured in "Cases in Bankruptcy," *Examiner* (16 Sept. 1848).

[17] This took place on 6 March 1848, after Cochrane had summoned a mass meeting ostensibly to demand the abolition of income tax but meant chiefly as public demonstration of support for the French Republican revolution. Being discouraged by the police, he had lost his nerve; G. W. M. Reynolds had taken over as chairman, denounced Cochrane, and had been among the chief speakers. After he withdrew, there had been prolonged and widespread rioting.

[18] M. T. Baines (1799-1860), M.P. for Hull from 1847, and recently appointed President of the Poor Law Board. On 28 February a Parliamentary Committee had considered an Outdoor Paupers Bill introduced expressly to provide against "such deplorable accidents," as Sir Henry Willoughby called the deaths at Tooting. For Baines's comments see *Examiner*, 3 March 1849, p. 138, or Hansard; but they are as Dickens gives them. Somewhat curiously, Humphry House has stated (in *The Dickens World* [London, 1941], p. 101) on the strength of an earlier comment in the journal, *The Justice of the Peace*, that Dickens was mistaken. This is entirely wrong; Dickens understood the case perfectly accurately. Both the inquests and the whole Parliamentary discussion and its result show that the Government was compelled to bring in this new legislation because it had no authority over such institutions, and it became law (11 May 1849) as *An Act to Provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being the Workhouses of any Union or Parish*. It is worth noting because it is rather often wrongly assumed (in this kind of way) that Dickens misunderstood public administration.

them. The most important provisions of the Out-door Pauper's Bill appear to be, that the Commissioners will henceforth prescribe rules for the management of such houses (of which there are but few in existence); that they will revise the contracts made between the guardians and the contractors, and stipulate for certain conditions, with power of enforcing penalties for non-fulfilment; that they will have the power of summarily dismissing the contractors; and that they will have "very effective powers of visitation." Nothing is more necessary than these last. If the Sanitary Commission had not fortunately possessed (under the Removal of Nuisances Bill) the right of visiting Tooting without invitation, we should probably never have had Mr. Grainger's Report.

That it is not proposed to invest the Poor-Law Commission with these new powers before they are needed, is now a trite truth, which we cannot better confirm than by a short extract from a valuable, thoroughly-informed, and most useful publication, the *Journal of Public Health*.[19] Let us premise that we allow *one thousand feet* of cubic air to every felon in his prison:

"Let us set aside all the inhumanity and brutal indifference which have been brought out in evidence" – on this Tooting case – "the hunger and thirst, the cold, the ill-treatment, the uncleanliness, the diseases of filth and neglect, the itch, scald heads, the sore eyes, the running tetters, the scrofulous affections of the joints, and abscesses, the thin shanks and pot bellies, the diseased bowels, the foundation for the consumption of coming years, which were inflicted on these much-abused children – and judge of the system by the regard paid to the primary want of LIFE under all conditions – *the supply of fresh air*. We are told that the children had not quite 136 cubic feet of respirable air for each child, or an amount equal to what could be contained in a box five feet two inches every way. This supply would preserve life for eight hours, when the outraged laws of life would resolve the living frame into dead matter. In the boys' schoolroom, occupied for three hours twice a day, there were thirty-seven cubic feet of air for each boy!"

Will all our Medicine-men insist, like the Recorder, on having the Tooting tragedy in "one act," or will any of them be content to read it in fifty?

II

Of course, the main reason for supposing that the piece is by Dickens is that it is one of the series the rest of which is known to be his. Each piece, moreover, links with the one before it; and it is impossible to imagine that Forster (or any good editor) would turn to any other conceivable journalist with Dickens available and willing to do it. In addition, if it were necessary, it would be possible to make a parade of notes to demonstrate how much of it can be paralleled in essays known to be by Dickens. To take only one example, the opening paragraph: this is strikingly echoed by "The Medicine Men of

[19] *The Journal of Public Health and Monthly Record of Sanitary Improvement*, Nov. 1847-Oct. 1849, was edited by Dr. John Sutherland (1808-91), a Board of Health inspector, 1848, and Dr. Hector Gavin. The passage quoted is from XVI (Feb. 1849), p. 99. Wakley, incidentally, had been at odds with the Board, and, through the *Lancet*, slighted the *Journal*, which he set down as the Board's sponsored periodical; he was equally critical of Henry Austin, because he thought a doctor rather than an engineer should be its Secretary. The Tooting case united them all for the first time.

Civilisation" (*AYR*, 26 Sept. 1863, also *UT*): "He comes into my Wigwam on all manner of occasions, and with the absurdest 'Medicine.' . . . For his legal 'Medicine' he sticks upon his head the hair of quadrupeds, and plasters the same with fat, and dirty white powder, and talks a gibberish quite unknown to the men and squaws of his tribe. For his religious 'Medicine' he puts on puffy white sleeves, little black aprons, large black waistcoats of a peculiar cut . . . and tops the whole with a highly grotesque Medicinal hat." Again, in "Some Account of an Extraordinary Traveller" (*HW*, 20 Apr. 1850), Dickens tells about some illustrated travel lectures, in one of which had appeared the "fast declining Indians"; and he goes on to consider how their "Chiefs who only dance the dances of their fathers, and will never have a new figure for a new tune, and the Medicine men who know no Medicine but what was Medicine a hundred years ago, must be surely and inevitably swept from the earth, whether they be Choctawas, Mandans, Britons, Austrians, or Chinese." Or in "The Noble Savage" (*HW*, 11 June 1853, also *RP*) there are Catlin and his "Ojibbeway Indians," once again, "dancing their miserable jigs in their own dreary manner." It is even quite conceivable that all these derive from the review of their performance in the *Examiner* of 6 January 1844, which is written from the same point of view.[20] But any closer consideration of the text is really unnecessary, and only keeps us from considering what happened to Drouet.

For the case was kept until Friday 13 April, when it was brought up before Mr. Baron Platt and Mr. Justice Vaughan Williams; and, at this point, it took a different turn. For by this time the case was conducted not as an inquiry or inquest but as a trial. Drouet was charged with manslaughter, and the 150 dead children were represented by only one, James Andrews, age six, of the Holborn Union. The nominal prosecutor was the beadle of the borough of St. Pancras, who was instructed by the Directors and Guardians of two of the Holborn parishes; and Dickens was not alone in his dissatisfaction with the abilities of the prosecuting counsel. "The parish beadle's attorney," remarked the *Morning Chronicle* (16 Apr., p. 5) "seems to have got up the case for the prosecution much as a parish beadle's attorney might be expected to do." So, whereas, when the disaster had been fresh in the public mind, a whole society had been on trial and its "Guardian of the Poor" had themselves been the subject of inquiry, now only Drouet was left in the dock and all that his defending counsel had to do was to challenge the prosecution to provide conclusive evidence that it was entirely attributable to his negligence, and nothing else, that James Andrews had died of cholera. It was impossible to prove this, and on Monday 16 April Drouet was acquitted. Next Saturday's *Examiner* carried Dickens' leader, "The Verdict for Drouet."

His remarks are extremely moderate. He says, rightly, that the peculiarity of the verdict was that while the accused suffered no legal penalty, it left his real guilt beyond doubt:

> The hunger and thirst were proved; the bad food and the insufficient clothing; the cold, the ill-treatment, the uncleanliness; the diseases generated by filth and neglect;

[20] We will *not* suggest that this was by Dickens; but its view of "the dreary monotony of savage life," and "the certain sense of humiliation which strikes the civilised man, when brought into contact with it," is the same as the one he consistently gives.

the itch (much to Baron Platt's amusement), the scald heads, the sore eyes, scrofulous affections, the pot bellies, and the thin shanks. All were proved. . . . It was in evidence that every indecent and revolting incident that could aggravate the slightest illness, or increase the horrors of the most dangerous infection, existed in the establishment for which Drouet was responsible, when the disease appeared there. But it was not satisfactorily proved that the disease might have killed as many without such help, and therefore Mr. Baron Platt very properly told the jury that the case had broken down. . . . The judge . . . directed an acquittal on the ground that there had been no evidence adduced to show that the child was ever, at any time, in such a state of health as to render it probable he would have recovered from the malady but for the treatment of the defendant.

The extent of the wrong, in other words, precluded the remedy. For who, in such a crowd of children, could have singled out one poor child at any time, to say whether he was well or ill?

This is a perfectly fair summary. As the trial was conducted, it made no difference that in the district of Lower Tooting, where there were 10,000 inhabitants, not one had died from cholera (or caught it) except the children in Drouet's establishment. There had been no doctors to inspect the children when they left it; there had been none to examine them when they were admitted to the Royal Free Hospital where Andrews died. So nothing could strictly be proved about the causes of the child's death.

Dickens evidently felt that it had gone beyond his irony. He kept his sarcasm for the judge. Baron Platt, who bullied the witnesses, was heavily jocose, and – seeing which counsel were involved – "took the very first opportunity of siding with the stronger" by supporting the defence. Platt had come under the surveillance of the *Examiner* before, in its report on his extraordinary conduct of a case concerning a ten-year-old child at the Gloucester Assizes ("A Truly British Judge," 19 Aug. 1848)[21] in which he had already been represented as "a serio-comic functionary"; and Dickens, once again, was not alone in finding Platt's conduct disgraceful. The *Morning Chronicle* remarked that it did not yet know whether (on the acquittal) he had shaken Drouet "warmly by the hand or not, but from his demeanor throughout the trial we think it not unlikely" (16 Apr., p. 5). Thomas Wakley merely commented on the verdict, in the *Lancet*, that: "From the peculiar opinions respecting the value of medical evidence entertained by Mr. Recorder Law and Mr. Justice Platt, such a result might have been anticipated. Of these opinions we have no right to complain, as both these learned gentlemen doubtless exercise the duties of their judicial office to the best of their ability" (I [1849], 435).

What effect the case may have had upon Dickens it is difficult to say, for it would probably be wrong to think of it as more than an exceptionally horrible example of the way in which society was acting continually, and of which, at least as early as *Oliver Twist*, he had obviously long been well aware. Yet it was not a routine assignment, for his journalism at this time was written from conviction and he had no other need to turn to it. John Forster, moreover, has a curious sidelight on Dickens' interest in the case, although he avoids mentioning anything about his writing for the *Examiner*. Drouet, it

[21] There *is* a strong case, on grounds of style and internal evidence, for believing that this may well be by Dickens. We shall make it elsewhere.

may be remembered, was acquitted on Monday 16 April; "The Verdict for Drouet" must have been written in the next day or two; and, on the Wednesday evening of that week, Dickens was evidently extraordinarily eloquent at a dinner-party, which he had given, "on the atrocities of a pauper-farming case at Tooting which was then exciting a fury of indignation." He kept up his indignation in spite of the prostration of two of his guests (Samuel Rogers and Jules Benedict) who had to be helped from the room. "Fonblanque now declared him to be no better himself than a second Drouet, reducing his guests to a lamentable state by the food he had given them, and aggravating their sad condition by absence of all proper nursing. The joke was well kept up . . . for nothing really serious had happened" (Forster, p. 526).

The consequence, next day, was that Dickens could not get on with writing *David Copperfield*, for by 19 April he wrote to Forster that he felt "quite aground." The first number was due to appear in eleven days' time, and yet he could still tell his friend in the same letter that he had only just fixed on the title, and that "today and yesterday I have done nothing" (Forster, p. 526). That he could write anonymous journalism with such a deadline in front of him is an extraordinary witness of how involved he must have felt in the fortunes of Drouet.

There are other conclusions one might draw about the effect of the case on Dickens, again without isolating it from the rest of his experience. For the general interest of the disaster was that it was too big to be ignored, and the conviction was that someone must have been responsible for it, and if so he must be brought to book. Dickens' series of articles follow this line of interest. Yet perhaps the even greater interest of the case is that it ended in such an anti-climax. Wakley had evidently felt, as he said at the Holborn inquest, that "the whole of the truth must be brought before the public," and that an individual was guilty as well as a system. The *Morning Chronicle* had summed up after the acquittal by saying that "There must be further enquiry. Blame must be attached to it, and punishment must reach someone." Yet if Dickens learned anything from this, it was to turn from seeing life as primarily afflicted by villains such as Monks and Squeers, and to recognise, in the words of the first-chosen title of *Little Dorrit*, that it was "Nobody's Fault." Society itself was to blame. The courtroom drama of Drouet's trial must still lead any reader more forcibly than Shaw's *Widower's Houses* or *Major Barbara* to see "the guilt of our . . . system brought home to him."[22] No doubt much else was to lead Dickens to the writing of *Bleak House*, *Hard Times*, and *Little Dorrit*, which immediately followed *David Copperfield*, and in which the connections between the different classes and the inhumanity of the society under which they live are dramatically shown; but the Drouet case must have been an extremely powerful instance, for Dickens, of the way in which he was coming to see how far this inhumanity was a result of the *system*.

No doubt, too, there is a continuity between Dickens' experience in journalism and the world of his imagination, though it is rash to try to define it too sharply. But, that the law was a prodigious ass, and a cruel symbol of the brazen indifference of society to its weaker members, was most noticeably

[22] G. B. Shaw, *Prefaces by Bernard Shaw* (London, 1934), p. 674.

to be revived again in *Bleak House*; and it is in this novel in which the Snagsbys' maid, Guster, is introduced to us as one of the unfortunates who, "although she was farmed or contracted for, during her growing time, by an amiable benefactor of his species resident at Tooting, and cannot fail to have developed under the most favourable circumstances, 'has fits' – which the parish can't account for . . . and is so apprehensive of being returned on the hands of her patron saint, that . . . she is always at work" (ch. 10). That Dickens himself was aware of how comparable life and fiction may be is shown in his comments in "The Verdict for Drouet":

> One little touch came out in the evidence of a peculiarly affecting kind, such as the masters of pathos have rarely excelled in fiction. The learned baron was not moved by it; naturally enough, for he had not the least notion what it meant.
>
> "Mary Harris, examined by Mr. Clarkson: I am a nurse at the Holborn union workhouse, and went to the Royal Free Hospital, Gray's-inn road. I recollect Andrews coming with the other boys. He was not well. I gave him some milk and bread.
>
> "Mr. Clarkson: *Did he eat his bread? – Witness: No; he held up his hand, and said, 'Oh nurse, what a big bit of bread this is!'*
>
> "Baron Platt: *It was too much for him, I suppose?* – Witness: *He could not eat it.*
>
> *"Oh nurse!"* says the poor little fellow, with an eager sense that what he had longed for had come too late, *"What a big bit of bread this is!"* Yes, Mr. Baron Platt, it is clear it was too much for him. His head was lifted up for an instant, but it sank again. He could not but be full of wonder and pleasure that the big bit of bread had come, though he could not eat it.

This passage, thus transcribed by Dickens, may also well have inspired the scene in *Bleak House* (ch. 47), when Allan Woodcourt gives the ill and starving Jo a meal that comes too late because nobody had felt responsible for Jo: "But he is so sick and miserable, that even hunger has abandoned him. 'I thought I was amost a-starvin, sir,' says Jo, soon putting down his food; 'but I don't know nothink – not even that. I don't care for eating wittles. . . .'" And Jo stands shivering, and looking at the breakfast wonderingly.

The case haunted Dickens enough for him to raise its ghost frequently in later journalism, in *Household Words*. In "A Home for Homeless Women" (23 Apr. 1853), he writes of a real girl, much like Guster, who had been at Tooting. He refers to it in "Pet Prisoners" (27 Apr. 1850) and "The Begging-Letter Writer" (18 May 1850, also *RP*); and in "A Walk in a Workhouse" (25 May 1850, also *RP*) he speaks of the scandal as "that most infamous and atrocious enormity committed at Tooting – an enormity which, a hundred years hence, will still be vividly remembered in the bye-ways of English life, and which has done more to engender a gloomy discontent and suspicion among many thousands of the people than all the Chartist leaders could have done in all their lives."

There is even one more article connected with the Tooting affair in the *Examiner* which has not been noticed before, but which it can confidently be said simply does not read as if it were by Dickens. This is "Miscarriage of Justice" (30 Mar. 1850), which is about the acquittal from a charge of murder of Robert Bird, a farmer, and Sarah, his wife, of the murder of their pauper servant, Mary Anne Parsons. The case was tried by Mr. Justice Talfourd, who was Dickens' close friend. Not only is the tone of the piece not Dickens',

but it appeared on the same day as the first number of his own journal, *Household Words*, and it is clear that his writing for the *Examiner* had by then come almost to an end. Even so, the links with John Forster remained, for he had been brought in to help as an adviser with *Household Words*, and it is clear enough that he and Dickens must have discussed the case.[23]

The girl, who had been sent from the workhouse, was just fifteen, and after months of vile ill-treatment she was killed, or died. The defendants' explanation was that she had hit her head through falling on a fender during one of her "giddy spells." The writer in the *Examiner* did not scruple to say that they had more probably struck her, and that the blow killed her because of her weakness which came from their ill-treatment. "The case," he went on, "presents striking resemblances to that of Drouet. As with him, so with them, the conduct clearly proved, if not interrupted by some unforeseen accident, must have ended in extinguishing life. . . . Its result, and Drouet's acquittal last year, point strongly to the necessity of legislation with respect to such cases, since the existing law is not able to cope with them."

There is no need to follow the story any further, away from Dickens' participation in it. Its greatest interest, perhaps, lies in its allowing us to share in the way in which he observed some events of his own times, actively participated in them, and directly commented on them quite apart from the more familiar world of his imagination. It may remind us too how much he was a man of his time, communicating directly with the Board of Health, writing for one of the most effective journals of the day, personally acquainted with its editors, and with some of the counsel involved in the trial, with Wakley, with Edwin Chadwick and Southwood Smith, and entirely accurate in his comments on the interpretation of the law and the parliamentary and legal consequences of the case. And this is only one fresh example from the great collection that has still to be made of Dickens' journalism. Most extraordinary of all, in spite of such a powerfully rooted grasp of his own times, his fiction remains unimpaired in its interest today.

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[23] Philip Collins has suggested that the case of Mary Parsons also contributed to Guster, see "*Bleak House* and Dickens's *Household Narrative*," *Nineteenth Century Fiction*, XIV (1960), 345-349.