THE BIRKENHEAD GARIBALDI RIOTS OF 1862

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IN the 18th century, London was the English town with the largest number of Irish immigrants resident within its boundaries and before the century was half over, Londoners had become well acquainted with the phenomenon known as the “Irish row”. Row was a euphemism adopted by the English press to describe the violent street disturbances in which the Irish were frequently involved. The considerable increase in the numbers of Irish that settled in England, Scotland and Wales during the 19th century ensured that many other towns witnessed the same phenomenon, which persisted through to the present century. In 1841, for example, the number of Irish born people living in England, Scotland and Wales was 417,000. By 1861 the number had risen to 806,000.

The living conditions of the English working class were desperate, both in the towns and in rural areas but the immigrant Irish inherited the most deprived standards, in terms of accommodation and working conditions, to be found in Victorian England. Whilst heavy drinking and brawling were not the monopoly of the Irish, they achieved a notoriety with respect to both that has not entirely been lost. Irish rows varied in intensity, from relatively small (though often spectacular) public house brawls to large scale riots, the latter usually arising from heightened religious tension between the English and Irish. A less frequent cause of riots involving the Irish was the antagonism that arose among the armies of navvies building Britain’s railways.

A common cause of fracas involving Irishmen was not only the hostility of the English workingmen but disputes among the Irish themselves. Frequently, these arose from rivalry between Irishmen from different parts of Ireland, and Liverpool, more than any other English town, experienced these fratricidal disputes. Often the quarrels broke out among the Irish whilst on their way to England. On 20 June 1846, for example, the steamship Roscommon was out of
Dublin for Liverpool. Barely half an hour after sailing a fight broke out among the Irish deck passengers, involving groups from different counties in Ireland. The Tory *Liverpool Mail* stated that:

>a scene ensued which we are sure will never be forgotten by those who witnessed it, and especially by those who are unused to the **pleasures** of an Irish row. The combatants being armed with stout shillelaghs, it was not long before some dozen were stretched out insensible upon the deck . . .6

One day in September 1848, the steamer *Brian Boru* arrived in Liverpool, having on board a number of injured passengers and crew members. A fight had taken place between groups of men from Munster and Connaught, culminating in the Irish uniting and attacking the crew.7 In May 1849, men from Sligo and Mayo fought a battle in St Martin’s Street, Liverpool, only a number of days after a similar fight in Lace Street. Several policemen were injured in the disturbance and Edward Rushton, the liberal and humane stipendiary magistrate, told the Irish prisoners in court that Liverpool would not stand for such behaviour, which was particularly outrageous given that large numbers of their countrymen were starving.8 In the event, Liverpool had to endure far worse.

Whilst such disturbances continued to be a common feature of Irish life in Britain’s overcrowded ghettos, it was conflict over religion that gave rise to the large scale and more serious Irish riots that occurred in 19th century Britain. A major source of conflict was the revival, by evangelical Anglicans, of ‘No Popery’ as both a religious and political slogan during Victoria’s reign. Whilst working class protestants were, in the main, unmoved by such issues as the Maynooth Grant, the restoration of the Heirarchy or the Disestablishment of the Church of Ireland, inflammatory sermons on these issues gave some sort of legitimacy to antagonistic feelings among protestant working men, the roots of which lay elsewhere. Ironically, it was events in Italy which, in 1862, precipitated yet another Irish row on English streets.

II

The flow of economic forces that, by 1851, had propelled Liverpool into the position where it could justifiably be claimed to be the first port of the empire also carried Birkenhead along in its wake. Standing on the Cheshire bank of the Mersey, facing Liverpool, its leading citizens, particularly the Laird family, hoped that is would become a port to rival Liverpool. In 1847 its first two docks were opened but the hoped for scale of
expansion never materialised, although by 1872 Birkenhead possessed 165 acres of dock space and nine miles of quays. In 1858 a new public body, the Mersey Docks and Harbour Board, took over the ownership and operation of the dock system on both sides of the river. Birkenhead made its name instead as a centre of shipbuilding.9

The influx of hundreds of thousands of poverty stricken and starving Irish into and through Liverpool during the period 1846 to 1850 had many profound and lasting effects on the borough and its immediate surrounding areas. In particular, the increase in the numbers of Irish Catholics living in Liverpool and Birkenhead exacerbated the long standing sectarian antagonisms that were a prominent feature of local life.10 The protestant Orange Order made its first appearance on the streets of Liverpool in 1819, in a 12th of July procession to celebrate the Battle of the Boyne. This ended in a riot and the subsequent sentencing of 11 Irish Catholics to prison. From then onwards the Orange-Catholic feud grew in intensity. The roots of the conflict lay in a variety of sources. There was the endemic anti-catholicism of Victorian England, at all levels of society. This manifested itself in both intellectual and theological criticisms of the Roman Catholic faith and also in popular and crude attacks on Catholic beliefs and practices in newspapers, pamphlets and magazines.11 There was also the economic rivalry between unskilled English workers and the immigrant Irish; competition for housing, and the boisterous and often violent habits of the Irish, who lived in such large numbers in a particular area that it could justifiably be called 'little Ireland' and posed considerable problems of law enforcement.12 There were many such areas in Liverpool. Another element in anti-Irish feeling among the English was doubt about the 'loyalty' of Irishmen. It was felt that the allegiance of Irish Catholics was primarily to the Pope, not the Crown. Lastly, there was undoubtedly a racial element in the attacks on the Irish. 'Paddy' was a figure of fun to many Englishmen and the anti-Irish press often made scurrilous references to the intelligence, clothing and habits of the Irish immigrants.13 The concentrated numbers of Irish in and around Liverpool was bound to bring all of these prejudices to the surface. According to the 1851 census, the Irish-born population of Liverpool borough was 84,000 (23 per cent of the borough population). If one includes the Irish in West Derby, and those parts of Toxteth then outside the borough boundary, the number was over 100,000. On the Wirral the Irish numbered nearly 8,000, most of these in Birkenhead.
By 1862, Birkenhead and Liverpool could be thought of as one unit with a common population. Many merchants and clerks lived in Birkenhead and worked in Liverpool and the population structure on both banks of the Mersey reflected the same racial groupings and the same sectarian tensions. The Orange lodges in Birkenhead had close contact with the Liverpool lodges, whilst the Irish community on both sides of the river was close knit by virtue of race, religion and politics. Unlike Liverpool, which was a borough, Birkenhead was run by a Board of Commissioners who, among other things, appointed the police of the town but had no responsibility for maintaining the public peace. This responsibility was carried by the Cheshire magistrates. Before 1862, the Birkenhead Irish had demonstrated their propensity to riot on a number of occasions in which their faith was threatened or insulted. During the campaign against the restoration of the Roman Catholic hierarchy in 1850, the normally high level of English anti-catholicism rose even higher. The country witnessed hundreds of anti-papal meetings and ‘No Popery’ re-emerged yet again as a cry in English politics. On 26 November 1850 a meeting of ratepayers at Birkenhead town hall, called to protest against ‘encroaching Romanism’, was attacked by several thousand Irish navvies. The Birkenhead police had been reinforced by 130 Liverpool police, but in the fighting 21 Liverpool police were injured, two seriously, and the military were called in on standby to assist the civil authorities. In 1859 another riot requiring military assistance, arose over the issue of Catholic burial grounds. However, the Garibaldi riots proved to be the most serious clashes that Birkenhead experienced.

The years 1860 to 1862 witnessed an increase in Irish devotion to the Papacy. Events in Italy had placed the Papacy in danger of losing its temporal power and Garibaldi became the bête noir of all good Catholics, whilst at the same time becoming the hero of liberal and radical England. To the latter, Garibaldi was leading the struggle for civil and religious liberty in Italy. However, in 1860 Pio Nono appealed for men and money, and the Irish were quick to respond. In addition to the collection of money throughout Ireland and the Irish communities in England, over 1,000 Irishmen volunteered to fight on the side of His Holiness and formed themselves into the “Battalion of St Patrick”. Subsequently Garibaldi was wounded in action against Royalist troops and September 1862 found him in prison. In England, there was much sympathy for him and meetings
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were held throughout the country in support of the Italian hero, whilst much of the British press attacked the Pope and the Ultramontanes. The upsurge in sympathy for Garibaldi created a brisk demand for the services of Signor Gavazzi and Baron De Camin, apostate Roman Catholic priests, who toured Britain at the behest of both Protestant and radical groups, lecturing on such topics as the Pope and civil and religious liberty in Italy. The activities of these lecturers, and others like them, infuriated Catholic opinion at all levels, particularly as lectures of a ‘No Popery’ nature were often followed by Protestant violence. In the period August to September 1862, for example, there were Protestant attacks on Catholic chapels in Wakefield, Bradford and Leeds, following lectures in those towns by De Camin, whilst there were Irish-English clashes in Chesterfield during the same period. In 1871, William Murphy, the most infamous of these anti-catholic lecturers, was attacked by Irish miners in Whitehaven and subsequently died of his injuries.\textsuperscript{15}

In Liverpool, however, the adventures of Garibaldi did not result in any noticeable raising of the normally high sectarian temperature. Indeed on 5 April, 1862, the radical journal \textit{Porcupine} carried an article headed “Where are the No Popery Men”. The article was addressed to “the Collegiate Institution, Hope Hall and Protestant garrisons generally”. The article began:

We, the undersigned, want to know whether all the orators of No Popery, who used to be so clamourous in Liverpool when they could do no good, have been stricken dumb just when they might render real service? Are they aware that there is rising in the South of Europe the great free Kingdom of Italy, whose destiny is to close the reign of Popery once and forever? Are they aware that the rise of the noble Kingdom is dreaded and hated by every advocate of superstition, priestcraft and mental slavery all over the world?

The rest of the article is in the same vein, and takes the Protestants of Liverpool to task for not exerting more political pressure on those members of Parliament who were, it was alleged, supporting Sir George Bowyer and Lord Malmesbury, Catholic members of Parliament who were rallying support for the Papacy against Garibaldi.

On 28 September 1862, a body known as the Workingmen’s Garibaldian Committee held a meeting in Hyde Park, by then a popular venue for meetings held by both radicals and evangelical Protestants. The purpose of this particular meeting was to express support for their hero. In the prevailing climate of opinion it was highly likely that such a meeting would meet with some opposition, but no extra
precautions were taken by the Park Superintendent or the Metropolitan Police. In the event, 50 Garibaldi supporters turned up and they were attacked by a group of Irishmen, estimated at something between 150 and 500. A crowd of onlookers had gathered in the park to attend the meeting and about 200 people, led by some off-duty Guardsmen, attacked the Irish. Fierce fights broke out and after several attacks and counter attacks, which caused great consternation among the onlookers, order was eventually restored, but not before the meeting had been abandoned. The next day 5 Irish prisoners appeared before the magistrates, who seemed to regard the affair as just another Irish 'row'. Sentences varied from 14 days to 2 months imprisonment, but all the prisoners were given the option of paying fines. The magistrates also recommended that the authorities should ban the use of the Park for political meetings. On Wednesday, October 1, the Workingmen’s Garibaldian Committee decided to cancel another meeting planned to replace that which had been abandoned, although by some oversight the Hyde Park Inspector was not informed of the decision. No matter how the magistrates viewed the fights in the Park on Sunday September 28, much of the British press interpreted the events as an attempt by Roman Catholics to suppress free speech, and throughout the following week the papers attacked the Irish, the Pope and English Ultramontanes.

