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A Century of Struggle: The Chimney-Sweep Issue and Related Reform Activity

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A CENTURY OF STRUGGLE:
THE CHIMNEY-SWEEP ISSUE AND RELATED REFORM ACTIVITY

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PREFACE

The great tradition of the English political system emphasized the importance of preserving the concept of continuity in its institutions as upheld by the Constitution. As a result, Great Britain was a force of magnitude on the Continent and took her place proudly among the great powers. However, this English pride in custom became the point of conflict in a controversy involving a traditional occupation--the cleaning of chimneys.

No where in the world was there a custom comparable to that of the forced employment of small children as chimney-sweepers in Great Britain. This trade was inextricably entangled in the culture and economy of a nation dedicated to independence of thought and action.[1] As the eighteenth century drew to a close, men of conscience became aware of the appalling conditions into which a great part of society were born and eventually died. There was no governmental agency to regulate the kind of work children could be channelled into, or the number of hours they could be forced to toil each day.[2]

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[1] Leigh Hunt, Autobiography of Leigh Hunt (London: Smith, Elder & Co., 1891), pp. 156, 189. Hunt did not support the campaign to free the chimney-sweeper, but he did fight for reform in Parliament which was the touchstone for further reforms.

[2] Ibid.

The weary tale of freeing the chimney-sweepers fell to a procession of humanitarians who followed one after another over a period of a century to end with that great social reformer of Christian conscience, Lord Ashley. In the first phase of the struggle, the chimney-sweep movement was contained in itself, but as it moved to the mid-point of the nineteenth century, the abuse of chimney-sweepers became associated with that of the children employed in the factories and mines.[3] Lord Ashley assumed their championship in an unprecedented attack upon the indolent men of his own class, and those of the middle class who cared very little about a savage way of life which could have been forced out of existence by magisterial enforcement of the law any year after 1788, but most unfortunately was allowed to flourish until 1875.[4]

Without the help of Charles Dickens whose enthusiastic readers eagerly awaited the publication of his novels, it is possible that the concept of social reform would not have penetrated the fabric of English culture to influence public opinion. As the nineteenth century reached its climax, public opinion did force the hand of Parliament. Children who toiled

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[3]Friedrich Engles, The Condition of the Working Class in England, tr. and ed. by W. O. Henderson and W. H. Chaloner, (New York: The Macmillan Co., 1958), p. 284.

[4]The Pall Mall Gazette (London), December 24, 1875, p. 10.

in the chimneys or slept in open doorways under the sky were heard, after all, across the land.[5]

I wish to express my heartfelt gratitude to Dr. A. Stanley Trickett for his academic guidance and inspiration in time of stress; to Ellen Lord, Raymond Means, and Dr. John Christ, successive Directors of the Gene Eppley Library, who encouraged my enrollment in the Graduate College; to Elizabeth Laird, the indefatigable Interlibrary Loan Research Assistant; and to my competent typist, Nancy Gustavson.

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[5]Charles Dickens, "London Pauper Children," Household Words, I, 1850, 549-552. Cf. "A Lay of London Streets," Household Words, II, 1850, 36.

Chapter I

THE FORCE OF CUSTOM AND ITS IMPACT UPON REFORM

Reform is a slow evolutionary process in any country where democracy, however imperfect, flourishes in an atmosphere conducive to its presence. In England, an aggressive, independent people carefully nurtured a democratic society which had evolved over many centuries.[1] In this process, the rights of the worker of the lowest order, had been ignored. As the eighteenth century, however, passed its climax, a new thought began to permeate the land--man, regardless of his station in life, possessed a dignity and grace which demanded a corresponding dignity of the highest authorities in their parliamentary and administrative action. ". . . Government was instituted for the good of mankind: kings, princes, governors are not proprieters of those who are subject to their authority; they have not a right to make them miserable."[2]

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[1]Bryce Lyon, A Constitutional and Legal History of Medieval England (New York: Harper & Row, 1960), p. 649. "Certainly few historians would care to support Stubbs in his assertion that the growth of the English constitution can be largely attributed to the "national character" of the English people. . . The success. . . depended upon chance, political and economic chance."

[2]A review of A System of the Principles of the Laws of Scotland by George Wallace in the Annual Register of World Events: A Review of the Year, ed. by Robert Dodsley, et al. (London: 1758-), 1760, III, 263-264. ". . . men and their liberty are not in commercio; they are not either saleable or purchaseable." Archaic "s" will not appear in the quotations. Hereafter cited as Annual Register of World Events, (date), et al.

If it were not right to view Negroes *in commercio*, proponents of chimney-sweep reform recognized a parallel in the "general principles respecting free labour" as applied to the plight of the very young child. These children climbed in terror of their lives several times a day at the instigation of the Master Chimney-sweeper who threatened physical punishment if his orders met with a refusal. There was no law which could not be circumvented by the Master if he wished to force a four year old child up a narrow chimney flue, and no effective protest was raised by the upper class in condemnation of a practice which had become an inescapable and irreplaceable part of their culture from the force of custom.[3]

Assistance for the poor had taken form in the Poor Relief Act of 1598, expanded by the Statute of Charitable Uses of 1601 which extended the original provisions regarding the rate paying group. The modified provisions were in force until the passage of the Poor Law Amendment Act of 1834 exacted a complete revision of the existing laws. Nevertheless, the specificity of the original provision was amazing in an age lacking a social conscience:

> Be it enacted by the authority of this present parliament that the churchwardens of every parish and four substantial householders there. . .,

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[3]Jonas Hanway, *A Sentimental History of Chimney-Sweepers in London and Westminster* (London: Dodsley, 1785), p. 77. Cf., Great Britain, Parliament. *Hansard's Parliamentary Debates*, 1st ser., (1819), XXXIX, 984. (Earl of Lauderdale): "He now dwelt solely on the danger which might be incurred in the metropolis if sweeping boys were abolished." Hereafter cited as *Hansard*, (date), *et al*.

> dwelling in or near the same parish, shall be called overseers of the poor of the same parish; and they, or the greater part of them, shall take order from time to time, by and with the consent of two or more such justices of peace, for setting to work of the children of all such whose parents shall not by the said persons be thought able to keep and maintain their children, and also all such persons married or unmarried as, having no means to maintain them, use no ordinary and daily trade of life to get their living by; and also to raise weekly or otherwise, by taxation of every inhabitant and every occupier of lands in the said parish in such competent sum and sums of money as they shall think fit, a convenient stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff to set the poor on work, and also competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them being poor and not able to work, and also for the putting out of such children to be apprentices. . .[4]

Rate-paying became a necessary evil; the majority of the landowners, however, paid grudgingly and centered their hostility on newcomers to the parish. The Act to Relieve the Poor of 1662 included a provision to prevent this contingency:

> . . . be it therefore enacted . . . that it shall and may be lawful, upon complaint made by the churchwardens or overseers of the poor of any parish to any justice of peace within forty days after any such person or persons coming so to settle as aforesaid in any tenement under the yearly value of £ 10, for any two justices of the peace. . . , of the division where any person or persons that are likely to be chargeable to the parish shall come to inhabit, by their warrant to remove and convey such person or persons to such parish where he or they were last legally settled . . .[5]

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[4]Carl Stephenson and Frederick George Marcham, eds., Sources of English Constitutional History (New York: Harper & Row, 1937), p. 356.

[5]Ibid., pp. 546-47.

There was no clearly defined relationship between settlement and the length of time an individual lived in a particular parish; ". . . he might live all his working life there, yet be removed to his birthplace at the end of it, when advancing age or infirmity compelled him to ask for relief." The rate-payers did not look upon increases in the rates with favor--a fact which limited an adequate amount of supplies and needed equipment for the recipients of poor relief.[6]

Daniel Defoe, a critic of poor relief, did not support the thesis that the poor really wanted to work. He objected to the Workhouses and Houses of Correction and commented ". . . that all these Work-houses, etc. Tend to the Encrease, and not the Relief of the Poor, as to make an humble Tender of mean plain, but I hope, rational Proposals for the more effectual cure of this grand Disease." He attributed the poverty of the poor to ". . . Luxury, Sloath, and Pride," and further asserted that there was not a lack of employment but instead, a lack of laborers. He did concede that there should be some authority exercised over the poor rather than just ". . . setting them to work."[7]

Defoe was not alone in his distrust of the Poor Laws--Henry Fielding and William Hogarth bent their literary and

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[6]Brian Inglis, Men of Conscience (New York: The Macmillan Co., 1971), p. 16.

[7]Daniel Defoe, Giving Alms No Charity, And Employing the POOR A Grievance to the NATION, Being an ESSAY Upon this GREAT QUESTION (London: Booksellers of LONDON and WESTMINSTER, 1704), pp. 14, 25, and 28. Note archaic spelling of sloth.

artistic talents toward the alleviation of the misery which accompanies poverty. Fielding witnessed their wretched existence in his post as magistrate and criticized the artificiality of society in his novels, Joseph Andrewes and Tom Jones. Fielding, through his intimate contact with those involved in crime, concluded that people who are starving will commit misdeeds; his suggestion as a deterrent to crime was to better their living conditions. Hogarth concentrated his narrative painting in various series depicting the hypocrisy of the upper level of society as opposed to the gin-ridden hopelessness of the poor. In his detailed, carefully executed exposés, Hogarth's sympathy lay with the poor, and his ironical brush tarred the form-ridden, rigid aristocrat. Many years after Hogarth's death, William Hazlitt and Charles Lamb were quick to appreciate the dramatic appeal of Hogarth's work and would have acted as one to the assessment of the artist that ". . . the mirror he holds up to Nature is a truthful one and does not, distort, like the enormities of the caricaturist."[8]

Philanthropy did not flourish during the period of Great Britain's loss of power in America and the succeeding threat from revolutionary power in France which ended with

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[8]Henry Fielding, The Complete Works of Henry Fielding with the author's preface and an introduction by G. H. Maynadier (12 vols.; New York: P. F. Collier and Son, 1903), I-II; III-VI. Cf., William Hogarth, Hogarth, the Complete Engravings (New York: Harry N. Abrams, Inc., 1968), plates 188 (note to plate also), 237 and 240. Cf., William Hazlitt, The Complete Works of William Hazlitt, ed. by P. P. Howe (21 vols.; London: J. M. Dent & Sons, Ltd., 1930), pp. 28, 30-31 and Charles Lamb, The Works of Charles Lamb (London: Edward Moxon, 1852, c1840), pp. 540, 542.

Napoleon's defeat at Waterloo in 1815. During these years, life in England flowed along its customary course within the limits set by aristocratic direction for the past three centuries with only its surface placidity disturbed by the Industrial and Agricultural Revolutions. These movements were inescapably entwined since the enclosure of common land deprived the agricultural laborer of his bare sustenance and drove him to the parish for poor relief. There were many who fell under the iron heel of privilege; thus it is not surprising that Jonas Hanway's plea in 1785 in regard to the chimney-sweepers' plight seemed an exaggeration.[9]

The aristocracy recognized two divisions within the middle class; the upper middle class who were related to the aristocracy even if for two or three generations engaged in trade, and the lower middle class composed of the clerks, small shopkeepers, and yeomen on the farms in the country. The social barriers were not as finely drawn in the industrial cities as they were in the country, since the clerks and shopkeepers, as well as the mill owners, were independent of each other. Thus, a democratic impulse began to flower in the city which was not met by a corresponding force in the country where custom was rigidly enforced by the landowners and the

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[9] G. D. H. Cole, The British Common People, 1746-1946 (New York: Barnes & Noble, 1961), pp. 126-28. Land was the source of great wealth and consequently, power, in the eighteenth century. The industrial cities were to flower in the nineteenth century.

inferior orders. Generally, the aristocracy and the upper middle class joined in concert to maintain their favored political and social philosophy.[10]

Governments in the reigns of King George III and King George IV derived their support from the country gentry and nobility, and power was exercised by those politicians enjoying their favor. The country gentry, so ably delineated by Jane Austen, provided the source of governmental power. As in previous generations, this powerful group continued to receive appointments to the King's Bench and were active in the Quarter Sessions which perpetuated their control in the counties. The moral responsibility of the landowner as to the welfare of his people was felt to be considerable, and each succeeding heir learned from the cradle that the people on his land were his individual responsibility. His personal care and concern ended with his people.[11]

Religion was, as the affairs of government, a matter of concern to the upper class. The great French student of nineteenth century Britain, Halevy, said that ". . .England was not only remarkable for its intense religious life [but] was also a country which could boast a high level of culture--

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[10]Cole, The British People, p. 71 and p. 87; "Educationally and culturally, there was a far deeper cleavage between the skilled apprenticed craftsmen and the unapprenticed labourers below them than between these craftsmen and their employers. . ."

[11]William Howitt, The Rural Life of England (Shannon, Ireland: Irish University Press, 1971), p. 15. Cf., p. 20.

artistic, literary, philosophic." [12] This class held the orthodox religious belief of the Established Church, believed firmly in the literal interpretation of the Bible, and in the existence of an actual Miltonian heaven and hell at the end of human existence. In an age when religious training was to become imperative for the very young, the parish children in London possessed only an imperfect awareness of God. The Methodist movement, along with other Dissenters, organized and supported Sunday Schools with the express purpose of teaching religious principles to children who would not be subjected to that kind of training in the home. The lower class felt akin to Methodist doctrine which plainly taught all men, regardless of class, were equal in the sight of God.[13]

The Evangelicals, a reform movement working within the Established Church, also felt a concern for the morality of the nation. Their influence on the upper class paralleled that of the Methodists among the lower class. The French Revolution, which terrorized the English aristocracy and the upper middle class, did much to change attitudes regarding the beneficence of religion for the working people of the nation, since the privileged believed that law and order were

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[12] Elie Halevy, A History of the English People (6 vols.; New York: Barnes & Noble, 1938), I, 387. Cf., in reference to the Methodists, Edward Irving, M. A., "For the Oracles of God, Four Orations; For Judgment to Come, an Argument in Nine Parts," Quarterly Review, XXIX (April-July, 1823), 296. "But the first and leading principle of the success of the Methodists was their itineracy."

[13] Ibid.

a concomitant result of religious training. The Evangelicals' dream of reform in society extended to chimney-sweepers, factory children, prisoners, and the slaves in the Colonies.[14]

The earliest attempt to correct child abuse originated with a successful business man who became an equally successful philanthropist, Jonas Hanway. After 1758, his disapproval of the administration of the Foundling Hospital in London led to extensive research on the facilities of the poorhouses and workhouses of England. His findings were ignored by the authorities in a century when foundlings were considered as the flotsam of society. Not deterred from his purpose, he concentrated upon a revelation of the facts. He released statistics on the combined London parishes of St. Giles-in-the-Fields and St. George's, Bloomsbury whose workhouses managed to save only the life of one infant in ten during the first year after admission. The upper class residents, who lived nearby, were shocked by his declaration ". . . that they had not merely been unChristian, they had been accessories to murder."[15]

Hanway then found time to investigate the condition of chimney-sweepers which had been brought to his attention

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[14]Arthur Bryant, The Age of Elegance, 1812-1833 (New York: Harper & Brothers, 1950), p. 275. Cf., Hanway, A Sentimental History, p. 9 for his comment about Mr. Raikes, the gentleman of Gloucester.

[15]Inglis, Men of Conscience, pp. 24-26. Cf., Hanway, A Sentimental History, p. 54.

in 1760 in a letter to a newspaper. His research on this subject resulted in the publication of his Sentimental History of Chimney-Sweepers in London, but there was little change in public opinion. Parliament did pass a Bill in 1788 to safeguard these children, but, unfortunately, its regulatory provisions lacked enforcement power. However, it was a beginning and gave the impetus to a struggle which was to last over a period of 100 years.[16]

As the eighteenth century waned, Hanway, now at the zenith of his power, became more determined to alleviate the wrongs inflicted upon the chimney-sweeper. He found that parish officials lowered the total rate-payers' expense by apprenticing as many parish children as possible to the Master Chimney-sweepers. The Master, in turn, received payment from the parish for hiring each apprentice. Following an investigation as meticulous as that into infant death twenty-five years earlier, Hanway concluded that the chimney-sweep system was actually a form of slavery. Age was no factor; children as young as four years old were found cleaning chimneys. At the opposite of the age spectrum, boys, who in other occupations were considered adults, worked to age twenty-four and then were thrown back upon the parish unable to work because of their job-created deformities or their lack of knowledge

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[16]Hanway, xx, "For the Public Advertiser. There is in this capital an evil of a most crying nature. . ." Signed by AMBULATOR.

of another trade.[17]

In his Sentimental History, Hanway dedicated his remarks to "HUMANITY" and threatened: ". . . THAT YOUR reputation in this land, renowned for your having many warm adherents, is in greater danger than this immediate jewel of the 'soul' ought to be exposed to."[18] His immediate premise was based on the fact that as a Christian, each individual must take Christ's example as his precept and so conduct himself as God's representative on earth ". . . promoting the order and harmony of the intellectual world."[19] No one should allow his faculties ". . . to be lulled by the fascinating powers, or arbitrary mandates, of tyrannical custom; nor your mental vision to be obstructed by the gloomy habit and attire in which they appear; for being clothed in misery, they claim your protection so much the more. . ."[20]

Hanway stated solemly that in all commercial nations, it was a common wish to support industry, and it was only practicable to realize that ". . . they [chimney-sweepers]

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[17]Hanway, A Sentimental History, p. 77. The author describes a child as follows: "He is now twelve years of age, a cripple on crutches, hardly three feet seven inches in stature. He began to climb chimnies before he was five years of age, his bones not having acquired a fit degree of strength." Cf., Inglis, Men of Conscience, p. 31.

[18]Ibid., i. "That your character has been ever held sacred among men, from its correspondence with the precepts of Christianity, extended even to that divine mercy which the Christian is required to observe and imitate. . ."

[19]Hanway, A Sentimental History, iv.

[20]Ibid., vi.

being very useful to the safety and pleasure of millions of fellow-creatures, they claim a return of a decent comfort support of animal and intellectual life."[21] He did not reject the belief that it was impossible to place these children on ". . . an equal footing with all those who labour. . ."[22] He did, however, advocate a change in chimney construction to eliminate what he considered as an evil.

His investigation of chimney-sweeping procedures in other cities led him to Edinburgh where the sweeps were ". . . a part of the police of the city, under the control of the magistrates."[23] Their number could not exceed a certain level, and they carried a prototype of the modern group health insurance. Their duties included active participation in a fire brigade; the soot which they collected from the chimneys was not sold for a profit as in England but was ". . . for the common benefit of the whole fraternity."[24] No boys were considered employable; two sweepers worked together ". . . with a birch-besom, similar to that used by ostlers, a short ladder,

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[21] Hanway, A Sentimental History, vii.

[22] Ibid., viii. Hanway admittedly recognized the need for a modification of existent chimneys, but he did not underestimate the power and prestige of the owners of those narrow-flued chimneys. Thus, he concentrated his total effort on the alleviation of the chimney sweeper's suffering.

[23] Hanway, A Sentimental History, xvi.

[24] Ibid., xvii.

and a rope."[25] One climbed out a window at the top of the house and ascended to the roof by means of the ladder. He then let the besom down the chimney to the sweeper below who helped him to clean all sides of the chimney. Hanway appeared to be puzzled that this method was not in use in London.[26]

Hanway also devoted his attention to methods employed by chimney-sweepers on the Continent. The Russian sweeper cleaned with ". . . brushwood tied to a cord with a weight affixed, which carries it down from the top of the chimney, from whence it is pulled up again, and in a short time, by this simple method, the chimney is swept."[27] The Russian chimneys, like the English also had "twining passages" but these were not cleaned. On the other hand, Hanway learned that chimney-sweeping throughout Germany was a male occupation. Men cleaned ". . . chimnies being made large, and accommodated to manly strength." They wore a climbing suit of leather with a matching cap which could cover the eyes and mouth if necessary. Ladders were also used in the performance of their work.[28]

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[25]Hanway, A Sentimental History, xvii. "If this method be pursued by us, let us at least avoid such practices as tend to destroy the lives of children, such as forcing them up chimneys which are on fire; or to climb chimnies too strait in their dimensions."

[26]Ibid., xvii. ". . . they regularly sweep clean every side of the chimney, in which they are very expert."

[27]Ibid., p. 83.

[28]Ibid., p. 101. The German group could not exceed a certain level; "in this manner they perform their work, appearing when their smutty task is done, clean like other persons. . ."

Hanway called for better care and humane treatment for the chimney-sweepers along with other workers in England. In an ironical comment, he pointed out that the first peer of the realm would be condemned to death if he murdered a Master Chimney-Sweeper's boy. If the boy inherited a large fortune, the law would make certain that he inherited his wealth.[29] Yet, there was no law to ease the boy's state of misery. ". . . In a well-regulated free community, every child is as much an object of the protection of the state as the adult; but what adult submits, much less contracts for such treatment as shown to these poor children?"[30]

As an alternative to brutality, Hanway suggested that a fraternity of chimney-sweepers should be formed. To facilitate this association, he called for the intervention of Parliament since he had learned, from his fight on behalf of the parish infants, what weight this august body carried in philanthropic action.[31] His concern was great regarding those Masters who had no organized trade and often let out their apprentices to other sweepers. The boys, belonging to the inferior Masters, slept on the bags of soot which they collected from chimneys and were awakened before daylight to walk without shoes or stockings a mile or two to work. Their

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[29] Hanway, A Sentimental History, p. 12.

[30] Ibid., p. 14.

[31] Ibid., p. 19.

clothes hung in tatters over bleeding sores, and their limbs were twisted from climbing the tortuous chimneys. As a result of their lack of clothing, cancer often developed in the scrotum constantly irritated by the heat and soot.[32] Despite his horror of this occupation, Hanway repeatedly referred to it ". . . as so necessary to the community."[33]

Hanway found that small girls were also employed as chimney-sweepers. He perceived there might be reason since ". . . their smaller bodies often fit into the smallest flue without difficulty."[34] He was appalled by the prospect of forcing girls up a narrow chimney naked as was the practice with small boys. Apparently, clothes were an impediment in climbing the narrow flue. He commented: ". . . May not the distinction of men and brutes be levelled by the force of custom?"[35]

It came to pass that Hanway placed the blame squarely on custom for the support of a service which employed children from five to twelve years of age, ". . . a service unrecorded in history, ancient or modern." He called it ". . . a kind of idolatrous practice of offering to ignoranec [sic] ignorance, indolence, or convenience; and I must confess, for my

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[32]Hanway, A Sentimental History, pp. 26-28.

[33]Ibid., p. 24.

[34]Ibid., p. 53.

[35]Ibid., p.

own part, I so little expect any change of mode . . ."[36] He closed his plea for the chimney-sweepers with a proposal for a reduction in the original cost from twelve shillings to twelve pence for every parish apprentice indenture. He included the consent of the child's father and so restricted his service that he should ". . . not absent himself from the service of his said master, day or night, without his leave."[37]

Parliament was sufficiently aroused by Hanway's revelations to pass an Act in 1788 which included an indenture plan, suitable clothing for the chimney-sweepers, age limitation, and supervision of the Master-Chimney-sweepers, but unfortunately the magistrates had no authority to enforce the provisions. Records of apprenticeship continued to be almost non-existent, and parents continued to sell their children into "slavery" for approximately £3.[38]

After 1783, William Pitt, the younger, and the Tories exercised vast political power with little interference for nearly a half century. Pitt favored reform programs until 1793 when the shocked reaction to the French Revolution checked such action. The Whig Party, which theoretically

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[36] Hanway, A Sentimental History, pp. 115-116.

[37] Ibid., pp. 124-125.

[38] Ibid., p. 100. Cf., 28 Geo. III, cap. 48. The indenture fee was paid to whoever placed the child with the Master Chimney-sweep. Hanway's plan would have included an official registration of the child which would have been covered by the indenture fee. When the parent gave the child to the Master, he pocketed the fee.

should have instituted reform, resisted Pitt's early efforts and, as a result, found little favor among the active reformers. The royal authority was slowly eroding in this period, and Pitt did not impede the process.[39] Pitt supported a policy of reform in Parliament in order to extend the vote to the populace of expanding industrial cities and to lessen the power of those districts which had little population but full representation. It was, however, a political gambit to equalize the power within the county and his own party, rather than an attempt to give the lesser men a voice in public affairs.

> Poor men whose house and field were the property of a nobleman could not but feel themselves absolutely dependent upon him. Of these it is no paradox but the simple truth to say that electoral corruption was their first instrument of emancipation.[40]

By 1785, as a result of the Industrial Revolution, Great Britain had expanded its wealth and power, but it would be untrue to imply that a corresponding stability permeated its social and economic life. There was a very real fear of those revolutionaries who were grimly bent on political, social, or economic reform. Halevy noted that the presence

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[39] Archibald S. Foord, His Majesty's Opposition, 1714-1830 (Oxford: Clarendon Press, 1964), p. 402. George III discarded the Whigs, but he soon found that he had exchanged his independence for dependence when he called on Pitt to lead the Government.

[40] Halevy, A History of the English People, I, 130. Cf., Foord, His Majesty's Opposition, pp. 414-415.

of rebellion or even the need to threaten it proved that the Constitution did not function in its role as a safeguard to liberty.[41] When the Crown and both Houses of Parliament found their interests coincident rather than opposite, the balance of political force was thrown out of focus. Radical reformers, aware of this imbalance, urged either rate-payer representation or universal male suffrage to ensure the fulfillment of the will of the people.[42]

G. Talbot Griffith, in his Population Problems of the Age of Malthus, believed that the increase in population in the late eighteenth and early nineteenth centuries was a factor ". . . owing to a rise in the birth rate and a fall in the death rate."[43] Such an increase meant that the lower classes, which reproduced at a much faster rate, were unable to care for the growing number of children who were then thrown upon the parish. Griffith was criticized for inaccurate birth figures in the years following the publication of the first edition of this title in 1926, although the decline in the death rate in England was still thought to be related to the growing prestige of the medical profession. He defended his position in the introduction to the second edition of his work

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[41] Halevy, A History of the English People, I, 170.

[42] Ibid., I, 170. William Cobbett became the leader of this group in the coming century of reform.

[43] G. Talbot Griffith, Population Problems of the Age of Malthus (New York: Augustus M. Kelley, Bookseller, 1967), p. 259.

forty years later with the irrefutable statement: ". . . no satisfactory birth rate or death rate figures for the period before reliable Censuses and Civil Registration can be compiled if there is uncertainty about the relation of baptisms to births and burials to deaths."[44] He conceded that economic and environmental changes possibly did make a greater impact upon the total population increase than he thought possible in 1926, but there was no doubt about the tremendous population upsurge which placed a greater burden upon the apprenticeship system in all trades than ever before.

The eighteenth century closed with no significant contribution to reform--the appalling reaction of the French Revolution sealed the doom of the oppressed lower class until well into the nineteenth century, but the spirit of a new age was upon them. Hanway had remarked fifteen years earlier that ". . . custom may reconcile him the [chimney-sweeper] to his misery, but it is not less our duty to soften down the rigours of it."[45] He recommended waging war with misery, for ". . . it will become the more cruel tyrant; nor can an evil of this kind exist, without training up many bad companions."[46] His surmise proved correct; as the years mounted in the new century, the controversy over the discontinuance of chimney-

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[44]Griffith, Population Problems of the Age of Malthus, vii.

[45]Hanway, A Sentimental History, p. 45.

[46]Hanway, A Sentimental History, p. 98.

sweepers only deepened the widening gulf between protagonists within both the Tory and Whig Parties.

Chapter II

REALIGNMENT IN ENGLISH REFORM: THE CHIMNEY-SWEEP ISSUE

The nineteenth century of reform was born amid a reaction to reform. Those who had at first heralded the spirit of the French Revolution feared its excesses. Moreover, they believed that the creeping poison of revolution had infiltrated the mind of the English lower class.[1] As a result, Habeas Corpus was suspended in May, 1794. Thomas Paine's Rights of Man, published as a rebuttal to Edmund Burke's Reflections on the Revolution in France in 1790, created an atmosphere felicitous to a universal feeling of equality, and the Government viewed its alarming principles as seditious in nature.[2] Its provisions were to become law in a later century, but in the year 1790, Paine's advocacy of free education and work for the unemployed poor, joined to an estate tax for the rich, proved to be a confirmation of the aristocracy's rising fear.

The English were not fearful, nor did they desist from their daily tasks during that first decade. However, Napoleon's looming presence was felt by all, and children were constantly reminded that "Boney" would catch them if they were naughty.

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[1] Cole, The British Common People, p. 160.

[2] Ibid., p. 114.

Vague rumors of Napoleonic atrocities filtered throughout all levels of English society--patriotism flourished in such a fertile ground.[3] Food riots occurred in the major cities of Birmingham, Oxford, Nottingham, Coventry, Norwich, Stamford, Portsmouth, Sheffield, Worcester, and in the end, London. The Lord Mayor of London found he had to call out the Tower Ward Volunteers to disperse the mob as it moved across the metropolitan area in search of relief to their problem of high prices.[4] A Royal Proclamation was issued to the effect; ". . . strictly commanding and requiring all the Lieutenants of our Counties, and all our Justices of the Peace, Sheriffs, and Under-Sheriffs, and all civil officers, whatsoever, that they do take the most effectual means for suppressing all riots and tumults. . ." The scarcity of corn [grains] remained a problem throughout 1800--importation of corn from the Continent did not prove to be a success. The European corn growers did not respond--the threat of war was accountable in part.[5]

Pitt died and the all-Tory Ministry came to an end--Grenville, Fox, and the Whig Party shared the reins of power briefly in 1806 and 1807. Despite the fear of violence, a

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[3]John Ashton, The Dawn of the XIXth Century in England, [a social sketch of the times] (London: T. Fisher Unwin, 1890), pp. 93, 94.

[4]Ashton, Dawn of the XIXth Century in England, pp. 19, 20.

[5]Ibid., pp. 25, 28. Cf., Cole, British Common People, pp. 119-120.

desire for change had been slowly emerging in a cautious move for reform which, in turn, allowed competitive rival policies to be voiced by opposing political leaders.[6] No single political figure of Pitt's stature came to the forefront of politics to knit a cohesive party from men of varying ability and temperment. ". . . In an age when the contagion of ideals threatened to dissolve the forms of civil society," it reads, "he [Pitt] rallied the loyal, the sober-minded and the good around the venerable structure of the English monarchy."[7]

The Government remained adamant against reform, and its disgust with the result of the flowering of liberty and equality among men in France was shared by many Englishmen. William Wordsworth, one of the great Romantics, walked the byways of France in the early days of the Revolution in quest of equality; he recalled those moments in his "Residence in France."[8] But later, in a complete reversal of position, Wordsworth cynically and prophetically observed of Napoleon in 1809: ". . . Curses are his dire portion, scorn and hate,/ Internal darkness and unquiet breath;/And, if old judgments

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[6]Asa Briggs, The Age of Improvement (London: Longmans, Green and Co., 1959), p. 150. "Roman Catholic disabilities" had a hearing, and a new radicalism emerged in the person of William Cobbett, Sir Francis Burdett, and Francis Place. Cf., p. 180.

[7]Briggs, Age of Improvement, p. 149. Briggs quoted from a Guildhall Memorial speech made by William Wilberforce.

[8]William Wordsworth, "Prelude" in the Complete Poetical Works of William Wordsworth with an introduction by John Morley (London: Macmillan and Co., Ltd., 1908), pp. 299-314.

keep their sacred course,/Him from that height shall Heaven precipitate/By violent and ignominous death."[9] His early enthusiasm had been shared by William Hazlitt, a Romantic essayist, who alone remained devoted to the ideals of liberty and fraternity, as well as to his hero, Napoleon. He sadly commented:

> While my friend Leigh Hunt was writing the Descent of Liberty, and strewing the march of the allied Sovereigns with flowers, I sat by the waters of Babylon and hung my harp upon the willows. I knew all along there was but one alternative--the cause of kings or of mankind. This I foresaw, this I feared; the world sees it now, when it is too late. Therefore I lamented, and would take no comfort when the Mighty fell, because we, all men, fell with him, like lightning from heaven, to grovel in the grave of liberty, in the style of Legitimacy![10]

The upper class, supportive of Hazlitt's sneer, the "cause of kings," enjoyed a life in which pleasure was the focal point. There were individual exceptions, but the greater number believed that life depended on Venetian breakfasts, morning calls, rout parties, theatre parties, and balls. It was not uncommon to have five or more engagements per day, and a rigid social code governed the behavior of men and women at these gatherings. It was an era of immorality--children within a family did not always share a common father. Nevertheless, a strict code also governed dalliance, and even a

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[9]Wordsworth, "Look Now on That Adventurer Who Hath Paid," in the Complete Poetical Works, pp. 390-391.

Hazlitt, Complete Works, XII, 122. Cf., Hunt, Autobiography of Leigh Hunt, pp. 24, 177; A Review of "Political Essays, with Sketches of Public Characters," by William Hazlitt in the Quarterly Review, XXII, (November-March, 1820), 158-163.

Lady Caroline Lamb could not subvert society's restrictions.[11] Land was the sinecure to wealth and power in Parliament, and the aristocracy jealously guarded their authority. ". . . Too many of the landowning politicians of the Regency, the men who hooted in the Commons or Lords any modest attempt at reform, were hard and narrow, either without imagination and generosity or secretly frightened."[12]

A Romantic poet, as well as a landed aristocrat, Lord Byron played the dual role of disinterested landlord and immoral aristocrat. His genius was revealed in his vivid description of rock-bound landscape and pounding seas. His poetry, however, lacked the mysticism of another aristocrat, Percy Bysshe Shelley, who forsook the ways of his ancestors in an unconventional life style but wrote memorable lines which have eternal meaning to each generation.[13]

A severe critic of the pleasure principle was William Cobbett, one of the most controversial political writers of his day. His Political Register established in 1802, recorded

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[11]Ashton, Dawn of the XIXth Century in England, pp. 354-360. Cf., J. B. Priestley, The Prince of Pleasure, and His Regency 1811-20 (New York: Harper & Row, Publishers, 1969), pp. 51-55. Cf., Bryant, Age of Elegance, p. 379.

[12]Priestley, Prince of Pleasure, p. 41.

[13]George Gordon Noel Byron, Byron, 6th baron, Byron's Works, ed. by Ernest Hartley Coleridge (6 vols.; London: John Murray, 1918), I, 457. "O'er the hushed deep the yellow beam he throws,/Gilds the green wave that trembles as it glows." Cf., Percy Bysshe Shelley, The Works of Percy Bysshe Shelley, ed. by Roger Ingpen and Walter E. Peck (10 vols.; New York: Gordian Press, 1965), III, 166. "Thoughts are but shadows which the flashing mind/From the swift clouds which track its flight of fire/Casts on the gloomy world it leaves behind."

the fortune of the country. Cobbett more often than not expressed disapproval of the Government's vast power.[14] Hazlitt regarded Cobbett as a "fourth estate" involved in politics and highly regarded his ability as a writer in his comparison of Cobbett and Paine:

> Paine's writings are a sort of introduction to political arithmetic on a new plan: Cobbett keeps a day-book and makes an entry at full of all the occurrences and troublesome questions that start up throughout the year. Cobbett, with vast industry, vast information, and the utmost power of making what he says intelligible never seems to get at the beginning or come to the end of any question: Paine, in a few short sentences, seems by his peremptory manner "to clear it from all controversy, past, present, and to come." Paine takes a birds-eye view of things, Cobbett sticks close to them, inspects the component parts, and keeps fast hold of the smallest advantages they afford him.[15]

Cobbett favored the conservative Tories who refused to support Pitt during the first six years of the new century. The Ministry of All the Talents did not impress him nor did Canning and Castlereagh's successful assault on the Tory power. As he became more involved in the political struggle of the day, he abandoned his distrust of parliamentary and electoral reform. In 1810, Cobbett encountered the same fate, as Leigh Hunt was to do at a later date, when he was sentenced by Lord Ellenborough to two years imprisonment. His highly

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[14] William Cobbett, Political Register, July, 1810, in Selections from Cobbett's Political Works (6 vols.; London: Anne Cobbett, 1935), II, 288.

[15] Hazlitt, Complete Works, VIII, 52. Cf., p. 57 "He writes better in favour of Reform than anybody else; he used to write bitter against it." Cf., Bryant, Age of Elegance, pp. 406-407.

explosive article in the Political Register of July 1, 1809, regarding the whipping of militiamen who had mutinied against their German Legion guards, fanned the Government's resentment into open wrath.[16]

Although poles apart in sentiment, the Evangelicals shared Cobbett's disgust of the Prince Regent and the pleasure-bent aristocrats. William Wilberforce and Hannah More, two of their better-known members, were deeply involved in the Christian movement. Wilberforce, a member of the Clapham Sect, spearheaded a policy of reform, and More wrote Christian literature which enjoyed a modest success among the Evangelicals. Prior to the Regency, Wilberforce's agitation for the Abolition of the Slave Trade had been brought to a triumphant close in 1807. His kindness and humor gave depth to a character dedicated to God in direct contrast to a more narrow-minded rigidity on the part of Hannah More. In general the Evangelicals, however, regarded the Poor as a group upon whom they bestowed their benevolence.[17] A statement contained in an Evangelical address to the Poor reveals the patronizing, lofty attitude of the group: ". . . [This] has also enabled you to see more clearly the advantages you derive from the government

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[16]Cobbett, Selections, III, 376-380.

[17]Priestley, Prince of Pleasure, pp. 55-56. Cf., Annual Register of World Events, 1807, XL, 115. General Gascoyne was quoted: "The church, the theatre and the press, had laboured to create a prejudice against the slave trade."

and constitution of this country--to observe the benefits flowing from the distinction of rank and fortune, which has enabled the high so liberally to assist the low . . ."[18]

Great wealth, abject poverty, excessive morality and immorality, and a careless cruelty were the polaristic tendencies of a society which was to witness a dogged struggle to release the chimney-sweepers from their cruel occupation. The Prince Regent graciously consented to be a patron of the Society for Superseding the Necessity of Climbing Boys which was organized in 1800. His influence would have been far-reaching if his subjects had been unanimous in their assessment of his character, but they were not. Many opposed his dedication to pleasure: ". . .He would have made a splendid show-figure for a nation rightly prosperous, with contented subjects everywhere; but as it happened his extravagant love of pleasure gleamed and flared against a dark background of frustration, poverty, and despair."[19]

William Tooke, the Secretary of the Society, was its most indefatigable member. He channelled his energies into a single-minded drive to alleviate the problems of the chimney-sweepers. He was aware of Jonas Hanway's contribution in the previous century to the chimney-sweep legislation of 1788, good in intent but sadly lacking in legal force.[20] Many years

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[18]Priestley, Prince of Pleasure, p. 57.

[19]Ibid., p. 33.

[20]Hanway, A Sentimental History, pp. 106-114.

later he was to testify: ". . . The principal ones [provisions] were rejected in the House of Lords. . . . I understood that those clauses were for licensing all master chimney-sweepers, having an accurate register of the names and ages of these apprentices, and for preventing the calling of the streets, as it is termed." [21]

The Society contacted the most reputable Master Chimney-Sweepers who were encouraged to form an association with the purpose of commending cleanliness and health care among their sweeps. Inspectors were provided to account for all the Master Chimney-Sweepers within the bills of mortality--they found an estimated 200 Masters with 500 boys apprenticed to them. However, only about twenty were reputable tradesmen who obeyed the general points of the Act. On the average, each Master had about three boys apprenticed to him. The Inspectors found that a group of ninety in number were inferior Masters and extremely indifferent to the welfare of their apprentices. The remaining ninety were chimney-sweepers who were former journeymen unable to enter other trades after their apprenticeship. Their chimney-sweepers were not necessarily legal apprentices. Tooke cited cases of parents who "sold" their children to chimney-sweepers for about five guineas--

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[21] Great Britain, Parliament, Sessional Papers (House of Commons), (1817), VI; Reports June 11, 1817, "Report from the Committee on Employment of Boys in Sweeping of Chimnies: Together with the Minutes of the Evidence Taken Before the Committee," 177. Hereafter cited as B.S.P., (date), et al.

in such an arrangement, there was no legal apprenticeship. A Master with children of his own did not believe it was necessary to apprentice them legally; it was often found that these children were the youngest employees among the chimney-sweepers.[22]

Upon further investigation by the Inspectors, the Society discovered that the general character of the Masters was inferior, and the condition of the sweeps was deplorable. Shrewdly realizing it would be impossible to change existing conditions overnight, the Society advertised prizes for the invention of a "machine" which would replace the boys in the trade. In the meantime, the Society organized in the House of Commons a movement sympathetic to the chimney-sweepers in an attempt to protect these boys until a "machine" could be invented. The members of the Society recommended the appointment of guardians and trustees for the purpose of licensing and registering all chimney-sweepers who lived within ten miles of the Royal Exchange.[23] Apprentices were also to be provided with an opportunity to train for another trade after the age of sixteen, and the purchase or sale of the services of apprentices was to be abolished. In an attempt to place the relationship between the Master and sweep upon a more personal

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[22] B.S.P., (1817), VI, 177-178. There were no legal papers or receipts in cash apprenticeship as effected by the Master and the child's parents.

[23] Ibid., 178-179.

basis, the trading of sweeps among the Masters was to be illegal. Historically, it was too soon for such a detailed onslaught upon a business which was considered an economic necessity, and the Society reluctantly was forced to accept this hard fact. Instead, they concentrated upon the need to provide a cleaning device to supersede the chimney-sweep.[24]

William Smart invented the much desired "machine" in 1803; the following decade, it was improved upon slightly by replacing the rigid joints with one which could be telescoped:

> A large brush made of a number of small whale-bone sticks, fastened into a round ball of wood, and extending in most cases to a diameter of two feet, is thrust up the chimney by means of hollow cylinders or tubes, fitting into one another like the joints of a fishing rod, with a long cord running through them; it is worked up and down, as each fresh joint is added, until it reaches the chimney pot; it is then shortened joint by joint, and on each joint being removed, is in like manner worked up and down in its descent; and thus you have your chimney swept perfectly clean by this machine, which is called a Scandiscope.[25]

Smart's "machine" failed in cleaning only those chimneys which were constructed with such sharp angles in the flue as to prevent the "machine" from reaching the top. He found that an ordinary flue measured 9" x 14", but others were as large as 12" x 18".[26] The most difficult chimney to sweep

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[24] B.S.P., (1817), VI, 178-179.

[25] Inglis, Men of Conscience, "The Last Chimney-Sweeper," p. 358. Cf., B.S.P., (1817), VI, 182. Smart demonstrated a "machine" he had constructed the same week [June 9, 1817] as the session at which he was testifying. He did not sweep gentlemen's chimneys.

[26] Ibid.

either by a boy or a "machine" was described as running along a flat, dead slant--a chimney running in different directions was this type. The chimney which ran upon a shelving slant could be cleaned by the "machine." In their investigation of chimney construction, Society members found that a chimney could be broad at the bottom, but often narrowed as it approached a higher point. On an average, most chimneys were termed as straight, but there were a number of chimneys described as bent. Thus, the chimney-sweepers had to crawl up to the horizontal flat to clean that portion. Ironically, the most difficult chimneys to clean were those of the rich who opposed any radical modification of a service considered necessary to their comfort.[27]

The children, who were the focal point of this controversy, wore the badge of their occupation upon their skin. The soot from the chimneys ground insidiously into their pores and remained there from lack of bathing. Not all Masters supported frequent baths--it was estimated that many sweeps did not wash for a period of three months. Their skin was hard and dry, particularly upon their elbows and knees, which in time became as hard as the heels of a person who continually walks without shoes. Cancer often developed in the area of the scrotum from the heat and irritation of the soot and the constant friction

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[27] B.S.P., (1817), VI, 183, 199, 213. Jonathan Snow, a fellow machine builder, cleaned gentlemen's chimneys successfully.

of the skin against the uneven surface of the chimney. