

THE FACTORY ACT OF 1819
FOUNDATION OF BRITISH LABOR REFORMS

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ABSTRACT

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The bill which led to Parliament's Factory Act of 1819 was introduced under seemingly favorable circumstances in 1815. Sir Robert Peel, who had achieved great success in the native cotton industry and engineered the first factory bill in 1802, had agreed to introduce reforms proposed by Robert Owen, another cotton manufacturer. It soon became evident, however, that the proposal involved some complex issues.

The cotton industry's highly profitable position had proven beneficial to the nation's financial status, particularly during the lengthy conflict with France which lasted from 1793 to 1815. The Government's preoccupation with monetary requirements for the war effort and the widely-accepted economic principle of "laissez-faire" combined to give the cotton manufacturers a free rein in conducting their businesses. This practice had resulted in the exploitation of thousands of pauper apprentice children by unscrupulous factory owners, a condition which eventually led concerned citizens in the cotton factory district of northern England.....

to recommend Parliament's intervention. This paper details the origin and procedures involved in the movement toward passage of one piece of legislation to correct these evils.

Peel readily obtained Parliament's consent in 1802 to a reform limited to pauper children, traditionally protected by the State. As the lone cotton manufacturer in Commons, he had faced no legislative challenges from fellow mill owners, a situation that no longer existed in 1815, when he introduced a bill to protect not only factory apprentices but also "free" children, i.e., those with natural guardians. Several cotton manufacturers had entered Parliament since 1802; and, joined by others with economic or political ties to the cotton industry, they strenuously opposed the bill, chiefly on grounds that such interference would prove detrimental to the cotton industry and to the nation. Heated debates, interspersed with lengthy delays, continued for two years in Commons.

This study shows that in his anxiety to conciliate the manufacturers, Peel made generous concessions at the expense of the factory children, a move which still failed to win over the opposition. It was only when his young son, Robert, the second baronet and future Prime Minister, delivered a masterful defense on April 27, 1818 that the badly-weakened bill was rescued and a significant legislative principle established. The younger Peel willingly conceded an additional fifteen minutes of working time in exchange for the admission by the "party interested" that Parliament could

interfere in working conditions which adversely affected Britain's working classes. His eloquent appeal reflected the views of many other Members, including the abolitionist William Wilberforce and his voting bloc; Edward Bootle-Wilbraham, who had twice initiated factory reforms of his own; and many unidentified supporters who provided an enthusiastic audience for speakers favoring the bill.

When the bill moved to the House of Lords, several peers placed humanitarian concerns before commercial interests and obtained passage of the bill in spite of vigorous opposition. Throughout the Parliamentary proceedings, an energetic campaign was conducted "out of doors" which enlisted the support of hundreds of clergymen, magistrates, merchants and other sympathetic individuals to create a pressure group for the bill.

The central thesis developed by this work is that although the bill, which became law in July, 1819, lacked many of its original protective measures for children then employed in cotton factories, it established the principle of the right of Parliament to interfere in questionable labor practices, thus preparing the way for later effective labor reforms.

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PREFACE

When Sir Robert Peel, a prominent cotton manufacturer, introduced a bill in Parliament in 1815 for the purpose of regulating employment practices in Britain's cotton mills, the enthusiastic response of his fellow legislators appeared to bode well for an early approval of the measure. In spite of this early optimism, the bill travelled at a snail's pace through both Houses of Parliament, emerging four years later shorn of a major portion of its protective clauses, with the result that it has traditionally been noted mainly for its ineffectiveness.

The purpose of this study is to discover what political, economic and social forces acted to ease or impede the bill's progress through Parliament and to show the effect each faction had in determining the eventual outcome of the legislation. Research indicates that the bill is far more significant than is generally recognized for its positive achievement in confirming a principle which would shortly allow Parliament to enact effective labor reforms, and that men other than Sir Robert Peel were primarily responsible for that achievement.

Much of the research centers on the legislative proceedings surrounding the bill which are recorded in Hansard's Parliamentary Debates and the British Parliamentary Papers. These sources are richly complemented by the daily accounts of Parliamentary proceedings which appear in the Times of

London. The Times yields the lone source of the debates on the Factory Apprentices Bill of 1802 and a final debate on Peel's Factory Bill in the House of Lords in 1819; it also provides comments on the reaction of Members to a key address in favor of the bill. This source helps to establish the popularity which the factory bill enjoyed in the House of Commons.

Other primary sources which were found to be particularly useful were: Charles Wing's Evils of the Factory System, Demonstrated by Parliamentary Evidence, published in 1837, which contains the most extensive records available of the committee hearings in the House of Lords; Samuel H. G. Kydd's The History of the Factory Movement, published in 1857, which provides the most detailed account of Nathaniel Gould's important contribution to the cause of the factory children; and John Brown's A Memoir of Robert Blincoe, which gives a first-hand account of the treatment of factory apprentice children prior to the enactment of protective legislation.

A recent publication, The Collected Works of Samuel Taylor Coleridge, Essays on His Times, Vol. II, edited by David V. Erdman, contains a new attribution for inclusion in Coleridge's literary contribution to the support of the factory bill. This led to an exciting discovery of a previously unattributed essay by Coleridge on this topic under one of his pseudonyms--"Plato."

It was possible to identify the majority of the Members of Parliament who participated in the factory debates, many of whom were listed only by surname in Hansard, by consulting Gerrit P. Judd IV's Members of Parliament 1734-1832 and A. S. Turberville's The House of Lords in the Age of Reform 1784-1837, which together formed the standard source for biographical information, political affiliation, and proper spelling of names.

The conclusion suggested by this research is that the important victory in principle relative to Parliamentary action towards reform was won not by Sir Robert Peel but by a host of dedicated reformers who refused to let the bill die.

CHAPTER I

INTRODUCTION

In the eighteenth century, following the introduction of innovative mechanical devices and production methods, England's textile industry experienced tremendous growth and produced a new commercial ruling class: the cotton manufacturers, whose outstanding success in both domestic and foreign markets was reflected in their significant contribution, in the form of levies and taxes, to the nation's treasury. Not only were these men endowed with the inventive genius and tireless energy requisite to the successful operation of their newly-mechanized industry, they were also the principal beneficiaries of an economic principle then in vogue which regarded any interference by the State in native commercial enterprises as harmful to the national economy.

By the 1780s it had become increasingly evident that vast amounts of wealth were being accumulated by the small group of cotton magnates at the expense of the health and general well-being of thousands of working-class children, who were forced to serve as apprentices in the cotton mills of northern England, tending the machines from sunrise to sunset with very little effort being expended for their education or recreation. Parliament, urged by a group of responsible individuals to establish regulations to end such exploitation of the factory children, acted in 1802 to

regulate the employment of pauper apprentices, who were traditionally under the protection of the State. Although the bill was limited in its scope and regularly circumvented by the cotton manufacturers after its enactment, it was, in fact, a prelude to a legislative revolution.

In 1815, Sir Robert Peel the Elder, himself a cotton manufacturer, introduced a bill which proposed to regulate the employment of "free" children, i.e., those with parents or other natural guardians, thus threatening the manufacturers' economically-sanctioned, self-governing labor practices. It was during the course of the bill's proceedings in both Houses that Parliament adjusted its political philosophy to empower the State to deal with the problem of an industrial society.

The industrialization of England had been accomplished not by a single revolution in the early part of the nineteenth century but as the natural outcome of a series of discoveries, inventions and innovations which had occurred during the preceding centuries, and a favorable political and social environment.¹ The Scientific Revolution of the seventeenth century had made man alert to the exciting discoveries that awaited him through the exercise of his intellect in scientific investigation. Following this introduction to scientific methods came a host of significant developments in agriculture and transportation which were essential

¹Harold Perkin, The Origins of Modern English Society 1780-1880 (London: Routledge & Kegan Paul, 1969), pp. 64-73.

to the birth and growth of modern industry of undeniably Anglo-Saxon parentage.

In agriculture, the enclosure movement, which had been under way since the sixteenth century, moved into its final stage in the latter part of the eighteenth century, and the many small land holdings of England were transformed into a smaller number of large agricultural units. The elimination of the medieval open-field system of farming in itself led to more efficient use of tillable land, and resulted in thousands of agricultural workers being forced to seek other employment. The introduction of crop rotation, scientific breeding of sheep and cattle, and the invention or introduction of various time- and labor-saving devices used in planting and harvesting crops all contributed to improved and increased farm output, a matter of great importance in view of the rapid expansion of the country's population at that time.

In the field of transportation, a system of canals was constructed, utilizing major rivers and streams, which linked England's major port cities and created a more rapid and economical means for the transportation of goods between supplier and consumer.

In response to the congenial environment which had been prepared for an industrial offspring, the textile industry produced a number of practical inventions which were to lead to the large-scale displacement of the family-centered workshops by big, impersonal factories. Surprisingly, the "revolution" took place in the textile industry's youngest member.

The woolen industry, which was long established in England, had acquired influence in Parliament² which it did not hesitate to use in order to protect its interests. As early as 1700, the wool merchants had pressured Parliament into passing legislation forbidding the importation of printed cotton fabrics into the country.³ Instead of discouraging the use of cotton, as the wool merchants had hoped, the ban probably aided the growth of the native cotten industry, which had found the climate of northern England particularly well suited to the manufacture of cotton cloth.⁴ Because it was a young industry, cotton manufacture was not hampered by age-old traditions that might have discouraged changes. Equally important to its growth was the fact that it lacked the influence of the woolen industry, and this forced the cotton manufacturers to rely on their own resources to seek better and cheaper ways of producing cotton cloth.

Balancing the output of the spinning wheel with that of the hand loom was one of the earliest problems faced by the cottage textile industry. The product of the wife's spinning wheel was simply not enough to keep up with her

²The Woolsack, occupied by the Lord Chancellor in the House of Lords, is a symbol of the important position of the woolen industry in England for several centuries. A. S. Turberville, The House of Lords in the Age of Reform 1784-1837 (London: Faber & Faber, 1958), pp. 29, 32.

³Great Britain, Laws, Statutes, etc. 12 and 13 Gul. III, C. 11 A.D. 1700 & 1701, The Statutes of the Realm 1225-1713, Englewood, Calif. microcards eds., n.d.

⁴J. L. Hammond and Barbara Hammond, The Town Labourer 1760-1832 (London: Longmans, Green & Co., 1917; reprint ed., New York: Augustus M. Kelley Publishers, 1967), p. 6.

husband's weaving operation.⁵ Needless to say, the woman's housewifely duties contributed to the deficiency, for she was still expected to cook, wash, sew and otherwise care for her family in addition to performing her spinning duties in the family's workshop-home. During the early decades of the eighteenth century, the most practical remedy for this dilemma was to have several spinners working to provide thread for one weaver. The problem was further intensified in 1733 when John Kay of Lancashire introduced his "flying shuttle," a contrivance which enabled a weaver to produce a wider cloth and at a faster rate than had previously been possible. It was not until 1764 that James Hargreaves connected eight spindles to a single treadle and, naming the device "spinning Jenny" in honor of his wife, helped the wives to keep pace with their weaver husbands. This delicate balance of production synchronization was destined to last only a few years.

The decade of the sixties had not yet come to a close when Richard Arkwright introduced his "water-frame" spinning machine. This was soon followed by Samuel Crompton's "mule," which combined the best features of the "jenny" and the "water-frame."⁶ Both the "water-frame" and the "mule" demanded more space than could be provided in a weaver's home. In addition, these mechanical contrivances required a location

⁵E. R. Chamberlin, The Awakening Giant, Britain in the Industrial Revolution (London: B. T. Batsford Ltd., 1976), p. 81.

⁶Ibid., pp. 81-82. (The "jenny" produced a fine, but weak yarn; the "water-frame," a strong, but coarse yarn. The "mule" produced a fine, strong yarn.)

convenient to a swift-moving river or stream which could provide the water power they required for their operation. The delicate balance achieved by Hargreaves's "jenny" was destroyed, but, for better or worse, something new had been created: the factory system.

In 1771 Arkwright and his partners built their first cotton mill at Cromford, Derbyshire.⁷ Before long, cotton factories were multiplying at a prodigious rate along the rivers and streams which coursed their way over the verdant hills and dales of Cheshire, Derbyshire, Lancashire, Nottinghamshire and the western fringes of Yorkshire. And with each factory came the demand for workers to tend the new machines.

While the climate of the cotton "district" was ideal for the manufacture of cotton cloth, the sparse population in much of this area could not yield an adequate work force for the new mills. Nevertheless, the cotton manufacturers established hiring practices which eliminated a substantial percentage of potential employees. Relatively few adult males were hired, for the physical strength and technical skill which had ensconced male weavers as the backbone of the cottage textile industry were neither necessary nor advantageous in the factory. Water power had replaced man power in the operation of the machines, and the principal task which was performed in the factory was the "piecing" of threads

⁷Maurice Walton Thomas, The Early Factory Legislation (Great Britain: The Thames Bank Publishing Co., 1948; reprint ed., Westport, Connecticut: Greenwood Press Publishers, 1970), p. 6.

broken in the machines. For this simple operation, the cotton masters rejected the large, work-roughened hands of the weavers, preferring the smaller and more nimble fingers of the weavers' children.⁸

The idea of putting children to work was hardly the invention of the factory owners. Children, at least those of working-class parents, had always worked in the cottage workshops. One weaver was to recall in his old age that, "The creatures were set to work as soon as they could crawl, and their parents were the hardest of task masters."⁹ However, it must be remembered that the children worked in the familiar surroundings of home, with their parents to look after them, and with close access to the out-of-doors for playing and running about in childhood pursuits. It is highly unlikely that their "task masters" measured the children's work day in hours and minutes, particularly since the tasks performed were definitely secondary in importance to that performed by the parents themselves. The factory system was to reverse this old order, a move that was at first bitterly resisted by the parents, and with good cause.

The machines which had caused such a dramatic upheaval in the lives of the weavers' families were relatively small and simple to operate. Of considerable significance to this study is the fact that, because they were also

⁸Chamberlin, The Awakening Giant, p. 84.

⁹B. L. Hutchins and A. Harrison, A History of Factory Legislation (n.p.: P. S. King & Son, Ltd., 1903; reprint 3d ed., London: Frank Cass & Co. Ltd., 1966), p. 5.

relatively inexpensive, the machines permitted a more ready entry into the new class of cotton manufacturers than could have been achieved in the older, established industries. The majority of the early cotton mills were founded by men who had come up from the ranks of the weavers or from other humble vocations.¹⁰ These men were able to succeed in their new mills because they were generously endowed with a real sense of adventure, were in possession of enough capital to invest in cotton machinery, and were driven by their ambitious schemes to work like slaves. It was no wonder that these individuals were the most demanding of masters, determined to wring the last shilling of profit out of their enterprises. They not only kept their tireless cotton machines operating as many hours out of the day as possible, they demanded that their human "machines" perform in a like manner. Sunrise to sunset became the standard work day demanded of the factory employees, the majority of whom were children. The excessive demands of the mill owners caused a great number of working-class parents to balk at sending their youngsters into the new cotton factories.

Undaunted by the scarcity of "free children"¹¹ available to work for them, the manufacturers tapped a huge reservoir of child laborers--the workhouses of London. This

¹⁰Thomas, Early Factory Legislation, pp. 4-5. Among those listed are: the Horrocks, the Peels; and Richard Arkwright.

¹¹Hutchins and Harrison, History of Factory Legislation, p. 19.

profitable scheme was suggested by Mr. Robert Peel, a cotton manufacturer whose hard work and intelligence had earned him a place of prominence in the industry. It was the same Peel who would gain a fortune and a baronetcy, at the expense of the workhouse children, before assuming the role of factory children's protector.

When he and the other cotton manufacturers turned to London workhouses for their labor supply, they not only increased their own profit by obtaining very cheap labor, they managed to cut down on the poor rates at the same time. Thus, both the manufacturers and the parish officials, who were saddled with the unwanted expense of providing for pauper children, were to benefit greatly from the transfer from the workhouse to the factory of excess numbers of parish charges.

The great numbers of pauper children in the London workhouses had come about largely as the result of the humanitarian concerns of Jonas Hanway, a retired merchant and philanthropist. Prior to his compassionate intervention in the lives of parish infants, more than two-thirds of them died from the care administered to them by their "nurses."¹² Hanway's Act of 1767 provided that an annual bonus be paid to those individuals who cared for parish infants who managed to survive the year in their care. Survival rates

¹²Brian Inglis, Men of Conscience (Great Britain: Hodder and Stoughton Limited, n.d., under the title Poverty and the Industrial Revolution; 1st American ed., New York: The Macmillan Company, 1971), pp. 24-25.

miraculously soared in the wake of this legislation,¹³ but these results were to prove far more beneficial to the cotton manufacturers than to the children who had been saved from death.

Since the workhouses of London were dismal affairs even to the pauper children, it was not surprising that in 1799 a group of these children eagerly volunteered to go into the cotton mills as apprentices.¹⁴ Their terms of service started as early as the age of seven and continued until the age of twenty-one. The reason for this enthusiasm stemmed from the cruel deceptions practiced on the children by the parish officials and by the cotton masters or their agents. Robert Blincoe, a resident of London's Saint Pancras Poorhouse until he was seven years of age, remembered the joy with which he and many other children greeted the news that they might volunteer to serve as apprentices in a great cotton factory near Nottingham. They were told that they were to be transformed into ladies and gentlemen, and, "they would be fed on roast beef and plum-pudding, be allowed to ride their master's horses and have silver watches and plenty of cash in their pockets."¹⁵ The churchwardens and overseers of Saint Pancras contributed to the fantasy by

¹³Ibid., p. 26.

¹⁴John Brown, A Memoir of Robert Blincoe (n.p., 1828; reprint ed., Firle, Sussex: Caliban Books, 1977), p. 17.

¹⁵Ibid., p. 34.

providing new wardrobes and some spending money for the lucky volunteers, who were then conveyed on the long trip north in two large, well guarded wagons. However, the dream was dispelled for Blincoe when he arrived at the apprentice house which was to be his home for the next fourteen years. It resembled nothing else so much as a workhouse. Before twenty-four hours had passed, Blincoe realized that it had been better at the workhouse.

Black bread and blue milk-porridge was the standard fare for the apprentices. The personal cleanliness which had been encouraged at the workhouse was difficult to maintain. Grease and dirt acquired during the course of the working day needed more than water for removal, but no soap was allowed--only a handful of meal, which was invariably eaten by the hungry apprentices. Crowded sleeping conditions, two to a bed, and a grim governor, who commanded the attention of the little apprentices, completed the dismal arrangements at Blincoe's new "home." His only consolation was that he would spend very little time there during the course of the day, for the tolling of the factory bell began before five o'clock each morning, and the work day would last until eight o'clock in the evening.¹⁶

The promised trades of stocking weaving for the boys and lace-making for the girls were never taught to the apprentices from Saint Pancras. Instead, they picked up loose

¹⁶Ibid., pp. 24-27.

cotton that fell to the floor, doffed bobbins, pieced threads, and performed other simple tasks, none of which required much training or could be dignified by the status of a trade. In spite of the light and simple work performed by the children, the extended work schedule was difficult for many of them to maintain. Sitting down was strictly forbidden in the cotton mills, and even the seven-year-olds were kept on their legs for as long as six and one-half hours without a rest. As might be expected, the children grew more tired as the day went on, and it was not unusual for the mill's overseers to beat the children with their fists or to kick them in order to restore their energies.¹⁷ Ironically, many of these overseers were "graduates" of the apprentice system themselves. However, because the cotton masters demanded a certain amount of work each day, the overseers were forced to choose between beating the children or being discharged themselves--and few of them chose the latter. But the dilemma of the overseers did not excuse them in the eyes of the children, many of whom tried to escape or, failing that, to commit suicide.

Blincoe was determined to return to London, but his escape attempt was foiled by a tailor employed by the Lowdham Mill who supplemented his regular income by performing such services as returning runaway apprentices to their masters. This experience created a life-long aversion to Methodists in Robert Blincoe, although he later believed that his captor

¹⁷Ibid., pp. 28-30.

was "one of the myriads of counterfeits, who flock to their standard from venal and corrupt motives."¹⁸

The group of apprentices from Saint Pancras was representative of thousands of parish children who were farmed out and then forgotten by their guardians.¹⁹ Greedy and unscrupulous cotton manufacturers amassed great fortunes at the expense of these unfortunate children. For a time, it seemed that nobody cared what happened to them. It was, in fact, a threat to the comfortable middle class residents residing near a cotton mill that led to an investigation of the wretched living and working conditions of a group of factory apprentices.

In 1784, when an epidemic of infectious fever swept through a mill in the county of Lancaster, the residents in the neighborhood of the mill were alarmed that the fever might spread outside the factory, and demanded that some official action be taken. They selected a group of their most prominent citizens to appeal to the justices of the peace in Manchester, who, in turn, asked a group of local doctors,

¹⁸Ibid., p. 34.

¹⁹For additional evidence regarding the treatment of parish apprentices see: Great Britain. Parliament. Parliamentary Papers, 1816. Vol. III, Cmnd. 397, "Report Of The Minutes of Evidence Taken Before The Select Committee On the State of the Children employed in the Manufactories of The United Kingdom," pp. 178-185. This volume is found in the Irish University Press series of British Parliamentary Papers: Industrial Revolution Children's Employment, Vol. 1. Shannon, Ireland: Irish University Press, 1968. (Hereafter cited as PP with the page number). See also Samuel H. G. Kydd [Alfred], The History of the Factory Movement, 2 vols. (London: Simpkin, Marshall, and Co., 1857; reprint ed., New York: Augustus M. Kelley, 1966), 1:16-26.

headed by Dr. Thomas Percival, to look into the matter. Percival and his associates made a thorough inspection of the mill, after which they drew up a list of recommendations to prevent a recurrence of the fever. It was the first published effort of a group of individuals who could rightfully claim parentage to the cause of child labor reform in England's Industrial Revolution.

Dr. Percival and his associates readily admitted that they had been unable to discover the source of the infectious fever, but they were convinced that the working conditions of the factory apprentices contributed to the spread of the disease, and they drew up the following recommendations: "We earnestly recommend a longer recess from labour at noon and a more early dismissal from it in the evening, to all those who work in the cotton mills; but we deem this indulgence essential to the present health and future capacity for labour, for those who are under the age of fourteen, for the active recreation of childhood and youth are necessary to the growth, the vigour and the right conformation of the human body."²⁰

The report so impressed the magistrates that they added a resolution of their own not to permit: "indentures of Parish Apprentices whereby they shall be bound to owners of cotton mills and other works in which children are obliged to work in the night or more than ten hours in the day."²¹

²⁰Hutchins and Harrison, History of Factory Legislation, p. 8.

²¹Ibid., p. 9.

Thus, it may be noted that the move for a ten-hour day for factory children which was incorporated in the factory bill introduced by Sir Robert Peel in 1815 was actually originated by a group of Manchester magistrates in 1784. Unfortunately, this humanitarian effort was easily circumvented by many conscienceless manufacturers, who simply indentured their apprentices in one of the adjoining counties. Conditions in the cotton mills remained as before, and outbreaks of infectious fever continued to plague the apprentices and to alarm the neighboring population. One particular outbreak of the disease in 1795 involved a mill at Radcliff Bridge, in the vicinity of Manchester, which belonged to the originator of the factory apprentice system, Robert Peel, now a baronet and Member of Parliament for the borough of Tamworth. The fever's choice of this particular mill to stage an epidemic proved to be a propitious one for the cause of the children in the factories.

The new outbreak led Dr. Percival to once again take up his crusade for the factory apprentices. He and his associates formed the Manchester Board of Health for the purpose of seeking ways to establish some degree of control over the spreading of the fever and to care for those who had been infected. Once again they visited the cotton factories in an effort to discover the source of the contagion, after which they prepared a resolution which incorporated their recommendations of 1784 regarding their concerns for the health of the children. In addition, they indicated their grave concern

over the lack of educational opportunities and moral or religious instruction for the apprentices. But the most significant feature of this new resolution was the inclusion of the following recommendation: "From the excellent regulations which subsist in several cotton factories, it appears that many of these evils may in a considerable degree, be obviated; we are therefore warranted by experience, and are assured we shall have the support of the liberal proprietors of these factories, in proposing an application for parliamentary aid (if other methods appear not likely to effect the purpose), to establish a general system of laws for the wise, humane and equal government of all such works."²² Dr. Percival drew up the resolution on January 25, 1796. The man who was eventually to heed their call for Parliamentary aid was none other than Sir Robert Peel, the owner of the notorious mill at Radcliff Bridge.

²²PP, pp. 139-140.

CHAPTER II

SIR ROBERT PEEL AND "LAISSEZ-FAIRE" ECONOMICS

The Peel family textile empire was founded by Robert "Parsley" Peel, so called after the designs printed on the calico cloth produced in the mill he set up in Blackburn, Lancashire in 1764. Like other members of the yeomanry, "Parsley" Peel had transferred his energies and ambitions from agriculture to trade in the wake of the many developments in farming which had led England from a land of small freeholders to one of large-scale holdings in the hands of relatively few people.²³ Robert II (the first baronet) carried on in his father's footsteps, and at the age of eighteen asked his father for £500 in order that he might strike out on his own. Although his father did not give him the money, this did not stop young Robert. He entered a rival firm, obtained the promise of marriage to his boss's daughter, and proceeded to make a name for himself in the cotton industry.

When he elected to join the firm of Haworth and Yates, Robert Peel was asserting his independence from his father, but it soon became obvious that he had made a shrewd business move as well. The partnership's mill at Bury, near

²³A. A. W. Ramsay, Sir Robert Peel (London: Constable and Company Ltd., 1928; reprint ed., New York: Barnes & Noble, Inc., 1971), pp. 1-2.

Manchester, was to witness many exciting developments in the cotton industry. For one thing, it was one of the earliest users of the spinning jenny. James Hargreaves, the jenny's inventor, worked at this mill for a time, and was said to have made certain improvements in the machine while at the Bury plant. It was also at this mill that Peel originated his highly profitable scheme of applying to the London poorhouses for pauper children to be delivered to the mill to tend the factory machines as "apprentices." But Peel's ambitions could not be contained in a single cotton factory. When his partners died or retired, Peel bought out their interest and went on to build new factories in other districts and, incidentally, to build up a fortune that made him one of the richest men in England.²⁴

As his commercial empire grew, Peel found it increasingly difficult to maintain direct supervision over the operations of his many cotton mills. The only solution was to delegate the practical management of his mills to others, a move which also served to free him for a career in another sphere. Since Peel's next goal was to serve in Parliament, he decided to invest part of his riches in the necessary accouterments for entry into the political arena. Purchasing a pocket borough and a nearby manor, he entered Parliament in 1790 as the Member for Tamworth and immediately swore his allegiance to William Pitt the Younger and to the Tory Party.

²⁴Ibid., p. 4.

Peel's business acumen served him well in the House of Commons, for he was soon being consulted by Pitt on various financial matters. At the same time, Peel managed to serve the cotton industry by preventing the levying of a tariff on raw cotton. He was also instrumental in obtaining from Parliament a monetary award of £2,000 for Samuel Crompton, the inventor of the mule, who had made it possible for many individuals to prosper in the cotton trade while he himself had profited very little.

While Peel had initially viewed the French Revolution as a "moderate reformation," he soon became disenchanted with its excesses and generously gave of his riches to support England's entry into the Franco-European conflict.²⁵ He contributed £10,000 to the cause, and in 1798 outfitted six corps of Bury volunteers at his own expense.²⁶ In recognition of Peel's support and generosity, Pitt rewarded him with a baronetcy in 1800. While he was scaling the political heights, however, his factories' apprentice children suffered as the result of his absentee management.

Peel had left orders with his overseers to provide medical attention for any sick employees. He had also repeatedly demanded that his managers refrain from working the little

²⁵Sir Leslie Stephen and Sir Sidney Lee, eds., The Dictionary of National Biography, Vol. XV (London: Oxford University Press, 1917; reprint ed., 1973), p. 655.

²⁶Ramsay, Sir Robert Peel, p. 4.

children more than twelve hours a day.²⁷ His instructions were apparently ignored. To add further distress to the overworked apprentices' situation was the fact that Peel's factories had been built on Arkwright's design, which was concerned to provide the best conditions for the operation of the cotton machinery rather than for the comfort and well-being of the employees. To the poorly-ventilated rooms could be added a general disregard for personal cleanliness; and when added to the fourteen or fifteen hours worked each day, these conditions provided an ideal environment for the spread of the infectious fever.

Following the epidemic in 1795 at the Radcliff Bridge Mill, Peel again chastised his managers for their negligence, particularly for their failure to shorten the children's work schedule.²⁸ The overseers, however, were paid according to their output, and Peel had made no effort to adjust production quotas downward in order to accommodate his orders for shorter hours. In spite of the failure of his overseers to follow his orders, he did little more than ask for their cooperation in carrying them out. He continued in this manner for several years; and while he procrastinated, a group of nearly forty magistrates from the West Riding in Yorkshire met to voice their concerns regarding the factory apprentices. In 1800 they drafted a resolution to extend the protective measures which had been proposed earlier by the magistrates

²⁷PP, pp. 132-44.

²⁸Ramsay, Sir Robert Peel, pp. 5-6.

in Lancashire. In addition, they would no longer permit pauper children to be apprenticed to masters residing outside their parishes. It was also decided that all pauper children in their jurisdiction would be more carefully monitored in their place of employment "in order that the justices who are the legal guardians of such poor children, may the better do their duty, and render the situation of a parish apprentice more comfortable, and less dreaded, than at present."²⁹ In spite of their good intentions, the power of the magistrates did not extend beyond their respective districts. A more general set of regulations was needed that would protect the cotton mill apprentices in all districts. On April 6, 1802, "Sir Robert Peele [sic] called the attention of the House to the condition of the Apprentices and others employed in the Cotton Trade, whose morals it was material in the Legislature to attend to."³⁰

Peel's Health and Morals of Apprentices Bill was designed to attract wide support by its assertion that both the physical and moral health of the apprentices were being endangered by the current working conditions in the textile industry. The bill not only pointed out that the children were suffering from long hours of exhausting labor, but also that male and female apprentices were not given separate

²⁹Inglis, Men of Conscience, p. 78.

³⁰Times (London), 7 April, 1802, p. 2. Note: A bill for registering parish apprentices was introduced by Edward Bootle-Wilbraham on March 15, 1802. Times, 16 March, 1802, p. 2. Note: There is no record on the proceedings of either bill in Hansard's Parliamentary Debates.

accommodations but were forced to share sleeping quarters. Provisions were made for the relief of these evils as well as the laying down of a schedule of Christian instructions and preparation for confirmation, the latter provision having been included to secure the support of the bishops in the House of Lords. Other clauses contained rules of hygiene that were to be observed in the factories in an effort to reduce the occurrence of epidemics of infectious fever in the factories. These reassuring improvements apparently supplied the support needed in order to get past any possible opposition to the clause which limited the hours worked by the apprentices to not more than twelve hours a day. However, the principal "opposition" turned out to be of a different nature altogether.

Debates on Peel's legislation took place in April, May and June of 1802. Several Members urged that the provisions of the Bill be extended to include "free" factory children. Among this group were William Wilberforce, leading member of the Clapham Sect, whose primary goal was the abolition of slavery, and Edward Bootle-Wilbraham, a humane Tory magistrate, both of whom would repeat their efforts to give added protection to the factory children when Peel once again took up the cause of child labor reform in 1815.³¹ Also among those members who advocated a more far-reaching reform was Lord Edward Smith-Stanley, Member of Preston, Lancashire, who

³¹Ibid., 7 April, 1802.

urged Peel to extend the bill's protection to "other," i.e., "free," children but who was to reverse his position entirely in the debates leading to the passage of the Factory Act of 1819.³²

In spite of the pressure exerted on him to extend his Bill to include "free" children, Peel was quite pleased with his measure and refused to allow any tampering with it. However, on June 2, he admitted that the Bill: "did not go to the extent that might be wished; but it was advisable to do as much good as could be done in the present instance, without venturing on anything like hazardous innovation."³³ Peel had his way, and the Bill became law on June 22, 1802. In spite of his refusal to include the "free" children, the Apprentices Act covered "all such mills and factories within Great Britain and Ireland, wherein 3 or more apprentices, or 20 or more other persons, shall at any time be employed..."³⁴ Although most of the provision applied only to the apprentices, the clauses which provided for cleaner and better-ventilated working quarters could benefit other workers in those mills to which the Act could be applied.

In spite of its obvious deficiencies, e.g., fines were extremely light and limited to those who "interfered"

³²Ibid., 19 May, 1802.

³³Kydd, History of the Factory Movement, pp. 30-31. There is no record of this speech in the Times or in Hansard.

³⁴Great Britain, Public General Statutes, 42 Geo. III, 87 (1802). Quoted in E. Royston Pike, Human Documents of the Industrial Revolution in Britain (London: George Allen & Unwin Ltd., 1966), pp. 93-95.

with the factory inspectors' visits, the Health and Morals of Apprentices Act of 1802 made factory legislation a matter of record in Parliament. Unfortunately, the Act was to be little more than "a matter of record." But there were some encouraging exceptions. The Apprentices Act, unlike the later legislation of 1819, made no exceptions for age or sex. As a result, young adult male and female apprentices enjoyed the same degree of protection as the younger children.

In 1803 the magistrates in Yorkshire again passed resolutions for the benefit of the factory apprentices. They agreed not to apprentice children to mills where they might be forced to work hours in excess of the twelve stipulated by law or to perform night work.³⁵

Others claimed that they had never even heard of the Act. William David Evans, a Manchester barrister and magistrate, admitted before the Select Committee appointed in 1816 to investigate child labor practices that he "was aware of the existence of an Act for the regulation of cotton mills," but had never bothered to read it. Moreover, discussions with other magistrates had led Evans to believe that "that Act was not of any efficient service, and why should any of us look into it when not called upon to do so from any business coming before us?" He added that he was certain that no fines had been levied and that the mills had not been

³⁵Hutchins and Harrison, History of Factory Legislation, p. 18.

visited.³⁶ This last comment is not substantiated in Parliamentary records, for another witness before the Select Committee, Henry Hollins, a cotton spinner from Nottinghamshire, presented copies of reports signed by magistrates, justices of the peace, and medical men who had visited his mills since the enactment of the Apprentices Bill.³⁷

One unnamed factory owner attempted to have the Act repealed, but his efforts to prove that the Act was unnecessary resulted in his having the collective wrath of the members of the Society for Bettering the Conditions and Increasing the Comforts of the Poor visited on him.³⁸ This benevolent organization included in its membership such influential men as William Wilberforce and the Bishop of Durham, and it enjoyed the patronage of George III. They conducted their own investigation and uncovered enough evidence to the contrary to send the cotton manufacturer back to his mill at Burley; and there is no evidence that he ever again attempted to repeal the Apprentices Act.

Still another group, the more humane and enlightened cotton masters, honored the provisions of the Apprentices Act as a matter of respect and to assure a concerned public that they were acting in the best interests of the factory apprentices.

³⁶PP, p. 319.

³⁷Ibid., pp. 186-87.

³⁸Inglis, Men of Conscience, p. 79.

The successes and failures of the Act, while they indicate an interesting pattern in how various individuals and groups responded to this first factory bill, had little effect on the status of the factory apprentices. Instead, it was the result of improvements in machinery that would change the focus of factory reforms from the apprentice to the "free" factory child.

Beginning in the 1780s, steam engines had been furnishing power in some of the textile factories; and by 1800 it had already become apparent that it was no longer imperative for cotton manufacturers to construct their mills on the banks of rushing streams in order to generate power to operate their machinery.³⁹ The invention of the steam loom in 1806 further accelerated the move of the factory from secluded glens to fast-growing industrial towns, prominent among which was Manchester.⁴⁰

The general relocation of the factory system to an urban setting was heartily endorsed by the majority of the mill owners. Those who objected to the mild strictures placed on their operations by the Apprentices Act of 1802 soon discovered that it was no longer necessary to send to London for wagonloads of pauper children to enroll in their apprentice "programs," since the supply of "free" children was practically

³⁹Thomas, Early Factory Legislation, p. 14.

⁴⁰Ibid., pp. 14-15.

unlimited in the manufacturing towns. Most pleasing to the owners, however, was the fact that these children were not included under the protective measures of the Act of 1802 and could therefore be scheduled to work longer hours than were officially sanctioned for the factory apprentices. The unscrupulous manufacturers were further aided in their efforts to enjoy huge profits at the expense of the child laborers by technological advances in the textile industry which were causing an unsettling role reversal in working-class families.

Working-class parents had vigorously opposed the employment of their children in the textile mills;⁴¹ but with each new invention further simplifying the work of "human machines," the number of unemployed adult workers was increasing. For example, hundreds of hand-loom weavers, faced with declining profits and wages following the appearance of the first power looms, were forced to depend on their children to assume the collective role of family breadwinner.⁴² The resistance of the parents was further broken down by parish officials who threatened to withhold assistance to families in which the parents refused to send their children to work in the mills to supplement the family income.⁴³ Not surprisingly, the plight of the "free" children soon became as wretched as

⁴¹Kydd, History of the Factory Movement, 2 vols., 1:16.

⁴²Duncan Bythell, The Handloom Weavers, A Study in the English Cotton Industry During the Industrial Revolution, (London: Syndics of the Cambridge University Press, 1969), pp. 88-89.

⁴³Hammond and Hammond, The Town Labourer, p. 32.

that of the parish apprentices, their only recompense being a home and parents to return to each night.

In 1807 the poet Robert Southey visited a cotton factory and found himself somewhat dizzy in a noisy room populated by little children performing tasks in quick, endless motions which seemed to him quite unnatural. The owner, Southey's guide, obviously took great pride in his establishment when he stated:

You see these children sir? In most parts of England poor children are a burthorn [sic] to their parents and to the parish. Here, the parish which would else have to support them, is rid of all expense. They get their bread almost as soon as they can run about, and by the time they are seven or eight years old bring in money. There is no idleness among us. They come at five in the morning: we allow them half an hour for breakfast, and an hour for dinner. They leave work at six, and another set relieves them for the night: the wheels never stand still.⁴⁴

Obviously, this smug cotton master felt no qualms about imposing the notorious night work, with its possible dangers to moral well-being, on "free" children. And, certainly, the parish officials would have praised the owner for his earnest endeavor to lower the poor rate. As for the children themselves, the cruel indifference of the factory owners and the parish officials, and the overly-long working days might have been easier to bear if they could have been shielded to some degree from the abusive treatment of the overseers by the protective hand of a parent or other close family member; but,

⁴⁴Chamberlin, The Awakening Giant, p. 141.

once again, economic conditions conspired to deny the children even this small consolation.

While older relatives often worked alongside the little ones in the textile mills, they usually kept their feelings to themselves when they witnessed the children being beaten by brutal overseers who were intent on meeting their production quotas. In fact, it was not uncommon for older family members to administer an occasional blow to younger children to keep them from slowing their pace and to prevent a worse beating from an overseer. They were also aware that any interference with the overseer's treatment of the children could cost them their own jobs. Why were the factory workers forced to submit to such indignities in order to earn their meager salaries? Again, it was a matter of economics.

"Laissez-faire,"⁴⁵ it was insisted by the new breed of industrialist, was a principle admirably suited to the best interests of the country. They claimed that the protective government intervention which had been practiced under the old mercantilist system in earlier centuries was no longer beneficial. The greater number of textile manufacturers could point to their highly-productive operations as a sound defense of "laissez-faire" in conjunction with the "free" management of their mills. Their interpretation of this new school of economics, however, was not necessarily what its originators had intended.

⁴⁵Thurkettle, An Outline of the Social and Economic History of Britain - 1066-1955, (London: Pergamon Press, (1968), p. 210.

Adam Smith, England's high priest of "laissez-faire," published his Wealth of Nations in 1776 without having set foot in a textile factory. In keeping with the late eighteenth-century enthusiasm for natural law, he believed that an "invisible hand" served to keep private individuals from acting in a manner contrary to the public good, and that any tampering with this invisible force should be viewed with suspicion. This was freely interpreted by many businessmen as their authority to conduct their enterprises as they saw fit. And they rarely saw fit to benefit the working-class poor.⁴⁶

Thomas Malthus, a scholarly clergyman, produced his Essay Upon the Principle of Population to explain how the geometrical progression of population always outstripped the arithmetical progression of the food supply unless checked by such natural occurrences as war, famine or pestilence. His theory, first published in 1798, lent weight to the view that certain immutable laws were at work which made the misery of the poor a fact of natural law.⁴⁷ The interpretations which could be placed on Malthus's theory by textile manufacturers and by parish officials were almost certain to be of little benefit to the factory workers.

⁴⁶Inglis, Men of Conscience, p. 105; Arthur Hugh Jenkins, Adam Smith Today (New York: Richard B. Smith, 1948), p. 380; Thurkettle, Outline of Social and Economic History of Britain, p. 211.

⁴⁷William P. Albrecht, William Hazlett and the Malthusian Controversy (Port Washington, N.Y.: Kennikat Press, 1950; reprint ed., 1969), p. 10.

Even those individuals whose names are most often considered among the reformers were enlisted in the cause of "laissez-faire." One such individual was Jeremy Bentham, who theorized that laws should serve "the greatest happiness of the greatest number,"⁴⁸ but who supported the cause of non-intervention in his statement that, "Every law is an evil because every law is a violation of liberty."⁴⁹ It made little difference that Bentham was not referring specifically to child labor reforms in this statement. The interpretations of the exponents of "laissez-faire" could make it appear so.

His Majesty's Government⁵⁰ also had contributed to the virtual enslavement of the factory children by its failure to take a more active role in the effort to improve labor conditions in the factories. However, this may have been less a matter of inhumanity than of practicality; for during the years 1793 through 1815 England was waging a very expensive war on the Continent, and the textile manufacturers were underwriting a considerable portion of the expense.

William Pitt, during whose term as prime minister the war had begun, could not afford to antagonize the country's commercial bloc. The duties levied on the manufacturers' raw materials and finished goods produced badly-needed income for

⁴⁸D. C. Johnson, Pioneers of Reform (London: n.p., 1929; reprint ed., New York: Burt Franklin, 1968), p. 17.

⁴⁹Thurkettle, Outline of Social and Economic History of Britain, p. 213.

⁵⁰This was in the reign of George III.

the war effort. In addition to their tax contributions, a number of cotton manufacturers made generous personal gifts to the cause and continued to offer strong support to Tory party principles.⁵¹ Since Pitt was hardly in a position to impose restrictions on such an important source of income, he sacrificed the interests of the factory children in order to protect the financial interests so important to the financing of the Napoleonic Wars.

It is not difficult to understand why technological advances in the textile industry had so far outdistanced any efforts to protect the rights of that human machinery which had become so important to the continuing prosperity of the cotton trade. The children, however, were not entirely forgotten, for a number of concerned individuals continued their personal crusades on their behalf in spite of the many influential forces at work which tended to diffuse efforts to obtain protective legislative measures. Among those concerned for the welfare of the children was Robert Owen, who prepared the draft of the Factory Bill introduced by Sir Robert Peel in 1815 in the House of Commons.⁵² This would be the first factory legislation designed to protect the "free" factory children of England's textile mills from the excesses of "laissez-faire" economics.

⁵¹ Ramsay, Sir Robert Peel, p. 4.

⁵² Kydd, History of the Factory Movement, p. 37.

Even prior to the introduction of the Apprentices Bill of 1802 in Parliament, Robert Owen had been operating a factory in which he was successfully demonstrating his ability to achieve handsome profits without having to resort to the exploitation of children. His establishment was located at New Lanark, Scotland, but his concern for the health and well-being of the children of the working-class poor had been first aroused in Manchester by his close association with Dr. Thomas Percival, whose proposals had been so instrumental in directing Sir Robert Peel's attention to the need for protective legislation for factory apprentice children.

Arriving in Manchester in 1789, Owen had launched his career in the cotton industry with the loan of a hundred pounds from his older brother William.⁵³ He was just eighteen years old and freshly released from his apprenticeship in the drapery trade. His apprenticeship, unlike that practiced in the cotton factories, had provided him with an excellent background both in working with cloth and in conducting the day-to-day operations of a business.⁵⁴ Owen's practical experience was enhanced by an inordinate amount of youthful vitality and ambition combined with a serious outlook on life that seemed more suitable to an older man than to a youth still in

⁵³Frank Podmore, Robert Owen, A Biography (London: George Allen & Unwin Ltd., 1906), p. 42.

⁵⁴Margaret Cole, Robert Owen of New Lanark (New York: Oxford University Press, 1969), p. 14.

his teens. His first business venture was short-lived, and at the age of nineteen he accepted a position as manager of a large cotton-spinning factory.⁵⁵ In spite of his lack of experience in such a responsible situation, he studied his factory's capabilities carefully and was soon producing a yarn of such superior quality that the name "Robert Owen" stamped on the finished product guaranteed its immediate sale to eager customers.⁵⁶ His remarkable success was unusual even in the fast-growing cotton industry. It was inevitable that he would come to the attention of the leading men of Manchester, and in 1793, at the age of twenty-three, he was elected to membership in the prestigious Manchester Literary and Philosophical Society under the sponsorship of Dr. Thomas Percival.

The aim of the Society was to provide a means for the regular dissemination of information on a wide range of subjects, including the natural sciences. Owen's contributions were hardly formidable, but his close association with an individual as dedicated to the cause of factory reforms as Dr. Percival surely came at a time when young Owen was highly receptive to the influence of his distinguished patron. Dr. Percival further insured Owen's continuing participation in the effort to provide remedies for the evils of the factory system by naming him to the Manchester Board of Health's

⁵⁵Ibid., pp. 22-24.

⁵⁶Johnson, Pioneers of Reform, p. 59

⁵⁷Podmore, Robert Owen, p. 58.

Committee in 1796 which was authorized to investigate factory conditions.⁵⁸

In spite of Owen's association with Manchester's leading advocate of child labor reforms, there is no indication that he made any concerted effort to correct evils that might have existed in his mills. Instead, it appears that Owen's achievements in the cotton trade during his Manchester years remained those of efficiency and profitability. It was a trip to Scotland that set in motion a series of events which were to lead to Owen's industrial experiment in which he utilized the freedom of "laissez-faire" economics in such a manner as to benefit not only his own financial position but the health and welfare of his employees as well. While in Glasgow on company business, Owen was introduced to young Caroline Dale, daughter of the wealthy merchant and philanthropist, David Dale. The introduction would blossom into romance and Owen's marriage to Caroline in 1799, and his purchase of her father's cotton mills at New Lanark followed in 1800.⁵⁹

Mr. Dale's factory, built with the help of Richard Arkwright in 1784, presented the grim appearance of countless other industrial garrisons designed for the proper housing of machinery rather than a wholesome environment for human beings.⁶⁰

⁵⁸Ibid., p. 60.

⁵⁹Johnson, Pioneers of Reform, p. 60.

⁶⁰Ramsay, Sir Robert Peel, p. 5.

The New Lanark operation depended on the waters of the Clyde to furnish the power to operate its machines, and on the labors of two thousand employees, five hundred of whom were pauper children serving long-term apprenticeships. And yet, Dale's establishment was not without its employee benefits. He was a just and kindly man who had evinced a genuine concern for his employees' welfare. Dale's apprentice children were well fed and clothed and given adequate schooling. He set up a store so that his workers' families could purchase good-quality food and clothing at prices far more reasonable than were charged at the "tommy" shops⁶¹ elsewhere, where workers often pledged most of their wages for shoddy merchandise sold at exorbitant costs. Owen was thus able to begin his project on the foundations already built by Dale; however, his scheme was to be far more ambitious than the good works exhibited by Dale.

Owen was determined not to make his fortune at the expense of others. Nevertheless, a profit had to be made in order to satisfy the partners who had joined him in buying out Mr. Dale. He felt that he must move carefully in his scheme to educate his employees and their families to the new way of life he had envisioned for them. His first action was to hire new overseers and to install modern machinery to replace the obsolete equipment he had found at New Lanark. He

⁶¹In these shops, workers were paid in merchandise rather than in currency.

then turned his attention to the proper care and maintenance of his "living machines," the project that was to be uppermost in his mind from 1800 to 1813.⁶²

It was not Owen's intention to beat his workers in order to speed up their work; he was confident he could get the same results by developing a well-disciplined, efficient work force. To accomplish his aims, he employed a device called the "silent monitor" at each employee's work station. Four-sided blocks of wood, each side painted a different color, allowed the overseers to grade the conduct of each employee on a daily basis. The grades progressed upward from black, the lowest mark, to blue, yellow, and finally to the highest mark, white.⁶³ These grades were then transferred to "books of character" which provided a permanent record of each employee's daily conduct.⁶⁴ According to Owen, the plan succeeded, and black and blue gradually yielded to yellow and white. And it had been achieved without the brutal treatment employed by so many of the cotton manufacturers or their overseers.

Owen improved the village store which had been set up by Dale. The employees gained more than the opportunity to purchase quality merchandise at low prices; their children

⁶²Johnson, Pioneers of Reform, p. 63.

⁶³Ibid., pp. 64-65.

⁶⁴J. F. C. Harrison, Quest for the New Moral World, Robert Owen and the Owenites in Britain and America (New York: Charles Scribner's Sons, 1969), p. 158.

were the beneficiaries of the store's profits, which were channeled directly into the New Lanark schools.⁶⁵ Housing and sanitary conditions were improved to a level far above that of the working classes in other parts of the British Isles. Although Owen had found the village streets dirty, they were no match for the conditions in the tumbledown houses, where doorways were flanked by dunghills and rubbish heaps.⁶⁶ He arranged for a general repair and cleaning at company expense, but he made it clear that the village inhabitants were to maintain standards set by him in the future. The villagers grumbled over the strict regulations laid down by Owen in much the same manner that the manufacturers bristled when threatened with similar obstacles to their "freedom." But Owen continued on with his experiment to reveal a startling departure from the widely-held views of manufacturers in the matter of child employment.

Owen decided that he would not take any more parish apprentices into his mills, but would utilize the young people who resided in New Lanark. In addition, he would permit no children under the age of ten to work in the factory; he believed that their time would be better spent in school. The hours worked by the older children were gradually cut down from fourteen hours to ten and three-quarter hours of actual work each day; and Owen intended to reduce them even

⁶⁵Ibid., p. 86.

⁶⁶Ibid., p. 87.

further.⁶⁷ He thus relegated the status of his factory children to one that was secondary to his adult workers in order that he might provide them with the necessary training in the responsibilities of adulthood.

Owen's schools concentrated on the basics of reading, writing and arithmetic, and they also provided training in the domestic arts, with the little girls being taught sewing and cooking, and the little boys, basic mechanical and wood-working skills. And even after they reached their tenth birthday, the children were given the opportunity to continue their instruction, dividing their daily schedules between the factory and the schoolroom.

By providing a proper education for the New Lanark children, instilling proper work habits in his employees, and providing an otherwise wholesome environment for his workers and their families, Owen was convinced that he was molding good character. He proudly described his effort as "the most important experiment in the happiness of the human race that had yet been initiated at any time in any part of the world."⁶⁸ It was, he felt, too important not to be shared with others, particularly with his fellow textile manufacturers. And so he left to others the management of the establishment to which he had devoted his attention for so many years to go in search of a wider audience.

⁶⁷Hutchins and Harrison, History of Factory Legislation, p. 21.

⁶⁸Johnson, Pioneers of Reform, p. 62.

CHAPTER III

A JOINING OF FORCES

Owen began to announce his views even before leaving New Lanark. Between 1812 and 1816, he published four essays illustrating "A New View of Society."⁶⁹ Copies were made available to government ministers and to other influential men in political circles, many of whom found Owen's experiments in worker discipline a welcome alternative to the machine-wrecking proclivities of the Luddites.⁷⁰ Owen had little success, however, in convincing his fellow cotton manufacturers to adopt his New Lanark plan, particularly as it related to the employment of children.

In 1815 he called a meeting of cotton factory owners in the Glasgow area to present two proposals: (1) the removal of the cotton duties so unpopular with the cotton industry; and, (2) a resolution to appeal to the Government for a ten-hour working day for children employed in the textile industry. Owen's first proposal was overwhelmingly approved by the factory men, while the second was just as overwhelmingly rejected.⁷¹ However, Owen was not a man to be diverted

⁶⁹Podmore, Robert Owen, p. 111.

⁷⁰Inglis, Men of Conscience, p. 107.

⁷¹Hutchins and Harrison, History of Factory Legislation, p. 23.

from his goal by the negative reaction of "ill-informed men." Having little patience with anyone who disagreed with him, he decided to continue his crusade alone.

Owen made his next appeal in an open letter published in the Glasgow newspapers in which he criticized the warped sense of values adopted by some individuals in the factory system. He wrote: "Since the general introduction of inanimate mechanism into British manufactories, man, with few exceptions, has been treated as a secondary and inferior machine; and far more attention has been given to perfect the raw materials of wood and metals than those of body and mind."⁷² Having stated his concern, Owen set out for London to lay the matter before various members of His Majesty's Government for possible action in the form of child labor reforms.

Owen's essays had been generally well received by Members of Parliament, and his influence in high places was said to be greater than that of any other mill-owner, including Sir Robert Peel.⁷³ Nicholas Vansittart, Tory Chancellor of the Exchequer, was persuaded by Owen to lower the cotton duty by one-half.⁷⁴ It was not surprising that Owen, having achieved such popularity with Government leaders, was invited to several meetings in London to present his ideas to various religious, political and literary circles which were actively

⁷²Kydd, History of the Factory Movement, p. 36.

⁷³Inglis, Men of Conscience, p. 123.

⁷⁴Podmore, Robert Owen, p. 124.

sympathetic to his efforts to improve the working conditions of the factory workers, particularly the children.

Owen was eager to share his views with all who would listen, but he was even more anxious to place his proposal in the hands of a Member of Parliament who possessed both a deep concern for the plight of the child laborers and enough influence to superintend the successful passage of such legislation as well. There were at that time two Members in the House of Commons whose efforts to obtain relief for factory apprentices could be traced back to Manchester and the pioneer efforts of Dr. Thomas Percival to regulate the working conditions of factory apprentices. One of them was even then pressing for new legislation.

Mr. Edward Bootle-Wilbraham, Tory Member for Clitheroe, had a lengthy record of having supported the factory children. He had been part of that group which had urged Sir Robert Peel to extend his Apprentices Bill of 1802 to cover "free children;" and he had served as a magistrate in Staffordshire, where he had ample opportunity to demonstrate his compassion for young laborers through the protection of his judicial authority. He apparently kept a close watch on the condition of the apprentices, for in 1811 he introduced a bill forbidding parish officials to send pauper children as apprentices to factories located more than forty miles from their home parishes. The bill was opposed in Parliament as well as by the parish authorities, who resented any interference with their efforts to rid themselves of surplus pauper children.

Bootle-Wilbraham refused to let the matter drop and succeeded in having a committee appointed to investigate conditions. On May 19, 1815 the committee presented a report which was highly critical of the practice of indenturing pauper children to distant parishes. Bootle-Wilbraham's bill, which followed a few days later, though passed by Commons, was rejected in Lords; but in the following year, parish pauper children were to be protected by the humane measure first introduced in 1811.⁷⁵

Sir Robert Peel had contented himself with the passage of his Apprentices Bill of 1802, noting in later years that the health of the children had been visibly improved.⁷⁶ While there appears to have been no other effort on his part after 1802 to introduce further reforms to benefit the factory children, he had, nevertheless, earned a reputation as the children's protector, a position in which he took great pride.⁷⁷

It is quite possible that Robert Owen had made the acquaintance of both Peel and Bootle-Wilbraham during his Manchester days, when all three men had been involved, either directly or indirectly, in the reform efforts of Dr. Percival. In any event, the zealous efforts of Bootle-Wilbraham were

⁷⁵Hammond and Hammond, Town Labourer, pp. 154-56.

⁷⁶Charles Wing, Evils of The Factory System, Demonstrated by Parliamentary Evidence, (London: Saunders and Otley, 1837; reprint ed., London: Frank Cass and Company Limited, 1967), p. cxxxiv.

⁷⁷Ramsay, Sir Robert Peel, p. 7.

either overlooked or less impressive to Owen than the sterling reputation of Sir Robert Peel, who was quite agreeable to Owen's proposal.

The draft prepared by Owen included regulations of child labor which he deemed necessary for the children's health and well-being: a ten and one-half hour work day exclusive of meal times; the discontinuance of employment of children under the age of ten; and the appointment of qualified inspectors, who were to be paid for their efforts. The proposal covered children in all cotton, woolen, flax and other mills in which twenty or more persons were employed.⁷⁸ Basically, the provisions were those already instituted at New Lanark without benefit of inspectors.

The personal sponsorship by two highly-respected and influential cotton manufacturers of a bill to regulate child labor practices augured well for the bill's successful passage. Owen's popularity was undeniable; and Peel's influence had continued to increase since the Apprentices Act of 1802. Peel had gained the respect of William Wilberforce by initiating the protective measure; and along with that respect came the approval of Wilberforce's Claphamite⁷⁹ following in

⁷⁸Hutchins and Harrison, History of Factory Legislation, p. 24.

⁷⁹The Claphamites were a group of wealthy Evangelicals (an activist lay group within the Anglican Church). Their great influence in Parliament earned them a voting bloc of twenty "Saints," and, led by William Wilberforce, they made the abolition of slavery their personal cause. Anthony Armstrong, The Church of England and Methodists and Society 1700-1850 (Totowa, New Jersey: Rowman and Littlefield, 1973), pp. 131-32.

Parliament. There was no reason to believe that conditions were not ideal for Peel to once again assume the role of protector of the factory children. Accordingly, on June 6, 1815, he introduced the bill drafted by Robert Owen in the House of Commons.

The general reaction to the bill was one of genuine compassion for the factory children; in fact, the plea was made, as it had been made in 1802, for an even stronger bill than that presented by Peel. Francis Horner, a Whig Member for St. Mawes, supported the bill but noted that it did not go as far as it should towards the protection of the children. He considered the practice of apprenticing parish children to distant factories a national disgrace.⁸⁰ Horner noted other examples of inhumanity, including one in which the effects of a bankrupt manufacturer had included a group of apprentices, who were put up for sale, and advertised publicly as part of the man's property.⁸¹ This was to be his sole defense of the factory children in the House of Commons. Horner died early in 1817 at the age of thirty-eight, depriving the factory movement of his dedicated support.⁸² Others who gave hearty approval to Peel's proposal were Mr. William Smith, a Whig Member for Norwich and close associate of

⁸⁰Hansard, vol. XXXI (1815), p. 625. Mr. Horner was a member of Edward Bootle-Wilbraham's Parish Apprentices Committee of 1815.

⁸¹Ibid., p. 626.

⁸²Stephen and Lee, The Dictionary of National Biography, vol. IX, p. 1264.

William Wilberforce, and Mr. George Holme-Sumner, Member for Surrey. The only discordant note in this brief session was sounded by Mr. George Philips, a Tory Member for Ilchester and a partner in a cotton mill, who insisted that the conditions under which young children labored in the cotton mills were much better than they had been before. However, he did not protest too strongly at this point, particularly since Peel had explained that he did not intend to push the bill any further during that session.⁸³ Peel expected the recess of Parliament to allow time for the bill to be printed and circulated throughout the country so that any amendments that might be required could be incorporated into the original proposal before taking it up again in Commons. His decision to proceed in this manner was to prove very costly in the success of his legislation, for the move "out of doors"⁸⁴ revealed a Britain no longer at war but faced with economic problems that were to place significant roadblocks in the path of reform.

An astronomical debt had accumulated as the result of the high costs involved in waging war which began in 1793 and did not end until 1815, with neither the additional taxes levied nor the generous support of the new captains of industry providing sufficient funds. In addition, the end of the war had freed the countries on the Continent to return to

⁸³Hansard, vol. XXXI, 1815, p. 626.

⁸⁴"Out of doors" refers in this instance to that area outside of Parliament, i.e., Britain.

their commercial efforts and to stage their own industrial revolutions, a move which siphoned off a goodly share of the trade which had previously gone to England. As a result, British manufacturers were soon facing their new rivals in the European market; and only a few years after Napoleon's troops had marched in the direction of Moscow garbed in "Yorkshire stuffs,"⁸⁵ England was facing large-scale unemployment. The unemployment ranks were further swelled when the demobilization of the army released thousands of common soldiers for peace-time employment. The landowning interest, which controlled a large bloc of the Parliamentary vote, ignored the desperate situation of the unemployed "lower orders" and, instead, protected its own interests by repealing the property tax. This selfish maneuver placed an even greater financial burden on the poor, who had no property other than their own labor to sell, because they were forced to continue to pay the unrepealed taxes and duties on such staples as sugar, tea, coffee, beer and tobacco.⁸⁶ The landowners were not content with recouping their property taxes, and they passed the Corn Law of 1815 to protect the price of their grain, giving no thought to its effect on the meager purses of the poor. Obviously, there was an urgent need to provide some relief for the working-class poor, but yet another factor precluded any hasty action in the direction of reform.

⁸⁵H. De B. Gibbins, Industry in England (New York: Charles Scribner's Sons, 1914), p. 382.

⁸⁶Ramsay, Sir Robert Peel, p. 50.

The sorry plight of the French peasants had earned them the sympathy of a number of British statesman, including Sir Robert Peel, until their demand for reforms had led to a full-scale revolution. Understandably, any sign of a discontent among Britain's "lower orders" was viewed with alarm by Parliament; and the post-war Tory Government, led by Lord Liverpool (Robert Banks Jenkinson), was determined not to let things get out of hand.⁸⁷ In fact, there was little else they could do, for the constitutional machinery of Britain was still geared to serve the needs of the cottage industry rather than those of the steam-powered factory system which had developed on its own while Parliament busied itself with raising the necessary revenue to wage war with France. Since Peel had adhered to Tory Party principles from his earliest days in Commons, it was not surprising that he adopted the Party's position on reform in his cautious approach to the factory legislation which Owen had designed to benefit the nation's factory children.

A final element which was to play a significant role in the reform effort was the growing influence of the manufacturers, particularly those in the important cotton industry, in political affairs. Peel had been the sole manufacturer in the House of Commons when the Apprentices Bill was passed in 1802; but there were eight manufacturers in the House when he introduced Owen's proposal in 1815, with added

⁸⁷J. E. Cookson, Lord Liverpool's Administration, The Crucial Years 1815-1822 (n.p.: Archon Books, 1975), p. 13.

strength coming from other Members whose economic well-being was closely aligned to the manufacturing interests.⁸⁸

On April 3, 1816, Peel again submitted a motion with respect to the children employed in factories. After pointing out the long hours, at times as many as sixteen hours, worked daily by these children, he "allowed that many masters had humanely turned their attention to the regulation of this practice; but too frequently the love of gain predominated, inducing them to employ all their hands to the greatest possible advantage."⁸⁹ He was hopeful that the House of Commons would extend its protection to these poor children, and he moved "that a committee be appointed to take into consideration the state of the children employed in the different manufactories of the united kingdom; and to report the same, together with their observations thereupon to the House."⁹⁰ It was immediately evident that the opposition had come to this session armed with a strong defense, for the first four speakers to follow Peel's speech opposed his motion.

Mr. Kirkman Finlay, a manufacturer and banker and Member for Glasgow burghs, took offense at the "calumny which he [Peel] had uttered against all the manufactories of the united kingdom."⁹¹ The sympathies of the Members were clearly with Peel in "cries of No, no! from all parts of the House."⁹²

⁸⁸Gerrit P. Judd IV, Members of Parliament 1734-1832 (New Haven: Yale University Press, 1955), pp. 69-70.

⁸⁹Hansard, vol. XXXIII, 1816, p. 884.

⁹⁰Ibid.

⁹¹Ibid., p. 885.

⁹²Ibid.

Finlay ignored the clamor and went on to describe the generally healthy conditions that existed in the cotton mills of Glasgow. He also managed to bring into question Peel's motives by wondering why he had postponed such a measure: "till now, when he was about to quit the concern in which he had been so many years engaged. Those abuses, of which he now complained, must have existed for many years, and equally in his own establishments, as in others, yet he had never before thought it necessary to propose any measures of relief."⁹³ Peel's response to this personal attack was to remind the honorable gentleman from Glasgow that he, Peel, had been responsible for the passage of legislation in 1802 for the protection of factory apprentices.

Mr. John Christian-Curwen, "country gentleman"⁹⁴ and Member for Carlisle, introduced one of the favorite arguments of the opposition when he stated his objection to any measure which interfered with the rights of parents over their children.⁹⁵ He was followed by Mr. William Courtenay, Member for Exeter, who insisted that the majority of manufacturers had

⁹³Ibid.

⁹⁴The "country gentlemen" comprised a large body of Members, including the entire representation of the counties, and their numbers included both Tories and Whigs. Their primary concern was the protection of agricultural interests. Their importance lay in their great numbers, for not much could be done without their support in Parliament. Elie Halévy, E. I. Watkin, trans., The Liberal Awakening 1815-1830 (n.p., 1923; London: Ernest Benn Ltd., 1961), p. 114.

⁹⁵Hansard, vol. XXXIII, p. 886.

installed regulations in their factories and that further action by Parliament was unnecessary.⁹⁶

The protestations of the opposition were a foretaste of the bitter debates that were to follow, but they were not sufficient to prevent approval of a motion to appoint a Select Committee, under the chairmanship of Sir Robert Peel, to investigate the matter. However, among the members of the committee were: John Christian-Curwen, Lord Viscount Henry Lascelles and George Philips, all of whom were firmly opposed to the factory bill. The committee began deliberations on April 25 and continued to meet until June 18.

The committee was already in session when Sir James Graham, Tory Member for Carlisle, presented a petition from several adult workers employed in cotton factories in the city of Carlisle urging the House to "restrict the labour of children and others in the cotton mills to a period daily which will permit their education and promote their health and future welfare in society."⁹⁷ Graham expressed a desire to have this petition referred to the committee "above stairs" for their perusal. Christian-Curwen dismissed the pleas of "free labourers, who could make their own bargain; but it appeared, they wished to abridge their hours of employment, and, at the same time, to retain their present wages."⁹⁸ He suggested that they had only to apply to their local magistrates

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid., vol. XXXIV, 1816, p. 2.

regarding any unreasonable demands being made of them by their employers. In spite of this spirited defense of "free labor," the House approved a motion referring the petition to the Select Committee for their consideration.

More than forty witnesses had been summoned by the committee to be examined regarding their opinions as to the need for certain reforms to regulate child labor practices in Britain's cotton factories.

Prior to the interviews, a number of papers were presented from various textile mills in northern England, delivered by Christian-Curwen and Lascelles, certifying the following: the physical dimensions of the mills; weekly earnings of two shillings, three pence for children under the age of ten, with no mention being made of the number of hours of work required to earn this meager sum; Sunday School reports indicating the regular attendance of factory children; and medical reports attesting to the general good health of the children.⁹⁹ Similar reports were to be submitted during the course of the Committee's hearings, indicating that the opposition had worked diligently "out of doors" to gain the support of churchmen, medical men and magistrates for their cause.

Mr. Archibald Buchanan, an overseer for Messrs. James Findlay and Company of Glasgow, was the first witness to be interviewed. He reported fifty-nine children employed at his mill under the age of ten, a fact for which he did not

⁹⁹PP, pp. 12-19.

apologize, merely stating that people with large families were anxious to put their children into the factories at the earliest possible age. Working hours began at six o'clock in the morning and ended at half-past seven each night, with one and one-half hours allowed for meals. A child nine years of age generally earned less than two shillings per week, in spite of the long hours of work, because they were classified as "learners." He added that the children were healthy and that it was his opinion that the number of hours worked would not harm a six-year old.¹⁰⁰

With the exception of Owen and Peel, others representing the manufacturers' interests joined Buchanan in enthusiastically endorsing the position already taken by George Philips and Kirkman Finlay. Josiah Wedgwood, a pottery manufacturer, claimed to support the curtailment of labor for factory children, but his firm declaration that "we had better be let alone"¹⁰¹ was in the best "laissez-faire" tradition and offered little protection for the factory children from unscrupulous mill owners. The general lack of sympathy expressed by this group was counterbalanced by the tender concerns of the medical men, all of whom agreed that children could not be regularly employed for thirteen hours and upwards each day without endangering their health. None of them, however, suggested that the children forego the factory employment altogether. In fact, Sir Gilbert Blane, when asked if he considered the employment of children under the age of

¹⁰⁰ Ibid., pp. 5-7.

¹⁰¹ Ibid., p. 64.

ten improper, replied that it was "By no means wholly improper; I should think if it was limited to five or six hours, that would not only not be pernicious but salutary."¹⁰²

When Robert Owen was called before the committee, he presented a detailed report of the beneficial practices he had instituted at New Lanark for the welfare of the children. He also displayed a determination not to compromise his position in any way: "Do you think 10-3/4 hours a day the proper time for children to be employed in manufactories?--I do not. What time would you recommend?--About 10 hours of actual employment, or, at the most, 10-1/2."¹⁰³ While Owen was unwilling to compromise over a matter of fifteen minutes, Peel, in an effort to placate his fellow textile manufacturers, conceded hours to the opposition, much to Owen's disgust.

Peel's testimony on May 21, 1816 was so lengthy with background information on the textile industry that he presented it in the form of a written report. He declared that his own mills had given employment to nearly one thousand children from the workhouses of London and other heavily-populated districts. He stated that his interest in factory reform had been first aroused by the discovery that the children in his mills were suffering from the long hours of labor forced on them by overseers anxious to earn additional income through increased production. He recognized the assistance given to him by Dr. Percival and other medical men of Manchester, together with other distinguished persons, in bringing

¹⁰²Ibid., p. 45.

¹⁰³Ibid., pp. 20-21.

in a bill in 1802 for the regulation of apprentice labor. Peel blamed the increased use of steam-power in factories for causing his earlier legislation to become a "dead letter." The move of the factory from a rural to an urban setting had resulted in the apprentices being replaced by the "free children," who lacked the protection of a contract between themselves and their masters. When he asked that the unprotected children be given Parliament's care, just as the apprentices had been protected by law, the provisions he outlined had been altered somewhat from those proposed by Owen:

Children not to be admitted into factories under nine years of age.

Hours of attendance per day, thirteen; allowing one hour and a half for meals and recreation.

Children from the age of nine to sixteen to be subject to the proposed bill.

The magistrates, on complaint being made, to be empowered to appoint inspectors.¹⁰⁴

Peel not only watered down Owen's reform measures, he limited the number of children who would be protected by confining the bill's regulations to cotton, woolen and flax mills. Obviously, Peel was responding to pressure from manufacturing interests by offering such generous concessions before any serious debates took place in Commons. With regard to the lengthened work day, Peel attributed this to the fact that because the textile industry was "a peculiar business in which adults and children are employed promiscuously, we could not do justice to one without injury to the other, and therefore the time allowed for the working of those mills

¹⁰⁴Wing, Evils of the Factory System, p. cxxv.

being thirteen hours, deducting one and a half hours for meals and recreation, will not place our foreign trade in any unfavourable situation."¹⁰⁵

Robert Owen had offered a solution to the problem which would have benefitted the children without disrupting the adults' work day. He suggested that children be employed in pairs, with each child spending half the day in the factory and the other half in school. Peel had agreed to this plan, but later had allowed the manufacturers to reject it based on their claims of a shortage of employable children. As a result, Peel allowed his role of protector of the factory children to be compromised by the best interests of the manufacturers.

The concessions offered by Peel were duly incorporated into the proposed legislation, and the evidence collected by the Select Committee was published, but no immediate action was forthcoming from the proceedings. The delay was occasioned in this instance not by further investigations or other measures calculated to postpone legislative action but by Peel's illness, and the urgent needs of the factory children were to be shelved for almost two years. Peel's failure to entrust the care of the bill to one of its many supporters in the House was later questioned by one of the leading opponents of the proposed reforms; and it contributed significantly to the growing disillusionment of Robert Owen, whose annoyance with Peel

¹⁰⁵Hammond and Hammond, Town Labourer, pp. 163-64.

¹⁰⁶Thomas, Early Factory Legislation, p. 21.

increased with every concession or delay in the bill's proceedings.

CHAPTER IV

PEEL'S BILL IN COMMONS

On February 19, 1818, Sir Robert Peel resubmitted the factory bill which he had allowed to remain in a suspended state during his extended illness. When he rose to make his long-promised motion, Peel first gave his attention to the notorious practice of employing children of a very tender age in the cotton mills for a period of not less than fifteen hours per day. He stated his belief that the proposed remedy of utilizing two sets of child laborers for one set of adult workers would do more harm than good. Inasmuch as the work of the children and adults was so closely interwoven, Peel offered what he considered to be a better solution: "shorten the working time for adults as well as for children." He then moved, "That leave be given to bring in a bill to amend and extend an act made in the 42nd year of his present majesty, for the preservation of the health and morals of Apprentices and others employed in cotton and other mills, and cotton and other factories."¹⁰⁷

The opposition was quick to respond to Peel's motion, having made considerable progress in organizing their forces after being caught off guard in 1815. The delay in the factory

¹⁰⁷Hansard, Vol. XXXVII (1818), p. 560.

bill's progress had been put to good use by the mill-owners and their followers, who published a pamphlet, An Enquiry into the Principle and Tendency of the Bill for Imposing Certain Restrictions on the Cotton Factories, to support their position. It summed up the arguments which had already been presented in 1816 and added yet another: "All experience proves that in the lower orders the deterioration of morals increases with the quantity of unemployed time of which they have the command."¹⁰⁸ Thus, it was made to appear that the practice of working children twelve to fourteen hours per day was a humanitarian gesture on the part of the mill owners, since it promoted virtue by keeping the younger members of the "lower orders" occupied during the greater number of their waking hours. While the pamphlet had been intended primarily as a means to gain public support for the manufacturers, it was to serve as a primer for those Members in the House of Commons who had aligned themselves with the cotton industry's bloc.

Lord Henry Lascelles, Tory Member for Yorkshire, was the first speaker for the opposition to respond to Peel's motion. He made it clear that he was not opposed to the idea of Parliament extending its protection to working children, reminding the House that he had supported the bill relating to chimney sweepers; but he declared that he could not support the principle of interfering with free labor, as in the present bill. Lascelles agreed that, "If there existed any

¹⁰⁸ Kenneth E. Carpenter, Advisory Editor, British Labour Struggles: Contemporary Pamphlets 1727-1850. Vol. 20: The Factory Act of 1819 (New York: Arno Press, 1972), p. 42.

thing radically vicious in the system, it ought to be inquired into." He found it surprising that, if such evils had been uncovered by the inquiry conducted in 1816, no legislation had been introduced prior to this session.¹⁰⁹ His comments appeared relatively mild, though, when compared with the sharp-tongued comments of George Philips and Kirkman Finlay, both of whom insisted that no legislation was necessary.

Philips pointed to his own factory as a sterling example of a properly managed works, one which obviously required no Act of Parliament to regulate its operation. He was proud to state that in the factory's twenty-seven years in business, "no contagious disease had ever been known in it," a remark certainly intended for Sir Robert Peel, whose own mills could boast no such record.¹¹⁰

Finlay admitted that he had found evidence of one of the purported "evils" of the factory system in a textile mill in Lancashire, where children were employed fourteen hours per day, yet enjoyed good health. He then proceeded to enumerate the dangers of interfering with the operation of an industry that "employed more people than all the other manufactures of the country taken together." Finlay discredited the evidence of the medical men who had testified before the Select Committee in 1816, suggesting that "medical men were not infallible." He then reminded the Members that Peel had opposed a similar measure in 1802 to extend Parliament's protection to "free"

¹⁰⁹Hansard, p. 560.

¹¹⁰Ibid., p. 561.

children on the grounds that it was "impracticable." As for himself, Finlay gave notice that he intended to challenge the bill at every stage.¹¹¹ And there seemed to be little reason to believe that he could not expect to receive strong support from the other Members who shared his views. It was obvious that Sir Robert Peel would require a firm defense against the attacks of those Members who were hostile towards his proposed legislation.

Two Claphamite Members, William Smith and William Wilberforce, had managed to inject a few words of support for Peel's measure during the opposition's initial attacks on the bill; however, a more sturdy defense was now offered by Sir Robert Peel's son, Robert, Tory Member for Oxford University.

The younger Peel defended his father's bill and the evidence which had been gathered by the Select Committee in 1816. The argument that some factories were well regulated, Peel noted, "was a reason for the House adopting the regulations on which those factories were conducted." While he defended the evidence of the medical men, he asked, "Was it necessary to have the evidence of medical men to prove that to employ a child of seven years of age was unfavourable to health?" Peel ended his forceful speech with a warm tribute to his father and a justification of the elder Peel's conduct in the pioneer efforts to introduce reforms in the cotton industry.¹¹² Sir John Jackson, Member for Dover, also warmly

¹¹¹Ibid., pp. 562-63.

¹¹²Ibid., pp. 563-64.

applauded the efforts of Sir Robert Peel as well as those of Robert Owen.¹¹³ However, the warmth and sincerity evident in the younger Peel's address was apparently lost on the opposition.

George Philips and John Christian-Curwen dismissed the Apprentices Act of 1802 as a "dead letter," but noted that factories were far better managed than before. Christian-Curwen went on to scoff at the idea of parents allowing their children to be harmed by overwork. What really concerned him, though, was that, "if the earnings of persons were lessened in point of hours, there must be some means found for increasing their wages," and he feared that the result "must be ruinous to the individuals and hurtful to the country."¹¹⁴

Before this day's debates had been concluded, the opposition had gained a new adherent in the House. Sir James Graham, who had appeared to be on the side of the factory reformers in 1816, when he presented a petition from the city of Carlisle supporting the proposed factory legislation, now made it clear that he would "take every means of obstructing its progress upon every point which interfered with free labour."¹¹⁵ Yet, neither the loss of Graham's support nor the concerted efforts of Lascelles, Philips, Finlay and Christian-Curwen were sufficient to prevent Peel from bringing in his bill for its first reading.

¹¹³ Ibid., p. 565.

¹¹⁴ Ibid., pp. 564-65.

¹¹⁵ Ibid., p. 566.

On February 23, the day appointed for the factory bill to be read a second time, Sir Robert Peel opened the debate by acknowledging his advocacy of "free labour," declaring that he did not wish that principle infringed on; however, he insisted that children, who were "either under the control of a master or a parent" had "not a free will of their own," and could not therefore be called "free labourers." He urged the Members to consider the needs of the children and to extend to them Parliament's protection. In an effort to win over the opposing faction, he promised that "no future proceeding should take place till after the holidays, and that therefore no person should be taken by surprise." Peel then proposed that the bill which had been brought in in 1815 be modified in its provisions governing age limitations and hours to be worked as follows: "children employed in cotton factories, should, from nine to sixteen, be under the protection of parliament, and before nine that they should not be admitted; that they should be employed in working eleven hours, which with 1-1/2 hours for meals, made in the whole 12-1/2 hours." Peel added his wish that there be no night work at the factories, and he ended his speech by moving that the bill be read a second time."¹¹⁶

The offer to postpone the proceedings on the bill for several weeks came as such a surprise to Lascelles that he refrained from stating an opposition to the second reading of the bill. Nevertheless, this small gain was won at

¹¹⁶Ibid., pp. 581-82.

a considerable cost to Peel. Robert Owen, already annoyed over the long delay in the bill's passage, was so upset over the latest concessions made by Peel that he decided to wash his hands of the Parliamentary proceedings to devote his time to other interests.¹¹⁷ As for the other members of the opposition, they were not willing to permit a reading without first challenging Peel's proposal.

George Philips, who had insisted all along that there was no need for such legislation, presented a lengthy report on the good health of the children employed in cotton factories, basing it on the opinions of two medical men in Manchester. Yet, surprisingly, he removed his objections to certain of the bill's provisions:

He did not object to the limitations of the age at which children could be employed; but in consequence of the improvements in machinery, persons of more advanced age were required than formerly. Night-work could not be carried on to advantage. It might have been advantageous when the manufacture was confined to a few hands; but since the general diffusion of the manufacture, the profits were too small to admit of the expense of night-work.¹¹⁸

In effect, Philips was supporting portions of Peel's bill, but it was obvious that he did so not because of any humanitarian impulse but merely because these particular provisions were not incompatible with the best interests of the cotton industry.

Davies Davenport, Member for Cheshire and a member of the Select Committee which met in 1816, and Kirkman Finlay

¹¹⁷Inglis, Men of Conscience, p. 127.

¹¹⁸Hansard, pp. 583-85.

urged the House to proceed with caution on the factory bill lest they do more injury than good to those persons for whose benefit it was intended.¹¹⁹ However, Sir Francis Burdett, Whig Member for Westminster, warmly applauded the bill, adding that he did not need medical men to tell him that, "to make children of a tender age work so many hours was prejudicial to their health as well as to their happiness."¹²⁰ On that approving note, the bill was read for a second time and ordered to be taken into consideration again on April 6.

Throughout the proceedings on the factory legislation, both sides devoted considerable energy to presenting and challenging petitions from interested individuals "out of doors." On April 2, William Smith presented a petition signed by 4,000 workmen employed in cotton mills at Staley Bridge, and another petition signed by 400 adults engaged in cotton spinning at Ashton-under-Lyne, both of which urged the House to vote in favor of the factory bill. John Smith, Member for Nottingham Borough, also brought in a petition, this one signed by adult workers at Robert Owen's mills at New Lanark, praising the "humane and benevolent system" which they enjoyed and urging the Members to support the regulation of hours of labor in other factories.¹²¹

In a rare editorial comment on Peel's bill, the Times of London referred to these petitions in its April 3 edition,

¹¹⁹Ibid., pp. 586-88.

¹²⁰Ibid., p. 588.

¹²¹Hansard, Vol. XXXVII, pp. 1182-83.

noting:

The proceedings in the Commons were very brief. It is either an honour to the humanity or an indication of the personal feeling of our cotton-manufacturers, that petitions, numerously signed by them were presented in favour of Sir Robert Peel's bill, which is to shorten the hours of labour to the children engaged in cotton-mills.¹²²

Obviously, the petitions had included among the workmen's signatures a number of cotton manufacturers who were sympathetic to the proposed measure.

The opposition was also soliciting "out-of-doors" support; and on April 6, they laid before Commons petitions from Manchester, Blackburn, Rosendale, and Glasgow protesting the bill. The supporters of the bill countered with more petitions in favor of the bill from Hebden Bridge, Halifax, and Royton. The younger Robert Peel, in presenting a similar petition from Manchester, stressed the fact that it had been signed by 1,731 of the town's most respectable citizens, including, "those of the magistrates of the town and neighbourhood, amounting to seven in number;--of the physicians, nine--of the resident surgeons 21--of the clergyman [sic] of the district 20, of whom 17 were of the established church."¹²³ In response to George Philip's caustic remark that, "under the circumstances of the case, the number of signatures to the petition was very small,"¹²⁴ Peel explained that, "it was

¹²²Times, April 3, 1818, p. 2.

¹²³Hansard, Vol. XXXVII, pp. 1188-89.

¹²⁴Ibid.

because the parties wished it should only contain the names of individuals who had no personal interest whatever in the question."¹²⁵

On April 10, Sir Robert Peel presented a petition that elicited considerable comment from the House. It was a request from all the cotton factories of Stockport, signed by seven cotton manufacturers and their adult workers, that a shorter period of labor be established by Parliament, their only source of relief.¹²⁶ Peel confessed that their plea had brought tears to his eyes, but Sir James Graham saw the petition as nothing more than the work of a "set of idle, discontented, discarded, and good-for-nothing workmen, who conceived that they did too much, when in employment, for the wages which they received."¹²⁷ However, Joseph Butterworth, Member for Coventry and a prominent Methodist layman, urged that some measure be adopted with respect to the "lower classes of the community."¹²⁸ He was joined by Charles Watkin Williams-Wynne, Whig Member for Montgomeryshire, who commented that he did not think the adoption of Peel's bill would "evinced any hostility to the principle, that it was generally expedient not to interfere with free labour." He believed that children placed in factories by their parents were no more free than apprentices."¹²⁹

¹²⁵Ibid., p. 1190.

¹²⁶Ibid., pp. 1259-60.

¹²⁷Ibid., pp. 1260-61.

¹²⁸Ibid., p. 1261.

¹²⁹Ibid., p. 1262.

On April 17, Lord Edward Smith-Stanley, Whig Member for Preston, presented a petition from certain individuals in Manchester who complained of malicious personal attacks having been made on them by supporters of the factory bill, and who were now demanding that the House halt further proceedings on the bill until the allegations could be disproved.¹³⁰ Such delays were a favorite device in obstructing legislation in both Houses, but the efforts of the opposition failed to postpone the discussion of the factory bill which was scheduled that day.

The clause for limiting the hours of labor for children under sixteen years of age to twelve hours and a half, including an hour and a half for meals, was taken under consideration. William Wilberforce suggested that this section be revised to a more reasonable classification, since the one proposed made no allowances for age differences. He thought it would be more suitable to have two classes, one for children from nine to twelve years of age, and the other for children from the age of twelve to sixteen.¹³¹ Peel's response to the suggestion was to stress his efforts to protect the children "without trespassing very materially on the convenience of the proprietors of those concerns in which such considerable properties were necessarily embarked."¹³² At this point,

¹³⁰Hansard, Vol. XXXVIII (1818), p. 169.

¹³¹Ibid., p. 171.

¹³²Ibid.

after having been responsible for its extended delay, Peel did not want to hinder the bill's progress by antagonizing the manufacturers with additional provisions. However, some of the Members insisted on continuing the discussion for a variety of reasons.

Mr. Frederick Robinson, Tory Member for Ripon, and Mr. George Canning, Tory Member for Liverpool, both professed neutrality on the subject of the bill, but suggested that they did not have enough understanding of the measure to reach a decision. However, Lord Stanley was less amiable in his demands for further discussion, insisting that "much alteration was required in the bill."¹³³ As a result of these and other demands for discussion, the bill was ordered to be recommitted.

On April 27, Sir Robert Peel once again laboriously recounted how "motives of humanity" had led him to take up the cause of the factory children sixteen years earlier. He again held up the principle of free labor, but insisted that his bill did not interfere with its practice. After Peel had made this final plea for "these little helpless and unprotected victims of our manufacturing prosperity,"¹³⁴ Lord Stanley rose to speak for the manufacturers.

Lord Stanley's aristocratic background (he was heir to the earldom of Derby) was far removed from the yeoman stock which had produced the greater number of cotton manufacturers, including Sir Robert Peel. Nevertheless, he was firmly linked

¹³³Ibid., p. 173.

¹³⁴Ibid., pp. 342-44.

to them through political and economic chains of quite recent forging. The Derby family, which had long considered the two Parliamentary seats of Preston as their personal property, found its political hegemony challenged in the 1790s by the Horrocks family, newly-wealthy cotton manufacturers in the Preston district. Rather than risk losing everything, the Derby family decided to share the two Preston seats with the Horrocks, with whom they agreed to share their political fortunes from that time forward.¹³⁵ In 1818, this arrangement continued to prevail, with Lord Stanley, the aristocratic Whig landowner, defending the position of the cotton manufacturers, while Samuel Horrocks, Tory Member for Preston, was content to remain silent throughout the debates on the factory bill.

Lord Stanley stated his greatest objection to the bill was that it interfered with free labor.¹³⁶ He would have offered no objection to regulations governing the working conditions of apprentices, but there was no precedence under the law for the present measure. He was certain that this bill, if passed, would destroy the cotton industry. He made further objections to the bill which implied that Parliament could not trust parents to care for their own children. The bill also discriminated against the cotton industry by ignoring the evil practices in other types of manufacture, where far more unhealthy conditions prevailed. His only suggestion would be

¹³⁵Inglis, Men of Conscience, pp. 127-28.

¹³⁶In 1802, prior to the Horrocks family's entry into Parliament, Lord Stanley had urged Sir Robert Peel to include "free" children in his Apprentices Bill. See pages 22-23.

that the House "resolve itself into a committee on the bill on this day four months," or, in other words, to delay or possibly kill the bill.¹³⁷

Lord Lascelles was concerned that the bill would lead to loss of employment for factory children, throwing them upon their parents, and from their parents to the local parishes, where they would prove a costly burden on the more affluent citizens. He admitted that some cases of hardship did exist in the cotton mills, but he questioned the necessity for legislation, particularly when it permitted interference between parent and child. He was prepared to oppose the motion unless he could be assured that the bill would be referred to a committee for further study, again suggesting a move that was intended to postpone action on the measure.¹³⁸

None of the arguments against the bill had been lost on the younger Peel as he prepared to respond to its opponents. He had neatly categorized the opposition into two groups: "those who admitted there was an evil to remedy, but were fearful of the principles on which the bill was founded--and, in the second place, those who were not afraid of the principle, but who considered there was no evil which required legislative interference." Peel noted that remedies had previously been supplied for specific evils which had existed in commercial practices "without prejudice to general principles," and he

¹³⁷Hansard, pp. 344-49.

¹³⁸Ibid., pp. 349-52.

explained that the cotton industry had been singled out for such legislation because it was so large. As a result, its unwholesome practices were magnified by the large numbers of persons employed in the cotton mills. Peel pointed to the city of Manchester, where 11,600 children were employed in this industry, and he scoffed at Lord Stanley's objections to any legislation which interfered with the relationship between parent and child, and child and master, on the grounds that it affected the principle of free labor. He also reminded his lordship of his support of the Apprentices Act of 1802, pointing out that the children who were to be protected by the present legislation were less safeguarded from the interests of their master than the apprentices had been.¹³⁹

There had been no serious thought given by either side to the possibility of discontinuing the employment of children in the cotton factories altogether; for the tradition of child labor had evolved from an earlier system than the factory. Mr. Peel did not challenge the old order when he stated:

That they ought to work, and to work hard for their subsistence, was what he did not mean to deny. That a large proportion of society must earn their bread by the sweat of their brow, was what might appear hard to the philanthropist, though the philosopher must think it necessary.

The obligation of Parliament was, he explained, to see that a system of over-work was not applied to children in such a manner as to protect them from any long-term injuries to their health and well-being. He criticized the practice of sending

¹³⁹Ibid., pp. 352-54.

children to school after an exhausting day in the factory, thus turning the blessings of education into a curse, by offering them learning when they were too tired to receive instruction.¹⁴⁰

Stanley's argument that no precedence existed for the bill was neatly disposed of by Peel, who noted that the bill for the chimney-sweepers had not merely regulated but had prohibited employment; and the factory bill asked only that the children's labours be limited. After proving this point, Peel went on to mock the efforts of George Philips and Kirkman Finlay in attempting to convince the House of the superb health enjoyed by the factory children. He quoted Joseph Warton's poem,¹⁴¹ which asked:

Within what mountain's craggy cell,
Delights the goddess Health to dwell?

Peel had discovered that the lady in question had rejected the shady rills and sunny seashores of England in favor of the cotton mill of Messrs. Finlay and Co., at Glasgow.¹⁴²

Peel made known his distaste for the use of such evidence by the opposition to discredit the testimony given in support of the factory bill; however, he expressed a willingness to conciliate on matters of comparatively "small importance" in order to preserve the principle of the bill. He presented petitions signed by cotton spinners at Ashton-under-Lyne and at Halifax which stated the necessity to limit the hours of labor

¹⁴⁰Ibid., pp. 355-56.

¹⁴¹Ibid., p. 358.

¹⁴²Ibid., p. 358.

in the cotton mills, but which requested that the number of hours be limited to twelve instead of eleven. This was, in Peel's opinion, the last evidence required for passage of the factory bill, for it was an admission by "the party interested" of the need for such legislation. He urged the House, now that they were fully informed on the question, to pass the bill and to agree to meet the cotton manufacturers halfway by limiting the hours of labor of the factory children to eleven and a half.¹⁴³

Peel's audience had been warmly receptive to his eloquent plea on behalf of the factory children, interrupting his speech fifteen times, as noted in the Times, with many cries of "hear, hear," and with "laughter and cheering," "much cheering," and even "much laughter and cheering."¹⁴⁴ Mr. Philips admitted that it would be difficult to overcome the prejudices which had been excited in the Members by the emotional speech just delivered by Mr. Peel. However, while recognizing the futility of continuing his efforts, he again presented medical evidence to prove the good health of children working in the cotton factories.¹⁴⁵

Mr. Bootle-Wilbraham, who had remained silent during the current year's debates on the factory bill, now declared his zealous support of the bill. He could not help but note that opposition to the bill had come from those whose interests

¹⁴³Hansard, Vol. XXXVIII, p. 359.

¹⁴⁴Times, April 28, 1818, p. 2.

¹⁴⁵Hansard, Vol. XXXVIII, pp. 359-65.

opposed such legislation, while those who supported the measure had no other interests than humanity to serve.¹⁴⁶ These sentiments were echoed by Mr. William Smith, who could not resist the opportunity to present medical evidence which refuted the health claims of Messrs. Philips and Finlay.¹⁴⁷

Not all of the supporters had come by their decision without considerable pain. Mr. John Smith, Whig Member for Nottingham, apologized to many of his friends for opposing their interests on this occasion, but he explained that he was acting from motives of conscience and conviction in supporting the factory bill.¹⁴⁸

Mr. Robinson, who had earlier expressed the concern that he knew too little about the legislation to make a decision, now declared he was satisfied of the necessity for the measure.¹⁴⁹ When the vote was finally taken, it was apparent that many other Members had come to the same conclusion, for the results weighed heavily in favor of the bill: Ayes, 91, Noes, 26.¹⁵⁰

The battle had been won in Commons; but the war was far from over, with the real test awaiting the bill in the House of Lords.

¹⁴⁶Ibid., pp. 365-66.

¹⁴⁷Ibid., pp. 366-68.

¹⁴⁸Ibid., p. 370.

¹⁴⁹Ibid., pp. 370-71.

¹⁵⁰Ibid., p. 371.

CHAPTER V

THE BILL IN THE HOUSE OF LORDS

Lord Kenyon, an Evangelical Tory, had agreed to present Peel's factory bill to the House of Lords; and on May 7, 1818, he introduced the measure, as amended in the House of Commons, announcing his intention to move the second reading of the bill on the following day. The reaction of the opposition was immediate and vehement, with the Earl of Lauderdale (James Maitland), a Whig who regularly voted against reform legislation, strenuously protesting any interference with free labor, particularly the bill's provisions relating to the limitation of hours of labor for the factory children. Lauderdale's objections were disputed by the Earl of Liverpool (Robert Banks Jenkinson), the Tory Prime Minister, who gave his hearty approval to the bill.¹⁵¹

Liverpool had been among that group of influential men who had been sympathetic to the efforts of Robert Owen to obtain the support of Parliament for his proposed factory reforms. He believed it was so much a part of the common law of England "that children should not be overworked" that he was anxious that "some words should be introduced into the bill to declare this fact."¹⁵² Liverpool was, himself, a

¹⁵¹Ibid., pp. 548.

¹⁵²Ibid.

confirmed "free trader," who had once said, "it was undoubtedly true that the less commerce and manufacturers were meddled with the more they were likely to prosper."¹⁵³ However, he firmly rejected the notion that the children for whom the bill was intended could, in any sense of the word, be considered free agents. Lauderdale chose not to contest Liverpool's remarks at this time, allowing the motion for a second reading to pass without further comment; nevertheless, he had not abandoned his plans to thwart every effort of the supporters of the factory bill.

On the following day, after the second reading had taken place, Lauderdale presented a petition from cotton spinners in Manchester who were opposed to the bill. He stated the grievances of the petitioners, who "wished to bring medical men who could give evidence" regarding the general good health of the factory children, and who desired the opportunity "to prove the injurious consequences which would result from this bill to the cotton trade."¹⁵⁴

Kenyon made it clear that he did not want the progress of the bill hindered by a delay such as the one Lauderdale had just proposed, stating that he wished to first give consideration to the evidence submitted by Commons before contemplating any additional investigation. He was confident that

¹⁵³Hansard, Vol. XXIII, p. 1249, cited in W. R. Brock, Lord Liverpool and Liberal Toryism, 1820 to 1827, 8th ed. (London: Frank Case and Company Limited, 1941), p. 44.

¹⁵⁴Hansard, Vol. XXXVIII, p. 579.

such a request would be made by the House if it were deemed necessary. However, Lauderdale, who was not so easily contravened, continued his demands for a new inquiry. He stated that he had been informed by certain members of the Select Committee of 1816 that the information which they had obtained contained many flaws and would form an inadequate base for any legislative proceeding. This had led him to question whether his fellow peers were prepared to "encroach on great principles of political economy" without having first been acquainted with all the facts. Lauderdale then moved to have the bill committed on May 18; it was so ordered, and the debate was resumed.¹⁵⁵

The Earl of Harrowby (Dudley Ryder), Tory president of council, whose record of support of humane legislative efforts was an impressive one,¹⁵⁶ declared that he could imagine no evidence being brought in against the bill unless Lauderdale intended to prove that children "compelled to labour sixteen hours a day, were not overworked, which was impossible."¹⁵⁷ Liverpool agreed, adding that no matter what the other members of the House decided, he was opposed to hearing more evidence.¹⁵⁸

Lauderdale did not reveal any particulars, but let it be known that "medical men of great skill and reputation"

¹⁵⁵Ibid.

¹⁵⁶Dictionary of National Biography, Vol. XVII, p. 5231.

¹⁵⁷Hansard, Vol. XXXVIII, pp. 579-80.

¹⁵⁸Ibid., p. 580.

were prepared to prove that the children employed in the cotton factories were as healthy as any other children.¹⁵⁹ At this point in the debate, Lauderdale, who had been the sole spokesman for the opposition, was joined by the Earl of Eldon (John Scott), Tory Lord Chancellor, whose reputation as an anti-reformer was as formidable as Lauderdale's.

Eldon, with a legal background which had included an intensive study of common law and equity, reminded the lords that they had permitted the factory bill to advance to a second reading without first having read a single word of the Select Committee's report. In his opinion, they had a duty to hear such evidence as might relate to the legislation then being studied.¹⁶⁰

Lauderdale was, of course, pleased with Eldon's remarks; but Liverpool was not, continuing to maintain that the entire medical staff of Manchester could not make him believe that "children compelled to labour more than fifteen hours a day were not overworked."¹⁶¹ On this unyielding note, the evidence against the bill would be heard before a committee of the whole House.

On May 17, the debate resumed with Kenyon firmly maintaining that no further evidence was necessary and Lauderdale stubbornly clinging to the position that no decision could be reached on the factory bill without it. Lauderdale's

¹⁵⁹Ibid.

¹⁶⁰Ibid., pp. 580-81.

¹⁶¹Ibid., p. 582.

insistence that it was unjust to base a determination on evidence collected two years earlier was challenged by Kenyon, who explained that the bill's postponement in Commons had been due to "the manner in which Parliament had then been occupied."¹⁶² He noted that once quiet had been restored in the countryside, the bill had been brought forward again for consideration, with no new evidence being required for passage of the legislation in Commons.

Lauderdale pretended ignorance of the problems which had kept Parliament "occupied" in the last session, delaying the bill's introduction in Commons. Furthermore, he doubted that Sir Robert Peel's indisposition constituted a sufficient reason to delay legislative action "if the measure were as necessary as its supporters considered it to be." In any event, he wished to advise the House that he proposed to examine four of the principal petitioners in favor of the factory bill. Lauderdale was confident that the new evidence would cause the lords to be more cautious in their approach to the bill, for they would discover, as he already had, that the report, "abounded with inconsistencies and absurdities." Apparently, his advice was considered sensible, for his motion to bring

¹⁶²Ibid., p. 648. A bad harvest in 1816 and the threat of starvation and economic ruin had led to considerable unrest among Britain's laboring classes, many of whom reacted violently to falling wages and the rising cost of bread. The Government, seeking to thwart what they viewed as an impending revolution, enacted harsh repressive measures and, in March, 1817, suspended the writ of habeas corpus. Inglis, Men of Conscience, pp. 109-17.

in witnesses the following Tuesday was passed, after which the two sides entered into a heated debate.¹⁶³

If Sir Robert Peel had been willing to concede generous portions of Robert Owen's original reform proposal, Lord Kenyon was resolutely unwilling to yield a single phrase of the revised bill. Counsel for the opposition merely stiffened his resolve to move ahead on the measure without further delay, and he continued to declare that no further evidence should be heard. With Lauderdale equally determined to hamper the bill's passage, it was evident that a different approach was desirable if the proceedings on the bill were to move forward; and on May 19, a highly-respected Anglican bishop made this effort by appealing to the humanitarian impulses of his fellow peers.

George Henry Law, Bishop of Chester, took an active interest in his diocese, which included a substantial portion of the cotton factory district. It was because he was so closely acquainted with the situation of the factory children entrusted to his pastoral care that he felt compelled to take up the cause of "defenceless and suffering youth." He found it particularly disturbing to hear these children referred to as "free labourers," for he refused to believe that "children would labour so many hours every day, if they had any choice of their own."¹⁶⁴ The bishop's tender concerns did not touch the sympathies of Eldon, who coolly appraised the legal aspects of the measure.

¹⁶³Ibid., pp. 648-49.

¹⁶⁴Ibid., pp. 793-94.

Common law, Eldon asserted, already provided the necessary legal channels for the protective measures sought by the supporters of the bill, for "it already made it an offence in masters to overwork the children who are employed, and in parents to connive at it." Still, he believed that it was wrong for those lords who supported the bill to refuse to listen to evidence against it, particularly since, in his opinion, the information assembled in 1816 was not suitable for legislative purposes.¹⁶⁵ In this instance, Eldon had the support of the Marquis of Lansdowne (Henry Petty-Fitzmaurice), a very moderate Whig, whose love of tolerance had led him to support all of the benevolent measures introduced in Parliament.¹⁶⁶

Lansdowne, while he was anxious to have some type of legislation passed to correct the evil practice of demanding "excessive labour of the children," agreed that the House should not attempt to legislate in the dark. While he did not believe the argument that the proposed bill would seriously injure the cotton trade, Lansdowne thought it might have some effect on its manufacture, a possibility which he felt made it necessary to hear more evidence on the subject. His calm assessment of the situation impressed the peers, who then consented to further hearings on the following day.¹⁶⁷

The quality of mercy which had characterized the testimony of the medical men who had appeared before Peel's committee

¹⁶⁵Ibid., pp. 794-95.

¹⁶⁶Dictionary of National Biography, Vol. XV, p. 1016.

¹⁶⁷Hansard, Vol. XXXVIII, pp. 795-96.

of inquiry in 1816 was altogether lacking in the "medical men of great skill and reputation" summoned by Lauderdale as witnesses for the opposition. However, the doctors who testified in 1818 were in the unenviable position of having to choose between discrediting the earlier evidence of their fellow practitioners and the possible loss of income received from mill owners for looking after the medical requirements of the factory workers. The dilemma led them to make statements that were both unprofessional and ridiculous.

Edward Holme, a physician in Manchester for twenty-four years, stated firmly that the children were "as healthy as any other part of the working classes of the community," yet was unable to tell the committee whether the children performed their tasks sitting or standing. When asked if he thought it injurious to a child's health "to be kept standing three-and-twenty hours out of the four-and-twenty," Holme could only reply, "Before I answered that question I should wish to have an examination to see how the case stood." The committee, with Lord Kenyon as its chairman, took every opportunity to make this witness yield to common-sense queries, but no amount of examination, cross-examination or re-examination could shake Holme's testimony.¹⁶⁸

Henry Hardie, another Manchester physician, stated that he had no facts to guide him when he replied to the committee's question as to what age he would consider to be safe

¹⁶⁸Wing, Evils of the Factory System, pp. cxxvii-cxxxv.

for "the constitution of an infant, working in the temperature of 80, to work eighty hours per week."¹⁶⁹ Thomas Wilson, a Yorkshire surgeon, examined five hundred and seventy workers in a period of ten hours and was able to state unequivocally that they were healthy. When asked if he did not think it necessary for young people to have a little "recreation or amusement during the day" for the maintenance of good health, Wilson's dour response was, "I do not see it necessary."¹⁷⁰

Lauderdale had also secured witnesses who had signed petitions in favor of the factory bill but who had since altered their opinions. Mr. William James Wilson had been invited by the committee of cotton spinners in Manchester to observe for himself the good health of the factory children. After visiting sixteen mills, he confessed to the committee, he had discovered that he had signed the petition without knowing the facts.¹⁷¹ There were others who had refused to sign petitions in support of the factory bill and who were pleased to testify for the opposition, particularly when offered a financial reward. Mr. Edward Carbutt, physician at the Manchester Infirmary, had visited one of the cotton factories, where he observed the children performing labor "of the lightest kind that can be given to a person to perform." Further questioning of this witness elicited the information that he fully expected to receive payment from the mill owners for

¹⁶⁹Ibid., p. cxxxviii.

¹⁷⁰Ibid., p. cxliii.

¹⁷¹Ibid., p. cxlvii.

professional services rendered in his examination of the children employed in the mills he had visited.¹⁷²

If the evidence gathered in 1816 had produced much contradictory information, this latest hearing had yielded little more than the opportunity for the opposition to prevent passage of the factory bill in the current session of Parliament. The committee hearings had continued through June 1; and on June 5, after presenting his committee's report, Kenyon advised the lords that he did not wish to continue with the bill in the time remaining in the session. The committee had recognized the need for additional evidence, the accumulation of which would not allow sufficient time for the bill to be deliberated before adjournment. This news was greeted with enthusiasm by Lauderdale, who felt certain that his witnesses had caused irreparable damage to the legislation. His reaction irritated Kenyon, who commented that he "did not think it necessary to account for any apparent sentiments that the noble lord might think he had discovered in his conduct," and he repeated his reason for postponing further action on the bill until the next session.¹⁷³ Thus, while Lauderdale was celebrating a victory, Kenyon was serving notice that the matter of intended reforms to benefit the factory children was far from closed.

On February 8, 1819, Lord Kenyon resubmitted the factory bill and then presented a petition from certain persons

¹⁷²Ibid., pp. clii-clvi.

¹⁷³Hansard, Vol. XXXVIII, pp. 1252-253.

in Stockport supporting the measure. The petition and the petitioners were immediately assailed by Lauderdale, who claimed to have information that many of the signers of such petitions did so "in consequence of being told that if the bill passed they would get more money for their labour, and have to work fewer hours than they now did." He followed this charge with a more serious one, that a person from Stockport had gone to Holywell, Clwyd, Wales to collect signatures for a petition similar to the one presented by Kenyon. This "stranger" had promised the people more wages for less work, with the result that the people in the factories, who had been "contented and happy," had become "troublesome and refractory."¹⁷⁴

When Bishop Law presented a petition "signed by clergy of the established church, the dissenting clergy, medical persons, manufacturers, shopkeepers, and other inhabitants of Bolton-le-Moors, to the number of 5,220, praying for limitation of hours of labour for children," Lauderdale prepared to launch another attack on the "out-of-doors" campaign in behalf of the factory bill. However, the bishop was determined to stand his ground, having spent considerable time at Bolton-le-Moors inquiring into the character of the medical men whose names appeared on the petition. He announced that he was satisfied that these men had formed their opinions on solid facts, and, as if to prove his faith in this particular method of

¹⁷⁴Hansard, Vol. XXXIX, pp. 339-40.

appeal, Bishop Law presented another petition, from adult workers in the cotton factories of Bollington, Cheshire.¹⁷⁵

With his attack on the petitions apparently blocked, Lauderdale adopted another means of delay by suggesting that the attendance in the House was too sparse to allow such important legislation to be discussed and urging Kenyon to defer his motion until such time as he might have a larger audience. Kenyon was anxious to avoid any further delay on the bill, particularly since he was now merely proposing an inquiry similar to the one which had taken place during the last session. This move, he explained, was necessary for a number of reasons.¹⁷⁶

Kenyon noted that the evidence presented at the last session was not complete, for it represented only one side of the issue; for that reason, he wished to complete the inquiry so that the House could reach a decision regarding the necessity for the bill he intended to propose to them. He reported that, since the subject had last been discussed in Lords, some of the manufacturers in Manchester had instituted shorter working hours in their mills, but their good deeds were being undermined by less scrupulous mill owners who refused to adopt similar standards. He had, himself, visited a number of cotton factories, after which he was more than ever convinced of the necessity for the factory legislation. For example, he had found the heat in one factory so oppressive that only a

¹⁷⁵Ibid., pp. 340-41.

¹⁷⁶Ibid., p. 341.

"sense of duty" kept him there for even the brief period required for his inspection. Kenyon then moved for the appointment of a committee to "inquire into the state of children employed in the cotton factories."¹⁷⁷

Kenyon's motion was opposed by the Earl of Grosvenor (Robert Grosvenor) on the grounds that evidence had already been heard. He then suggested that the House postpone further action on the bill, trusting to the voluntary efforts by manufacturers referred to by Kenyon. If this experiment did not work, Grosvenor felt there would be plenty of time to legislate after the short delay; and he incorporated his thoughts into a motion postponing discussion on the question for six weeks.¹⁷⁸

Eldon was still of the opinion that the low attendance in the House was reason enough to permit further delay on the bill, although he continued to insist that the common law offered protection from the evils attributed to the factory system. However, Eldon was more reasonable toward the idea of postponing the deliberations, urging Grosvenor to amend his motion for postponement to two weeks. Once again, a compromise proposal was welcomed by the lords, who accepted Eldon's suggestion of a two-week postponement.¹⁷⁹

On February 25, a larger number of peers heard Kenyon propose the appointment of a committee to inquire into the

¹⁷⁷Ibid., p. 343.

¹⁷⁸Ibid., pp. 344-45.

¹⁷⁹Ibid., p. 346.

conditions of the factory children. The opposition presented its usual arguments against the motion, with the Earl of Rosslyn (James St. Clair-Erskine) referring to himself as the factory children's friend because of his efforts to resist any attempt to reduce their working hours. He explained that a reduction in hours would bring a reduction in wages, which would result in their being "exposed to hardships of want."¹⁸⁰ Once again, though, the lords responded to reason and brought an end to the heated debate which threatened further delays in the factory measure.

Lord Holland (Henry Richard Vassal Fox), nephew of the late Whig leader Charles James Fox, reminded the lords that they had heard the evidence of one party, and that they should now listen to the other. He pointed out to them that, by agreeing to a second reading of the bill in the last session, the House had recognized the evidence to sanction the measure. He dismissed the doctrine of non-interference by noting that the Apprentices Act of 1802 had allowed inspectors to inquire into factory working conditions in mills where not only apprentices but also free laborers were employed.¹⁸¹ There was no further discussion, and Kenyon's request for a new inquiry was put to a vote and carried.

The evidence collected in this second investigation by Kenyon's committee was quite similar to the testimony of

¹⁸⁰Ibid., pp. 654-55.

¹⁸¹Ibid., p. 565.

the witnesses examined in 1816. The medical men did not hesitate to state their belief that the employment practices in the cotton industry were definitely harmful to the factory children's health. They backed their opinions with solid facts, having personally examined many factory children to determine the effects of excessive hours of labor. Mr. John Boutflower, a physician from Salford, stated that, "Any person of common understanding would say, they were not healthy children; I do not think it would require a medical man to make that observation."¹⁸²

No less convincing was the testimony of Thomas Wilkinson, a cotton spinner from Bolton-le-Moors, who, when asked if the children were ever beaten, replied, "I have seen hundreds beat, to keep them awake, and drive them on."¹⁸³ The lords were even more appalled when Titus Bryan, a cotton spinner from Manchester, admitted that he had pushed his little daughter down, breaking her arm, for not doing as he said. The committee members declined to question him any further, and ordered him to leave.¹⁸⁴

James Watkins, a magistrate for the district of Bolton-le-Moors, reported that "children employed in cotton factories that have fallen under my observation are generally puny and squalid, especially those who work at mills where steam-engines are used." He also advised the committee that he had, in several

¹⁸²Wing, Evils of the Factory System, p. clxxv.

¹⁸³Ibid., p. clxvi.

¹⁸⁴Pike, Human Documents, p. 114.

cases, found it difficult to obtain information as to the general conditions of the factory children, adding that some of the "wealthy proprietors of large establishments" were guilty of such obstruction of the investigation.

The evidence gathered in the two inquiries had presented arguments for both sides, thus providing an adequate basis for reaching a decision on the bill. On June 14, 1819, the day ordered for the committal of the measure, Kenyon stressed the fact that the factory question was one of "practical humanity, arising out of the actual sufferings of the children" for whom no relief was to be found except from the protective arm of Parliament. He admitted that some of the medical evidence collected had been contradictory, but he was satisfied that sufficient information had been obtained to prove that the excessive labor demanded of the children employed in the cotton factories was injurious to their health, and "called for legislative interference to prevent that waste of human life which such a system produced."¹⁸⁶ Kenyon then presented the bill in the form in which it had been received from the House of Commons.

Only one member of the opposition came forward to contest Kenyon's proposal. Rosslyn, the self-styled "friend" of the factory children, repeated his warning regarding the dangers surrounding any attempt by Parliament to interfere with

¹⁸⁵Kydd, History of the Factory Movement, p. 81.

¹⁸⁶Hansard, Vol. XL, p. 1131.

free labor. He charged the supporters of the bill with proposing to take away the children's "labour, food and cloathing" and replace them with "idleness, poverty, and wretchedness." As the "friend" of the children, and of the parents, and of the interest of the community," Rosslyn felt it his duty to move for the postponement of the committal of the bill for three months.¹⁸⁷

This final effort to delay the bill failed to evoke a response from either side, the lords apparently having already reached a decision on how they intended to vote. The results weighed heavily in favor of the bill, with twenty-seven votes being cast in its favor, and only six votes against it.¹⁸⁸ Following the vote, the House resolved itself into a committee; several clauses were added to the bill, with a report being ordered for the following week.¹⁸⁹

On June 22, the Earl of Shaftesbury (Crompton Ashley Cooper), whose son was destined to become the greatest of all the factory reformers in nineteenth-century England, moved for a third reading of the factory bill. No comments were offered by the supporters of the legislation; however, Grosvenor, who was still unwilling to accept defeat, took the opportunity to warn the lords of the nature and effects of the measure.

Grosvenor expressed his deep concern over the enactment of a bill which had "cast a great stigma on the cotton

¹⁸⁷Ibid., pp. 1131-33.

¹⁸⁸Ibid., p. 1133.

¹⁸⁹Times, June 15, 1819, p. 2. (This is not recorded in Hansard.)

manufacturers," and had "represented them as persons deficient in humanity, and regardless of human suffering." He reminded his fellow peers of the £3,000,000 in taxes then being proposed, and he questioned its timing with the passage of "a measure tending to embarrass one of our most important manufactures." He noted that the amended bill limited the time of labor to twelve hours per day, a mere fraction less than the children were then being employed, so that insofar as the main object of the bill was concerned, it had been rendered practically useless. In spite of his warnings and his declaration to vote against the bill, Grosvenor failed to halt the third reading and passage of the factory measure.¹⁹⁰

The bill was then returned to Commons, where it was not debated any further,¹⁹¹ and on July 2, 1819 the factory bill became the law of the land (59 Geo. III, c. 66). It provided for "the regulation of cotton mills and factories, and for the better preservation of the health of young persons employed therein":

I. That from and after 1 January 1820, no child shall be employed in any description of work for the spinning of cotton wool into yarn, or in any previous preparation of such wool, until he or she shall have attained the full age of 9 years.

II. No person, being under the age of 16 years, shall be employed...for more than 12 hours in any one day, exclusive of the necessary time for meals; such 12 hours to be between the hours of 5 o'clock in the morning and 9 o'clock in the evening.

III. There shall be allowed to every such person ...not less than half an hour to breakfast, and not

¹⁹⁰Ibid., June 23, 1819, p. 2.

¹⁹¹Thomas, Early Factory Legislation, p. 25.

less than one full hour for dinner...between the hours of 11 o'clock in the forenoon and 2 o'clock in the afternoon.

IV. Time lost in water-driven mills by reason of the want or excess of a due supply of water, may be made up at the rate of one additional hour per day.

V. Ceilings and interior walls to be lime-washed twice a year.

VI. A copy of abstract of the Act to be hung up in every factory.

VII. Masters breaking the law to be fined not less than £10 and not more than £20, at the discretion of the justices. Information for offences to be laid within three months of the offence.¹⁹²

Many of the bill's original protective measures had been significantly restricted during its four-year sojourn in Parliament. The limitation of hours of labor had gone up, from ten hours to twelve hours, while the minimum employment age had gone down, from ten years of age to nine years of age. The fines for breaking the law were spelled out, but the provision for paid inspectors had been removed and, with it the means for effective enforcement of the regulations. The principle of the bill, however, had remained intact, for Parliament had asserted its right to extend its protection in matters of labor regulation not only to factory apprentices, the traditional wards of the State, but to all "young persons" laboring in the cotton mills and factories of England.

¹⁹²A. Aspinall and E. Anthony Smith, eds., English Historical Documents 1783-1832 (New York: Oxford University Press, 1959), pp. 734-35.

CHAPTER VI

THE FACTORY BILL "OUT OF DOORS"

Throughout the period of the factory bill's slow-paced proceedings in Parliament, an energetic "out-of-doors" campaign had generated a significant amount of activity, with petitions circulated in almost every village and shire in the cotton factory district, pamphlets published, and letters written, all in an effort to influence the nation's lawmakers and to stir up public opinion either for or against the bill. Some of these extra-Parliamentary forces which possibly played an important role in the deliberations of both Houses will be discussed in this chapter.

Robert Owen, who had been instrumental in bringing the proposed legislation before Parliament, had assumed an active role "out of doors" after it had been introduced in the House of Commons by Sir Robert Peel. During the recess which preceded the scheduled hearings of the Select Committee in 1816, he took his son, Robert Dale, on a fact-finding tour of the principal mills in northern England. As the result of an intensive investigation, they discovered that thousands of children under seven years of age were employed in the mills, with half of the total number of persons employed in the factories being under the age of eighteen. They also found that the great majority of the factory children were condemned to a

working day of fourteen hours, with one and one-half hours allowed for meals, and that work hours were frequently extended to fifteen or even sixteen when commercial requirements demanded it.¹⁹³

When Owen was called by the committee of inquiry to give evidence, he was able to give a vivid account of the sufferings of thousands of factory children in northern England which contrasted sharply with his report on the humane labor practices enjoyed by his employees at New Lanark. Even when he was not being examined, Owen continued to display a deep interest in the hearings by attending every meeting of the Select Committee for two sessions. It was only after he had become so disgusted over Sir Robert Peel's generous concessions to the cotton manufacturers that he decided to wash his hands of the matter, and allow Mr. Nathaniel Gould, a wealthy Manchester merchant and philanthropist, to assume the role of chief spokesman for the "out-of-doors" campaign.¹⁹⁴

Gould, an Evangelical,¹⁹⁵ was a tenderhearted man whose time, talent and fortune had benefitted many charitable institutions in Manchester, including its hospitals, schools for poor children, Sunday Schools and Bible Societies; and he now turned to the task of gathering support for the factory bill. He and his brother, George Gould, were among the witnesses who

¹⁹³Inglis, Men of Conscience, pp. 123-24.

¹⁹⁴Dictionary of National Biography, Vol. XIV, p. 1342.

¹⁹⁵See pp. 99-100 for an explanation of this term.

appeared before the Select Committee in 1816, at which time both of them demonstrated their deep commitment to Peel's Bill as they related information derived from the extensive inquiries they had conducted in an effort to determine the physical and spiritual well-being of the factory children.¹⁹⁶

On March 26, 1818, during the Parliamentary recess, Gould published a pamphlet titled "Information Concerning the State of Children Employed in Cotton Factories" for the use of both Houses of Parliament. In it were assembled a collection of letters from Anglican clergymen and medical men, all testifying to the ill effects of excessive hours of labor on the factory children.¹⁹⁷ The petition presented by Mr. Robert Peel on April 6, 1818, which included the signatures of 1,731 of Manchester's "most respectable citizens," was almost certainly the work of Gould, who by this time had taken his campaign to London on several occasions, where he would take rooms in Dover Street, Piccadilly, in order to be "in the track of members of both Houses." While in residence there, he devoted much of his time to contacting various Members of Parliament, urging them to support the factory bill.¹⁹⁸

¹⁹⁶Kydd, History of the Factory Movement, pp. 61-62.

¹⁹⁷Nathaniel Gould, Information Concerning the State of Children Employed in Cotton Factories, Printed for the Use of Both Houses of Parliament. (Manchester: J. Gleave, 1818) in British Labour Struggles: Contemporary Pamphlets 1727-1850. (New York: Arno Press, 1972), pp. 1-28.

¹⁹⁸Kydd, History of the Factory Movement, p. 62.

On one of his visits to London, Gould was visited by young Mr. Peel, who gave him a £50 banknote as a contribution towards expenses incurred by Gould on behalf of the factory measure. Gould was somewhat startled, and later remarked to a friend that, "Robert is a good fellow, he little knows what I am spending in this business, but he means well, and I will not offend him."¹⁹⁹ During the course of the proceedings on the bill in Parliament, Gould spent at least £20,000 in promoting its enactment; and, fearful that he might die before the factory bill could become law, he included the sum of £5,000 in his will to go towards its passage.²⁰⁰

The only return that Owen and Gould received for their efforts to protect the factory children was an attempt on the part of the opposition to damage their reputations. Malicious rumors were started in Manchester to discredit the efforts of Nathaniel Gould and to darken his good name.²⁰¹ The attempt to shatter Owen's image as a humane factory owner was made by a rival cotton manufacturer in Glasgow, who discovered a former employee of the New Lanark mills who was eager to testify against Owen. The unnamed female accused her former employer of instituting dance lessons for his employees, which led to their being "more fatigued than if they were working."²⁰²

¹⁹⁹ Ibid., pp. 62-63.

²⁰⁰ Ibid., p. 62.

²⁰¹ Ibid., p. 61

²⁰² Inglis, Men of Conscience, p. 125.

Owen was also attacked in Parliament, where George Philips conducted a cross-examination of him in such an offensive manner that the other members of the committee of inquiry voted to remove his remarks from the record.²⁰³

Owen's humane efforts were guided by no religious precepts, he having earlier in life been "forced, through seeing the error of their foundation, to abandon all belief in every religion which had been taught to man."²⁰⁴ Gould, on the other hand, was an outstanding convert to the vigorous moral reformation which had helped to rouse the Church of England from the complacency to which it had succumbed in the eighteenth century.

The Evangelical movement was many-faceted, stressing such features as dynamic preaching, concentration on hymn singing, Sunday Schools, and the preparation of devotional literature.²⁰⁵ However, it was in their energetic, practical Christianity that the Evangelicals made their greatest contribution to the cause of the factory children, and they lent it strong support both in Parliament and "out of doors." Thus, while the strong support of William Wilberforce and his "Saints" represented a more visible aspect of the Evangelical involvement in the bill's legislative proceedings, there was a tremendous amount of assistance rendered by their counterparts "out of

²⁰³Ibid., pp. 125-26.

²⁰⁴Podmore, Robert Owen, p. 20.

²⁰⁵Anthony Armstrong, The Church of England, the Methodists and Society 1700-1850. (Totowa, New Jersey: Rowman and Littlefield, 1973), p. 127.

doors." Nathaniel Gould had his band of "Saints," too, among whose numbers could be found clergymen, medical men, Sunday School teachers, magistrates, merchants, and manufacturers, who signed and circulated petitions, gave testimony either before the committees of inquiry or in the many letters which appeared in pamphlets attesting to the need for protective legislation for the factory children. The influence of these "most respectable citizens"--and in some instances their wealth--resulted in the creation of a powerful lobby for the benefit of the factory bill.

The Methodist tailor, whose bounty hunting had so disillusioned the young apprentice, Robert Blincoe,²⁰⁶ reflected neither Wesleyan philosophy nor practices. Methodist preachers had been very successful in attracting large numbers of the working-class poor to their chapels and Sunday Schools, and they had been well received in the cotton factory district, where thousands of factory children attended Methodist Sunday Schools. There were reasons why this religious denomination appeared to have made little effort to aid the factory children. Methodism's insistence on submissiveness and its emphasis on the virtues of work possibly inhibited any reform agitation by Methodist operatives against the cotton manufacturers.²⁰⁷ Furthermore, any Methodist-led reform group would have had to take into consideration the sect's small numbers, which had accounted for no more than 150,000 followers out of a

²⁰⁶This is fully discussed pp. 12-13.

²⁰⁷Ibid., p. 97.

population of 10,000,000 in the census taken in 1811.²⁰⁸ When the large number of working-class poor included among their ranks is considered, it can be seen why, lacking the power and wealth of the Anglican Evangelicals, the Methodists contributed a limited amount of support to the factory legislation.

The national leadership of both the Church of England and the Methodist Church felt a certain responsibility to do something for the "lower orders;" however, their solution was to build more churches and chapels to minister to the spiritual needs of the poor rather than to actively seek means to improve their earthly requirements. While the Methodists were left to their own devices to achieve their goal, the Established Church was given generous support in Parliament for its building program. In 1818, when the issue of regulating the labor of the factory children was being hotly debated, Parliament voted £1,000,000 to build churches in heavily populated districts of England.²⁰⁹ It was left to the Bishop of Chester and a host of Anglican and Dissenting clergymen to provide the appearance of an official sanction of the factory bill by their respective denominations.

While the campaign in Manchester and the surrounding area provided the bulk of the petitions and witnesses in support of the factory bill, another source of support was at

²⁰⁸Thomis, Town Labourer, p. 180.

²⁰⁹Armstrong, Church of England, p. 180.

work in London to publicize the evils of the factory system. The Times, a Whig newspaper,²¹⁰ and The Courier, a Tory evening gazette, shared a sympathy for the plight of the factory children, although they chose to present the issue using somewhat dissimilar methods.

Thomas Barnes, editor of the Times, did little editorializing during the proceedings on the factory bill; instead, he allowed the facts to speak for themselves. The paper's coverage of the debates was even more complete than the official version in Hansard, not only by including some speeches missing in the Parliamentary records but also because of its practice of mentioning the reaction of the Members to key addresses on the legislation.

The Times also provided prime space for letters and advertisements favorable to the factory bill. One such item, postmarked Manchester and signed "Atticus," appeared in the paper on March 25, 1818, and dealt with "The Question Between the Cotton-Spinners and Their Labourers."²¹¹ The writer stated that the factory issue "is calculated to interest the feelings of every man whose heart is alive to the cause of truth and justice, and open to the tender claims of weakness and of youth."²¹² Interestingly, in spite of the Manchester postmark,

²¹⁰Derek Hudson, Thomas Barnes of "The Times" (Cambridge, England: Cambridge University Press, 1943; reprint ed., Westport, Conn.: Greenwood Press, 1973), p. 23. (The Times left the Whig camp in the 1830s.)

²¹¹The Times, March 25, 1818, p. 1.

²¹²Ibid.

"Atticus" was not one of Nathaniel Gould's "Saints" but, in fact, was the well-known poet and philosopher Samuel Taylor Coleridge, who was devoting considerable time and effort to the task of writing on the factory issue in the rival Courier.

In his ardent support of the factory bill, Coleridge had departed from his usual attitude regarding the solution to society's ills which placed little confidence in the use of legislation to accomplish such ends. He believed that such evils were best remedied by the efforts of society to change itself; and, for that reason, he had favored the abolition of the Slave Trade without supporting Wilberforce's legislative efforts to bring it about. Instead, he suggested that every Christian quit buying the products which provided the wealth of the West Indies colonies, thus eliminating the Slave Trade along with the colonial commercial enterprises.²¹³ For some reason, however, Coleridge did not think the factory issue could be resolved in the same manner, and he decided to lend his literary talents to the cause.

He first became interested in Peel's factory bill on February 20, 1818 after reading in the Courier Sir Robert Peel's speech of the preceding day, resubmitting the factory bill in Commons. Coleridge was worried that the public had not been sufficiently instructed regarding the evil practices in the nation's cotton mills, a matter which he felt should be "ding donged on the public ear in paper, magazine, and three

²¹³John Colmer, Coleridge, Critic of Society. Oxford: The Clarendon Press, 1967), (first published in 1959), p. 44.

penny pamphlets."²¹⁴ Before he began this ambitious project, he consulted with a friend, Crabbe Robinson, and asked him to furnish him "with any other instances in which the legislature has...interfered with what is ironically called "free labour."²¹⁵ It was only after he had determined his course of action that Coleridge sought the necessary outlet for his literary efforts.

Coleridge found a willing collaborator in William Mudford, editor of the Courier, and, together, they began to produce a series of letters and essays for release at critical points of the legislative proceedings in Parliament. During the recess of Parliament which continued from March 18 to April 2, 1818, letters were printed in the Courier or released to the Times, including the letter signed by "Atticus," so that the Members of the House of Commons would not lose sight of the importance of the factory bill. At first, the arguments presented in the letters were stated in an eloquent but dignified manner, but on March 31, a letter was published in the Courier which dealt with the factory question in an entirely different style.²¹⁶

Apparently, Coleridge had concluded that his serious approach to the need to correct existing evils in the cotton factories had not sufficiently "ding donged" his message into

²¹⁴Ibid., p. 150.

²¹⁵Erdman, David V., Editor, Samuel Taylor Coleridge, Essays on His Times, Vol. II. (Princeton: Princeton University Press, 1978), p. 487.

²¹⁶Ibid., pp. 484-89.

the public mind. Therefore, he decided to resort to ridicule, supposedly directed at "Atticus," but, in reality, calculated to point out the absurdities of the arguments advanced by the opposition, particularly the assertions made by Mr. George Philips in Commons on February 23, 1818. Assuming yet another pseudonym, "Plato," Coleridge launched his attack on the cotton manufacturers.

"Plato" praised the factory owners for keeping helpless children from "a state of idleness--the worst misfortune that can befall the age of infancy, by a healthful and innocent employment...in warm and comfortable rooms, at a temperature of 80 to 90 degrees,...not seated at their work, like clerks in a counting-house, but, in the gaiety of their hearts, suffered to run about during the day."²¹⁷ The concern of "Atticus" "That the children frequently grow rickety, are afflicted with various fatal disorders, and die," was lightly dismissed by "Plato," who observed that "Our population is already excessive."²¹⁸ "Atticus" could hardly challenge "Plato's" statement that, "the children, who were "free agents," have neither individually, nor collectively, petitioned Parliament to step forward for their protection," and, therefore, "we have a right fairly to conclude, that they are well satisfied with their present condition, and that this is an act to which they have not given their sanction or concurrence."²¹⁹

²¹⁷Ibid., p. 485.

²¹⁸Ibid.

²¹⁹Ibid., p. 487.

Coleridge followed this stinging satire with two brief pamphlets, in which he resumed his dignified approach to the factory issue. The first of these, "Remarks On The Objections Which Have Been Urged Against The Principle Of Sir Robert Peel's Bill," appeared on April 18, and was followed by "Sir Robert Peel's Bill Vindicated" on April 24. The two pamphlets were released after the debates had resumed in Commons and timed to achieve the greatest possible effect, with the second one being released just a few days before the final debates in the House of Commons.²²⁰

Because Coleridge used various pseudonyms in his writing on the factory bill, certain difficulties have arisen in attempting to ascertain the total contribution made by him. However, his correspondence hints at additional pamphlets,²²¹ and "Answers To Certain Objections Made To Sir Robert Peel's Bill For Ameliorating The Condition Of Children Employed In Cotton Factories," published in 1819, contains several passages which are practically identical in wording to Coleridge's first pamphlet.

The later pamphlet states that:

It seems almost superfluous to animadvert on the assertion made by the opponents of the Bill, that the children working in these Factories are, generally, as healthy as those engaged in any other business--the admission of which would, in fact, imply one or the other of these two inferences:--either all the opinions concerning the laws of animal life, which have been hitherto received by mankind as undoubted truths,

²²⁰Ibid., p. 483.

²²¹Ibid.

and which rest on experiment, must be false; or else, there is a continued interference of a miraculous power, suspending or counteracting those laws, in mark of God's especial favor towards Cotton Factories.²²²

These same sentiments were expressed in the pamphlet attributed to Coleridge in the following words:

It appears superfluous to confute a statement, the truth of which would imply one or the other of two things. Either all the opinions, concerning the laws of animal life, which have been hitherto received by mankind as undoubted truths, must be false; or else there is a continued interference of a miraculous power suspending or counteracting those laws, in mark of God's especial favor toward the Cotton Factories.²²³

The unattributed pamphlet states that:

The adults are amongst the most earnest petitioners that the Bill should pass: their hearts, their prayers, their convictions, derived from their own daily experience, are all in favor of it.²²⁴

Coleridge's pamphlet stated that:

These very adults are among the most earnest petitioners that the Bill should pass. Their hearts, their prayers, their convictions derived from their daily experience, are all with us.²²⁵

Several other comparisons could be drawn between these two pamphlets which give good reason to conclude that Coleridge had some part in the preparation of both publications.

²²²Answers to Certain Objections Made to Sir Robert Peel's Bill for Ameliorating the Condition of Children Employed in Cotton Factories. (Manchester: R. and W. Dean, 1819) in British Labour Struggles: Contemporary Pamphlets 1727-1850. (New York: Arno Press, 1972), p. 13.

²²³Coleridge, Samuel Taylor, Remarks on the Objections Which Have Been Urged Against the Principle of Sir Robert Peel's Bill. (London: W. Clowes, 1818), p. nn.

²²⁴Answers to Certain Objections, p. 18.

²²⁵Coleridge, Remarks on the Objections, p. nn.

Although there is no conclusive evidence to establish the degree of influence exerted on the Members of Parliament by the "out-of-doors" pressure groups, particularly Nathaniel Gould and the "most respectable citizens" of Manchester, and the literary talents of Samuel Taylor Coleridge, there is reason to believe that their pleas did not go entirely unheeded. In 1819, Coleridge referred to his own contributions as "my inefficient yet not feeble Efforts on behalf of the poor little white slaves in the Cotton Factories."²²⁶

While the "out-of-doors" campaign enlisted the help of countless numbers of dedicated individuals who willingly gave of their talents and, in some instances, their fortunes in support of the factory bill, there is no indication that the opposition was given similar assistance. The one pamphlet which opposed Peel's measure was sponsored by the cotton manufacturers; and there is no evidence that any of the period's literati had come forth with an offer to "ding dong" the opposition's point of view in newspapers, magazines and pamphlets, as Coleridge had for the supporters of the bill. For the most part, the support appeared to come from medical men and magistrates who were in the pay of the factory owners or from other individuals who were politically or economically bound to mill interests. In this respect, the "out of doors" faithfully reflects the support and opposition which the bill received in Parliament.

²²⁶Colmer, Coleridge, Critic of Society, p. 150.

CHAPTER VII

SUMMARY

The Factory Act of 1819, which resulted after four years of heated debate interspersed with extended periods of inactivity, was a pale reflection of the reform bill drafted by Robert Owen in 1815 for submission by Sir Robert Peel in the House of Commons. The original intent, to reduce the excessive hours of labor demanded of thousands of children in the nation's textile mills, had been severely impaired, and the few remaining protective clauses rendered practically useless due to the omission of the important provision for the establishment of a reliable means of enforcement for the new labor regulations.

How had the bill, which had promised so much when it was first introduced in Parliament, reached a point where it could deliver so little protection to the factory children? Why had it taken four years to accomplish so little in the way of improved working conditions in the textile mills? The answers could not be found in a single cause, for there were a number of circumstances which made the factory issue more complex than a simple matter of awakening a humanitarian response in the Members of Parliament.

The factory system, which was relatively new in England, had led to a spectacular growth in the textile industry

during the latter part of the eighteenth century. Inventive genius and a generous supply of energy and ambition, aided by the widely-accepted "laissez-faire" economic principle of non-intervention by the State in domestic business practices, had benefitted not only the cotton manufacturers but the nation's treasury as well. England's lengthy war with France had placed Parliament in the position of having to expend most of its energies on the acquisition of funds with which to finance the war, with little time to devote to the monitoring of domestic industry. The cotton manufacturers, left to their own devices, had produced substantial profits by exploiting the labor of the working-classes, particularly the children. The State shared in this commercial wealth through the levying of taxes and duties on the manufacturers' raw materials and finished product; and it received additional funds from the cotton masters, many of whom made generous personal contributions to the war effort.

When Peel's factory bill demanded that Parliament place significant restrictions on the labor practices of an industry which had been supplying large amounts of money to the nation's coffers, several Members of both Houses of Parliament, some with no apparent ties to the cotton industry, objected. They felt that such interference, even when it could be proved that it would be beneficial to the health and well-being of thousands of British children, would prove detrimental to the nation's economic welfare. Accordingly, they vigorously opposed the factory bill by engaging in

heated debates and by employing various tactics in an attempt to delay or to destroy the measure. Ironically, their efforts, while they hindered the passage of the factory bill, were not the sole cause of the bill's snail-like pace; nor were they directly responsible for much of the bill's progressive deterioration.

Robert Owen, who had been instrumental in the initial efforts to introduce the factory bill, deserted the cause at a crucial point in the legislative proceedings, angered at its slow pace and its gradually weakened state. In doing so, he deprived the bill of his undeniable influence with many leading members of the Government. His replacement, Nathaniel Gould, a kind, generous individual who gave unsparingly of his time and wealth in support of the bill, lacked Owen's dynamic appeal.

"Out of doors," the support of the bill was genuine and warmly sympathetic to the plight of the factory children, but was limited, for the most part, to the cotton factory district. While it attracted a large number of clergymen, magistrates, merchants and other "respectable individuals," it failed to produce a charismatic leader who could turn an active "local" effort into a national crusade, a move which might have helped to impress upon Sir Robert Peel the strength of popular support for the bill not only in the cotton district but in the whole of Britain as well.

Peel had acquired considerable political status following his sponsorship of the Apprentice Bill of 1802 in spite

of his refusal to allow the bill's protection to be extended to "free" children. Nor had he made any effort between 1802 and 1815 to ensure the enforcement of his first factory reform bill.

The legislation which Peel introduced in June, 1815, was warmly received and might have passed with little difficulty in Commons had it been acted on more swiftly, an opportunity which Peel allowed to slip out of his grasp. He gave the opposition ample time to build up its forces by permitting sufficient time for circulation of the bill for possible amendments, not submitting his bill again until April of the following year. He followed this ten-month delay with a motion for a committee of inquiry, during the course of whose investigation he promised the opposition generous concessions before any real debates had taken place on the factory question. When Peel became ill, he shelved the bill rather than allowing one of its many supporters in the House of Commons to assume responsibility for its passage. This action kept the matter out of Parliament until February, 1818, when Peel again proposed a delay in the bill's proceedings.

The factory bill might have continued in this manner indefinitely but for the energetic support which it received in the House, particularly from the younger Peel, whose well-received speech of April 27, 1818 did more for the bill than three years of effort by his father. The supporters were equally divided between Whig and Tory factions from all

parts of Britain, with the cotton factory district furnishing some of the most ardent defenders of the bill.

In spite of the obvious attempts by the opposition to destroy the bill and the elder Peel's efforts to maintain his reputation as protector of the factory children without causing serious injury to his standing among his fellow cotton manufacturers, the real friends of the reform were able to rescue the badly-mutilated bill and achieve an important victory in the cause. Young Robert Peel was first to claim this victory during his speech of April 27, when he suggested that an extra half-hour of work was not too much to concede in exchange for the admission by the "party interested" of the need for such legislation. This confession recognized the propriety of interference by Parliament, when necessary, in labor practices which adversely affected the nation's working classes. Lord Kenyon, who led the support in the House of Lords, stubbornly refused to yield to the pressures exerted by the anti-reform Earl of Lauderdale; and Lord Liverpool, the Prime Minister, was able to maintain his strong support of free trade without confusing it with his humanitarian concerns. Among the many others in Parliament who were sympathetic to the cause were the many unnamed Members who enthusiastically supported--and sometimes cheered--those who spoke in favor of the bill, William Wilberforce and his "Saints," the Bishop of Chester, and the ever-faithful Edward Bootle-Wilbraham.

The friends of the factory children could not produce an effective measure for the children who labored in England's textile mills in 1819, but they established Parliament's right to do so. Their achievement could not be recognized immediately, but it provided a foundation, however slim, for the great factory reforms that were destined to be enacted beginning in the 1830s.

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