On Sunday, 5 October 1862, huge crowds flocked to Hyde Park in anticipation of more trouble. The contemporary estimates of the crowds vary from 80,000 to 100,000. In fact Garibaldi’s supporters did not hold a meeting, but throughout the day the Park was the scene of continued fighting between Irish and Engish, and one again soldiers were prominent in the clashes. All of the fighting was within the Park, and involved several gangs of Irish and English clashing with each other simultaneously. In anticipation of trouble, the police had put 400 constables on standby near the Park, but during the day these were kept in reserve, almost as if the authorities had decided to let the Irish and English fight it out within the confines of the Park. Only 20 constables were on duty to assist the park-keepers and, as the Irish were operating in gangs of up to 200, the peace-keeping force was inadequate. An estimated 500 off-duty soldiers were involved in the fighting, trying to hand over the Irish to the police. By 5.30 pm it started to rain and the skirmishes came to an end. Despite the numbers involved in the affrays, only 18 people appeared in court next day and only 15 people
received treatment at St George's Hospital. The rioting in Hyde Park on each of the two Sundays drew tremendous press coverage in London, the provinces and abroad. The majority of British papers took a strong anti-Irish and anti-Papal line. Cardinal Wiseman also came in for much adverse comment following the publication of a pastoral letter to the faithful in his London diocese. However, though London in particular was shocked by the disturbances in Hyde Park on September 28 and October 5, the troubles had been confined to the park and did not approach in seriousness the riots which were to take place the following week in Birkenhead.

III

At the time of the riots in 1862 the vicar of Holy Trinity Church, Birkenhead was the Reverend Doctor Joseph Baylee, an evangelical Irishman, well known for his attempts to convert Roman Catholics. Baylee was one of the number of local Irish Protestant clergy, including McNeile, who were often described by the Liberal Liverpool Mercury as the 'Orange clique'. Attached to Dr Baylee's Church was a building which he made available as a Workingmen's college or Institute, and as part of the Institute's activities there was a society known as the British Parliamentary Debating Society, which met once a fortnight to discuss political matters. A number of young men in the society decided to hold a debate on the night of 8 October 1862, the topic to be discussed being "Garibaldi and Italy". Notices advertising the meeting were posted up around the Church and to the chagrin of the Irish, these were bright orange in colour. Given that Holy Trinity was sited in the midst of streets housing thousands of Irish Catholic labourers and their families, the choice of colour was, to say the least, injudicious. Indeed, given the history of Orange-Irish clashes on Merseyside, it is difficult to believe that the significance of the colour was not appreciated by the organisers of the meeting. At 2.00 pm on Wednesday, 8 October, a member of the public informed the police that there was likely to be trouble at the meeting of the debating society. The response of the Birkenhead police was to send two or three constables to the building where the meeting was to be held. It was advertised to start at 7.30 pm but by 7.00 pm a large crowd of Irish men and women were gathered around the building in belligerent mood, shouting pro-Papal slogans. When the doors opened they started to stone the building. The doors
were closed immediately and the police on the spot, Inspector Gregory, with three constables, advised the would-be debaters to turn off the gas lights and adjourn the meeting. As the people outside became increasingly aggressive, more police were sent for, but the crowd of Irish had grown to 3–4,000. The windows of the Institute were broken but even then the police did not attempt to disperse the crowd, waiting for another 40 to 50 officers under the command of Superintendent Birnie. The Superintendent addressed the assembled Irish on his arrival but was hooted down. The police view seems to have been that, faced with an ugly crowd of such a size, they were hopelessly outnumbered. As the stoning grew more furious, the Reverend Joseph Baylee, son of Dr Baylee, ran to the presbytery of St Werbergh’s, the Catholic Church, and asked Fr Brundrit to try to stop the Irish rioting. Brundrit, together with Fr Goulding, went to the scene of the disturbance and appealed to the rioters to stop, which they immediately did. The two priests then led their turbulent flock away through the side streets around Holy Trinity. However, as the crowds were passing the Church they started to stone it, breaking windows. Every pane broken was accompanied by the shout “There’s one for the Pope”. In Price Street, the Irish then broke the windows of the Welsh Baptist Chapel and later another non-conformist chapel suffered the same fate. In effect, the police had no control over events at all, and the town was at the mercy of the Irish who, but for the actions of the English Roman Catholic priest, Fr Brundrit, would have gone on the rampage. As it was, damage was confined to the windows of the three churches and no rioters were arrested. 18

The Liverpool press was outraged at the attacks on both Holy Trinity and the building where the debating society was meeting, interpreting the incidents as both anti-Protestant and anti-free speech in intent. Further, particular venom was reserved for the actions of the magistrates who, their critics argued, should have taken steps to control the mob and not held the police back. The Roman Catholic priests of Birkenhead were also accused of urging their parishioners to disrupt the meeting on the basis that the debaters were pro-Garibaldi. The Liverpool Mercury of 10 October writes with reference to the action of the two priests in quelling the riot . . .

It is hard to believe that the power which could so easily quell this storm could not have prevented it. If a body of three thousand fanatical men and women will, when heated with passion and warmed with the work of
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destruction and vengece, disperse at the simple bidding of a priest, surely the same potent personage has the power to prevent them from indulging in such displays of political animosity and religious hatred.

Press commentators took up the point that Fr Brundrit was an Anglican convert to Roman Catholicism and his success, as an Englishman, in stopping the Irish attack on Holy Trinity, demonstrated the power of the office of priest, a similar comment to that made about Fr Browne in the 1850 riot. During this post mortem on the events of October 8th the authorities in Birkenhead anticipated that there would be further trouble on Sunday, 12 October and requested assistance from the county constabulary. In the event, thanks to heavy rain, no trouble occurred but the rumours helped to keep up the atmosphere of tension in the locality.

On Monday 13 October, a meeting was held at the Queen’s Park Hotel, Birkenhead, having been called by a circular issued by Dr Baylee. The purpose of the meeting was to discuss what steps should be taken in consequence of the abandonment of the debate on the previous Wednesday. Among those present were Dr Baylee, the Rev J.T.Baylee his son, J.Mann of the Independent Methodists, Mr Thompson, a United Presbyterian, W.Hind, chairman of the Birkenhead Commissioners, W.Laird and J.Laird, both members of the local shipbuilding family, and P.F.Curry, Coroner of Liverpool.

Dr Baylee addressed the meeting and, after referring to the riot on 8 October, declared that he would not submit, as an English subject, to having his civil rights taken away and that he intended to hold a meeting on 15 October and that he expected the magistrates to protect it. He then read out the contents of a letter from a gentleman whose testimony he trusted. The unnamed person alleged that, when the priests led the Irish mob away from Holy Trinity on 8 October, he heard Fr Brundrit address the crowd with the following words:

I find no fault with what you have done tonight. For my own part I consider Garibaldi a viper; a blackguard; I can call him nothing else, because of his doings in our beloved Italy. And therefore, as true Catholics, it is our duty to be against him, or any movement which tends to sympathise with him. Garibaldi deserves not the slightest sympathy from us. You have prevented their having a meeting because they were compelled to put out the gas and close the door.  

At the same meeting, allegations were made that a majority of the Birkenhead police force, including Superintendent Birnie, were Catholics and that was why the meeting of 8
October had not received adequate protection. The imputation of such a speech to Fr Brundrit fed the worst prejudices of radicals and Protestants alike; Brundrit denied making the statements, though he admitted calling Garibaldi a blackguard and perhaps calling him a viper. He then accused the Rev J.T. Baylee of ingratitude and went on to state:

Though repudiating the speech put into my mouth by the very credible person, I wish it to be perfectly understood that I do not by any means lay the blame of this row on the Catholics. If misguided fanatics choose to call a meeting by large Orange coloured placards headed “Sympathy with Garibaldi” in the very centre of at least 16,000 Catholics they must take the consequences and be answerable for it. They say they will hold another meeting. Let them do as they like. I promise them, in the name of myself and my colleagues, that we will not again act as policemen, but those who raise the storm may allay it. 20

The uncompromising nature of Brundrit’s reply to the allegations made in the anonymous letter did nothing to assuage radical and Protestant opinion that the Catholic priests had urged their parishioners to break up the meeting. The Liverpool Mail, in a leader on 18 October 1862, referred to Brundrit’s letter:

And as to Priest Brundrit and his blundering letter, which happily lets the cat out of the bag, we only add that, whilst we habitually and gratefully recognise the services rendered to our police by Roman Catholic priests in aiding the police to quell and keep down riots in low Roman quarters, and whilst we would scorn to hound on any baseless Protestant outcry against any Roman Catholic clergymen — as many of them well know — we cannot help noting that this over zealous priest is a notorious ‘apostate’ from the Reformed Catholic Church of England and is, doubtless, inspired with that blind and bitter zeal with which all such unhappy ‘apostates’ are proverbially actuated.

In a leader on 10 October 1862, the Liverpool Mercury stated:

We do not endorse the common rumour that the priests get up these riots; we do not even say that their teachings incite to these disgraceful outrages; but if they be repeated, we and many others will find it difficult to believe that the priests do not sanction these displays of brute force for the purpose of terrifying political opponents into silence.

The Mercury’s credulity was put to the test five days later. Dr Baylee was determined that the meeting of the debating society should go ahead. He saw the issue as one in which Irish Catholics were trying to intimidate English subjects in the exercise of the right to free speech. Such a view was supported by radicals and liberals who had no particular regard for Dr Baylee’s brand of Protestantism. Baylee’s view that the adjourned meeting should take place was well
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publicised because of his statements made at the meeting held at the Queen's Park Hotel on 13 October.

IV

On Wednesday morning 15 October, the magistrates were informed that the Debating Society was to go ahead with its meeting at the Institute building adjoining Holy Trinity, and they went into immediate session to discuss the measures to be taken to preserve the peace. In view of the furore in the press over the disturbances on the previous Wednesday night, they appeared to be conscious of the need to display firmness and determination. The County Constabulary were asked to help as much as they could, and 170 officers, including 8 Superintendents under the command of Captain Smith, Head Constable of Cheshire, arrived at Birkenhead Town Hall in the afternoon. The military commander at Manchester was also asked for assistance, and by 7.00 pm 175 men of the 49th Regiment had arrived and were installed at the Monk's Ferry Hotel, with orders to stay there until called upon. The military at Chester were also asked to stand by to help if necessary. During the afternoon, the magistrates met at the Town Hall and sent out notices to shopkeepers, tradesmen and working men in the town and neighbourhood, requiring their attendance to be sworn in as special constables. In all, about 1,000 special constables were sworn in. These included members of the Cheshire Volunteer Rifles, commanded by Sgt McNerney; 300 workmen from Messrs Laird's Works, under the command of Captain Laird; 40 or 50 men from the Woodside Ferry Company, commanded by Mr McKelvie, the manager, and a large body of workmen from the Canada Works. Such a large show of force seemed to indicate that the magistrates had resolved to act firmly, but the events of the day were to show that this was not so. The various press reports are rather confused regarding the movements of the specials, but there is consensus of opinion on one issue, namely that the specials were not involved in the subsequent fighting. According to the Liverpool Mail of 25 October the specials were asked to assemble in the Market Square at 6.00 pm and 300 to 400 did so. However, after waiting an hour, it seemed that they were not wanted and so they dispersed. An earlier conflicting report in the same paper on 18 October had stated that the specials were assembled in the Corn Market and divided into companies under the local gentry, and at about 7.30 pm were marched
off to Holy Trinity church, armed with staves. What appears to have happened is that a small group of specials were selected from those who assembled in the Market, and these were later stationed near Holy Trinity but never became involved in the fighting.

In the early evening of 15 October, the magistrates, including Sir Edward Cust and W. Jackson MP, were gathered at the Town Hall in order to make any decisions the situation might require. Thus Sir Edward Cust, who had been present at the Birkenhead riot of 1850, was in overall command of the law enforcement operation. At 7.00 pm Inspectors Keenan and Gunning of the Birkenhead force, together with 16 constables, went to Holy Trinity School, where a body of County Police, under Captain John Smith, were outside the Church. Significantly, Smith had no jurisdiction over the Birkenhead police. The rest of the County police were at the police station in Abbey Street. The meeting was due to start at 7.30 pm in the schoolroom next to the Church, but by 7.00 pm crowds of Irish men and women were gathered in the area, once more in belligerent mood. Keenan and Gunning tried to keep the crowds on the move in the vicinity of the Church, and for a while they succeeded, but before the meeting started a large crowd of Irish came along Price Street, led by Father Goulding, one of the priests from St Werbergh's. Many of the crowd were armed with long staves, six or seven feet in length. When the crowd halted in front of Holy Trinity Church, Father Goulding called for three cheers for the Pope, the Queen and the British Dominions, a combination which seemed to satisfy faith and loyalty. By this time Inspector Keenan had sent Inspector Gunning for assistance, and when six mounted policemen and 30 foot constables under the command of Superintendent Birnie, Chief Constable of Birkenhead, arrived, they attempted to disarm the crowd.

This was a signal for a general attack on the police. At first, the police succeeded in driving the Irish back. They had wanted to force the mob into a field near the Church, but the Irish retreated into the maze of side streets in the vicinity, particularly Price Street, Oak Street and St Anne Street. These provided the Irish with excellent cover for ambushing the police, who were continually attacked by stone throwing crowds. Eventually the area near the Church was cleared and the Irish forced into the back streets, but the police had taken a tremendous beating. As one of the objects of the law enforcement operation was to leave Holy Trinity Church and
the schoolroom unmolested, the police returned to the corner of Park Street and Price Street rather than attempt to drive the Irish out of the area. By 8.00 pm, out of a force of 55 men, the Birkenhead police had eight men out of action because of injuries. At about this time, 50 special constables arrived in Price Street and lined up across the road in two sections but neither then nor later were they allowed to engage in the fighting. After the arrival of the specials, the Birkenhead police again attempted to drive the Irish away and made several charges at the rioters in the side streets, but each time they were beaten back by tremendous volleys of stones and bricks. By 8.30 pm the Birkenhead police engaged in the street fighting had been reduced from 40 to 29, having experienced some of the fiercest fighting in and around Watson Street, Price Street and Oak Street. In an attempt to clear Watson Street, the six mounted policemen went in with drawn cutlasses but received a severe beating and were routed. Some of these men were ex-cavalry men and were quoted as saying that the battle in Watson Street was worse than action in the field.21

During the fighting that took place until 10.00 pm the County police under the command of Captain Smith were on duty in front of Holy Trinity, and not engaged in the fighting, and thus the Birkenhead force bore the full brunt of the mob fury. The magistrates refused to sanction the use of the special constabulary because, it was subsequently claimed, they suspected them of being Orangemen who, if turned loose, would increase the level of rioting. The magistrates also declined to use the military at their disposal. The Birkenhead force, however, simply could not cope with a situation in which they faced several thousand infuriated Irish men and women using a maze of back streets as cover for stone throwing attacks. Thus, from 8.30 pm to about 9.15 pm, Watson Street was totally under the control of the rioters and several families fled their homes. A feature of the night’s rioting was that, in what appeared to be a pre-conceived tactic, the houses in the Irish streets around Holy Trinity fired their chimneys simultaneously, with the result that dense clouds of black smoke filled the streets. Even in the streets possessing gas lights, the smoke clouds considerably reduced visibility, making it easier for the stone throwing mob to escape the attentions of the police.
During the time these battles were being fought, the Debating Society was holding its meeting. The participants held a mock parliamentary debate and discussed a motion complimentary to Garibaldi. In the audience were 300 Orangemen from Liverpool, all armed with staves. The Liverpool Orangemen regarded Birkenhead as home territory and were anxious to support their brethren across the Mersey. When the meeting finished at about 9.00 pm the Orangemen lined up five abreast and marched back to the ferry. The Irish, however, were too fully engaged in the streets around Holy Trinity to notice the Orangemen, who boarded the ferry singing ‘Rule Britannia’.

At about 10.00 pm the rioters seized a number of houses and courts in Oak Street and Watson Street and again savagely assaulted the police. An extra body of Birkenhead police went to the scene and they were again heavily stoned and driven out. In the meantime Captain Smith and some of the county police were still in front of the schoolroom, having watched the meeting finish and the people disperse. On hearing of the fighting in Oak Street and Watson Street, Captain Smith decided to give assistance. Before setting off, he asked the magistrates for permission to take some of the specials with him but they refused his request. The county police, about 50 men, then went to Oak Street, where they found the rioters barricading the houses so that they took on the appearance of citadels. Under the leadership of Inspector Burgess and Superintendent Laxton, they went into Oak Street after the Irish and a fierce battle commenced. The County men, unlike the Birkenhead police, were relatively fresh and, more important, Captain Smith was giving strong leadership. They attacked the houses showing most resistance. In some instances, doors were battered down, in others the glass was broken and the police went in through the windows. Some desperate individual battles were fought. At 21 Oak Street, the inhabitants were very prominent in the stoning of the police from the upstairs windows and when the police went in through the window they faced Thomas Larkin armed with an iron bar, Catherine Larkin armed with an axe and Michael Hogan wielding a poker. PC Martin went into 6 Oak Street through the window and was attacked by the inmates of the house, and despite being struck with a brick, arrested Patrick Fahey. Upstairs, piles of stones were heaped on the floor and a recently fired gun was found.
Despite the success of the county men in entering houses, the ceaseless stoning continued and many police were injured before eleven prisoners were finally lodged in the Bridewell.

At about 11.00 pm Captain Smith, together with Inspector Sheehan of the Birkenhead police, 25 Birkenhead constables and three County Officers, went to Watson Street following a report that a policeman was being murdered. On approaching Watson Street, crowds of Irish, with stones, were seen to be waiting. Sheehan advised Captain Smith that they should not go any further and, as Smith was not in command of the Birkenhead men, they left the scene, much to Smith's irritation. He returned later, however, with his own men, and went to a house on the corner of Oak Street and Watson Street, where he found Inspector Burgess and PC Morris apparently dead.

During the night's rioting numerous premises were deliberately attacked and damaged. One paper claimed that property belonging to members of the Debating Society had been marked out for particular treatment by the Irish. Two public houses that came in for attention were the British Queen and the Prince Albert. Although the landlord of the British Queen kept the damage down to broken windows, as he had armed himself with a revolver; in the case of the Prince Albert, the mob smashed the windows, entered the property and took the cash box containing £83, the day's takings, and clothing. Many shops had their windows smashed and at Shillinglaw's, the chemist in Price Street, the inside of the shop was considerably damaged. Subsequent to the riot on the 15 October, 19 people claimed from the Hundred of Wirral for damage to property. It was estimated that these claims totalled between £500 and £600. The police had taken a severe beating before the rioting was finally over. In the case of the Birkenhead force almost every man received some injuries and several were seriously hurt. The county policemen who were actually involved in the fighting also suffered injuries. This fact, together with the damage to property, meant that a lot of questions would be asked at all levels of the community.

On Thursday 16 October 1862, 12 Irish men and women were brought before the Magistrates at Chester Castle. There had been a rumour that some attempt would be made to rescue them, and 150 armed police were on duty around the Castle. The militia stationed at the nearby barracks were also armed. The Magistrates on the bench included Sir Edward Cust as Chairman. The prisoners were charged with
committing a riot in Birkenhead on 15 October 1862. After hearing evidence from the police, Cust remanded all the prisoners at Chester Castle until 18 October, intimating that they would all be committed for trial. A dramatic incident occurred at the end of the hearing when an envelope was handed to Sir Edward. On opening it, it was seen to contain a white feather, the sign of cowardice.

VI

The reaction to the affair was immediate and national in scale. This was no ordinary Irish row and on 18 October Porcupine carried an article headed “The Reign of Shillelagh”. After pointing out that the events in Italy meant nothing to the Birkenhead rioters, the article went on to castigate the magistrates of Birkenhead.

With special reference this week to the infamous outrages perpetrated in Birkenhead, where robbery and other crimes were committed in the name of religion, it is difficult to speak calmly of either the misguided rioters or those whose duty it was to put them down at once. The pusillanimity of the Birkenhead magistrates is one of the most painful features of the riots of Wednesday evening. Though there was abundance of material to stamp out the whole riot in twenty minutes, not a leader worthy of the name appeared to urge on the bodies of police and special constables to the attack, but they were retained inert and useless masses in front of the Holy Trinity Church, while the streets branching from Price Street further to the North were rife with plunder and violence. . . .

The article went on to call for the strictest investigation into the behaviour of the magistrates and the management of the police. The Liverpool Mail of 18 October contained a long leader dealing with the riots of 15 October, in which the behaviour of the Birkenhead magistrates in the 1850 and 1859 riots was retold with contempt. In referring to the previous Wednesday’s rioting, the article stated that the behaviour of the authorities might be excused in a committee of old maidens:

. . . but it is utterly inexcusable in grown men, holding the Queen’s Commission of the Peace, who were charged with the solemn responsibility of protecting Birkenhead from lawless Popish ruffians. When rioting and murder and plunder began it was the palpable duty of the semi-idiotic Birkenhead magistrates to order out the troops they kept in reserve for show and did not use. Half a hundred red coats would have scattered the mob in a very few minutes. 25

The correspondent of the Manchester Guardian stated that:

The general feeling in Birkenhead is one of intense indignation with regard to the conduct of the local magistrates in not calling out the
military and ordering the police to act more rigorously at the commencement of the outbreak. . . . Many gentlemen residents of Birkenhead, who were called on to-day (16 October) to serve as special constables, positively declined to act, stating that unless the force was more efficiently handled than it was last night (15 October) it was useless to expose themselves to danger. The volunteers who had already been sworn in have intimated their intention, should the magistrates not act with greater vigour, to take the law into their own hands, and, at the risk of a clash with the War Office, attack the rioters with an energy which they believe will check further outrage.26

The Liverpool Courier of 18 October 1862 carried a leader on the Birkenhead riots.

How long is Birkenhead to live under the fear of Bludgeon law? Are free Englishmen to be domineered over by the Pope's ragged Legermen? We give to all parties in the country the right to free discussion. When priests harangue the Pope's brigade, and send the scum of the Irish cut throats on the sacred soil no one interferes with them . . . These ruffians will not permit an assemblage of Englishmen to express their sympathy with a brave and honest hero. Tomorrow they will endeavour to close our schools, our public worship or a political meeting.

Amidst the furore, the welter of indignation and anger masked a number of specific questions about the events of 8 to the 15 October. Why had the Birkenhead magistrates waited until 15 October to swear in special constables and call in the military? Why were the specials and military not used when the rioting of 15 October started? Why were the magistrates not out in the streets at the head of the police, directing affairs? Why was there no unified command of the law enforcement forces? The evidence of Captain Smith of the County force had strongly suggested a lack of direction during the night's operations. Quite apart from the questioning about the disturbances on the night of 15 October, questions were asked on a number of wider issues. Given the size of the Irish population in Birkenhead and the history of riots in the town, why was the police force so small? The unfortunate Birnie, Head Constable of Birkenhead was criticised for lack of leadership. Another debate concerned the ominous presence of Liverpool Orangemen in Birkenhead whenever religious disturbances were threatened. All in all, the Birkenhead magistrates felt beleagured.

VII

On the 18 October a leading article in The Times blamed the magistrates for being too timid in the suppression of the 15 October riots. On 20 October, the clerk of the Birkenhead magistrates wrote a letter which appeared in The Times of 22
October, which, on any reading of the events of 15 October was a whitewash attempt and came in for particularly contemptuous comment from local opinion. Part of the letter read:

They (the magistrates) regarded the reading of the Riot Act, and still more, the calling out of the troops, as measures only to be resorted to in cases of great necessity, and on a reasonable apprehension that the civil force was inadequate to the occasion. The magistrates, however, were satisfied that the police force was sufficient to restore order without other aid and the result proved them right . . . The intended meeting was quietly held, the row was entirely suppressed and before midnight the town was perfectly quiet.

The term row hardly seemed an adequate description of the nights events and the view that the prime purpose of the law enforcement operation on the night of 15 October was to permit the debating society to meet was greeted with hoots of derision. On the 20 October, a letter to the Daily Post, signed "A Cheshire magistrate", made the same claim, namely, that the law enforcement operation achieved its goal of allowing the debating society to hold its meeting. Commenting on this, Porcupine wrote:

The force of folly could no further go than it went in the "Cheshire Magistrate's" letter in Monday's Daily Post. It sets out with the assertion that the main object of magisterial action on the night of the great riot was to protect the little meeting of the Parliamentary Debating Society and the inference that, so long as this important institution was not interrupted in its discussions, it didn't matter at all how much property was destroyed or how many people were killed in Watson Street.

The "Cheshire Magistrate's" letter had also stated that the reason for not using the specials was that they were prejudiced against the Irish, a view treated with incredulity by the Liverpool papers of all political shades. That many of the specials were Orangemen cannot be doubted but in the situation of a serious riot these were under the control of the police and the magistrates would have been justified in using their services. The defensiveness of the magistrates is revealed in a further passage in the letter:

Should a repetition of the riot take place, the magistrates will feel no hesitation in quelling it by the prompt and unsparing use of every means at their disposal, whether the emergency warrants it or not, and should this entail a loss of life, as a result of the employment of a military force, that responsibility must rest on the head of the instigators of the riot: though no doubt, the magistrates would then have to brave a storm of censure for their precipitate conduct, as they now have for their alleged hesitation; preferred, doubtless, in the one case with as much justice as in the other.
The ghosts of Peterloo apparently haunted the Birkenhead magistrates. On 11 October 1862, five days before the battle around Holy Trinity, a deputation of Birkenhead magistrates had gone to Liverpool to request the loan of 200 constables because trouble was expected on Sunday 12 October. This was refused. The chairman of the Liverpool Watch Committee stated that whatever the relations had previously been between Liverpool and Birkenhead, since the Police Act of 1859, the force of one Borough could not legally act, or be called upon to act, within any other Borough possessing a separate police force. The only exception to this was a situation in which the Watch Committee controlling the police held the view that there was some great emergency. It was pointed out to the Birkenhead magistrates that until that day (11 October) not a single constable had been sworn in. The fact that Liverpool had sent police previously to help quell riots in Birkenhead called forth the view that the Birkenhead ratepayers and Dock Committee should finance an increase in the Birkenhead force. On the morning of 16 October, the day after the riots, the Birkenhead magistrates once again requested assistance from Liverpool and this time the Liverpool Watch Committee agreed to hold 200 constables in reserve. Their attitude was probably influenced by the seriousness of the rioting on the 15 and the implied commitment of the Birkenhead magistrates in the letter to the press, to use the military in the event of any further rioting. In fact the Mayor of Liverpool had written to the Home Office about Birkenhead's requests for policemen, and Sir George Grey, the Home Secretary, wrote to the Birkenhead Mayor, pointing out the law regarding one Borough helping another and stating that a Borough should maintain a force adequate for the purpose of maintaining order. This letter was debated by the Birkenhead Watch Committee on 29 October 1862. The same Committee meeting discussed the desirability of a new police chief, at the same time praising Mr Birnie, the Chief Constable. The view was expressed that he did not have the weight or standing with the magistrates that a Chief Constable of a Borough like Birkenhead should have.

Excitement in Birkenhead was kept on the boil by an announcement that Dr Butler, another Irish Evangelical, would on 23 October give a lecture in the schoolroom at Claughton, entitled 'Rome and Italy'. Butler was an apostate Roman Catholic priest who had formerly been Chamberlain to the Pope and his activities were anathema to the Roman
Catholic community. The harassed magistrates immediately asked for military assistance and 180 men and six officers of the 49th Regiment were stationed in a coaching establishment 200 yards from Christ Church. 150 constables from the Cheshire County force were also posted in the roads leading up to the Church. During Thursday 23 October 500 special constables were sworn in and 350 of them were on duty near the Church. During the day the town was swept by the rumour that the Irish would attempt to seize the Birkenhead gasworks, in order to put out the gas lights as a cover when attacking the law enforcement authorities. Guards were placed around the gasworks, in case there was some substance to the story. During the day a placard, printed on green paper, was issued by the three priests of St Werbergh’s headed “Irishmen and Catholics”. The notice urged the Irish Catholics to stay at home and “give your enemies no opportunity”. The last sentence of the message was “Irishmen and Catholics, obey your pastors”. The injunction seems to have been widely obeyed, in that no clashes occurred, although this may have been because of the realisation that the magistrates of Birkenhead had been hounded into taking firm action, and had made it known that the military could use their firearms. The organiser of the meeting was Dr Blakeney, another of the ‘Orange’ clerical clique, and the purpose of the meeting was obviously an act of defiance regarding the Irish. Blakeney was in the chair for the meeting, which was composed mainly of working men.

During the course of the lecture, 500 Orangemen arrived from Liverpool and filed into one section of the Hall. They were mainly young men, all armed with cudgels and there is little doubt that they were there to take on the Irish if another disturbance took place. At the end of the meeting, Dr Blakeney requested the audience to disperse quietly and to give no provocation. Such a course of action was alien to the ebullient Liverpool Orangemen. Immediately the meeting ended, cries went up to form in marching order outside, which was done amid much noise. When in marching order, the Orangemen produced their cudgels, which during the meeting had been kept under their coats. Further, hundreds of young men from the Birkenhead area, also armed with staves, thronged the footpaths, all spoiling for a fight with the Irish. The procession set off for the ferry and during the march, pistols were fired continually. The procession went past the Catholic Church, where the Orangemen and their supporters gave groans for the Pope and increased the rate of
pistol shots. Later, opposite the house of John Laird MP, they gave three cheers for Garibaldi, and further groans for the Pope. Commenting on this display, Porcupine wrote:

Porcupine has a strong aversion to Roman Catholic fanaticism for many reasons; but if he were asked to give the reason why, at the present day, he most detests it, he rather thinks he would answer — because of the impulse it gives to ‘Orange bigotry’ . . . But Papal bigotry, which in itself is bad, can let loose Orange bigotry, which is in itself somewhat worse. Orangemen are just as blatant, silly, unreasoning and tyrannical as Papalists, and they have (among us at least) very much more influence.

The article went on to condemn Orangeism and the motives of Dr Blakeney and Dr Butler and finished:

If the people of Birkenhead can devise no better means of securing freedom of speech than by turning out a howling Orange mob to scare into silence a less powerful Papist mob, the place does not deserve to be classed among civilised and Christian communities.

VIII

The interest of the ratepayers in Birkenhead switched to the question of how the borough was to be policed in order to prevent any similar disturbances. There were basically two viewpoints. One school of thought argued that the law enforcement agencies available were adequate for the purpose of maintaining the public peace. What was short was leadership. On the night of the rioting on 15 October there had been three groups of police available, the borough police, the county police and the special constabulary. What had been missing was strong leadership from both the magistrates and the Head Constable of the Birkenhead force, Mr Birnie, and the latter was compared unfavourably with Captain Smith, of the county police. The opposing viewpoint was that, even if the leadership of the police had been all that was required, the 60 man force was too small to deal with the growth of Birkenhead’s population. What was needed, it was argued, was an increase in the size of the force. At the meeting of the Watch Committee on 29 October the debate centred around the cost of increasing the police establishment. It was eventually agreed to increase the force from 60 men to 100 at an estimated cost of £2,000 (a 3d rate). Further it was decided that a head constable should be recruited who had a military background.
Whilst these issues were being decided, at the December Assizes at Chester, 18 Irish men and women appeared before Mr Justice Baron Bramwell. They were charged with 'unlawfully and riotously assembling, with divers other persons, to disturb the public peace, and making great riot and disturbance at Birkenhead, on the 15 of October last, and then and there assaulting police officers in the due execution of their duty.' In contrast to the sentences passed by the London magistrate, the Birkenhead Irish felt the full weight of the law, reflecting the more serious nature of the disturbances. One male prisoner received 9 years; 9 others received 3 years; 3 more 1 year and a woman 6 months. The rest were discharged.

Unlike the riot of 1850, the events in Birkenhead on 15 October were more of the nature of a clash between Irish immigrants and the police. No civilian protestants were injured; all the injured treated by doctors were either Irish Catholics or policemen. No protestant houses were attacked nor any protestant place of worship. In contrast several Catholic homes were damaged by the police in their efforts to arrest rioters. The real cost of this and similar incidents on Merseyside, was to poison further the already bad relationships between working class Protestants and Catholics which were worse than in any other area in Britain, outside Northern Ireland and Glasgow. Any hope that the sectarian tensions in the area would quickly fade away were doomed. In 1902, Birkenhead once again became the focus of national attention when John Kensit the famous protestant lecturer died as a result of head injuries received in an attack on him as he boarded the Liverpool ferry at Birkenhead. A Catholic youth was charged with his murder. However Birkenhead did escape the worst excesses of the religious war on Merseyside and its town people were mere observers of the religious riots in Liverpool in 1909.

NOTES

1 The author would like to express his gratitude to the Nuffield Foundation for financial assistance in undertaking a study of the economic, political and social consequences of Irish immigration into 19th-century Liverpool.
3 One of the most important sources of information concerning Irish

An example of the speed and ferocity with which Irish often reacted to what they regarded as provocation is the incident at Blackhill in Northumberland on 18 April 1858. A row in a public house over payment for some drink resulted in a riot that lasted for three days, involving thousands of Irish labourers and necessitating the calling in of 300 troops. English labourers were involved in fighting the Irish and for a week after the commencement of the trouble the authorities feared the fighting would spread to other villages. *Manchester Guardian*, 23 & 24 April, and 3 May 1858.

In the 1840’s and 1850’s there were several serious disturbances between English and Irish navvies during the building of the railway system and these caused great alarm in the areas in which they occurred. For a full account of these see Terry Coleman *The Railway Navvies* (1965).

Evidence of M.G. Dowling, Head Constable of Liverpool before the Select Committee on Railway Labourers (1846) questions 3042–3092.


There is general agreement in the Liverpool press reports that “several” policemen only were on duty at the scene of the debate. The specific claim that there were only two or three policemen present originally, is contained in an article in the *Daily Post* “Roman Catholic Outrage at Birkenhead”, reproduced in the *Liverpool Mail*, Saturday 11
October 1862, p. 5. The article in the Daily Post is of some significance, because the paper was edited by Michael Joseph Whitty, ex Head Constable of Liverpool and a Catholic Irishman.


Liverpool Mail, Saturday 18 October, p.2.

Daily Post, 14 October 1862, Letter from Fr Brundrit.

This account of the rioting and other events of 15 October 1862 is taken from: Liverpool Mail, Saturday 18 October 1862, pp.6, 7 “Renewal of Riots”; ibid, Saturday 1 October 1862, p.4 “Report of Watch Committee”; ibid., Saturday 25 October 1862, “Examination and Committal of Rioters”; The Times, 10 October 1862, p.11; ibid., 17 October 1862, p.8; Liverpool Courier, Saturday 25 October 1862, p.8 “Birkenhead Riots – Committal of Rioters”; Manchester Guardian, Thursday 23 October 1862, p.3 “Examination of Rioters”.

Public Record Office, Home Office Papers, HO 45/057326/3, letter from Captain Smith to Home Secretary, Sir George Grey.

PRO, HO.45/057326/5 Sir George Grey told Edward Cust, Chairman of the magistrates, to contact the military in order to obtain adequate security at Chester Castle. He also warned the War Office to step up security on the armouries at Chester Castle because the Mayor of Chester had written to the War Office, complaining that the guard was insufficient. Concern over what the Irish community might try caused him to complain to Sir George Grey about the trial being held in Chester.

Porcupine, 18 October 1862, p.229.
Liverpool Mail, 18 October 1862, p.5.
Manchester Guardian, 17 October 1862, p.3.

Daily Post, 20 October 1862.

PRO, HO.45/057326/2. On the 16 October, Cust wrote to the Home Secretary, giving a low key account of the rioting on the night of the 15 October. He also pointed out that the Liverpool authority did not seem to admit that an emergency existed in Birkenhead. Cust also assured Sir George Grey that the magistrates would do all in their power to maintain the peace without resorting to the use of the military. Also PRO, HO.45/05 7326/18 Cust wrote to the Home Office, complaining of the lack of understanding shown by the Mayor and police in Liverpool. Cust argued that the religious ‘problem’ was common to both towns and necessitated co-operation. He also argued that the special constabulary were ‘useless’ and could not be trusted in any confrontation between “Orange and Green”.
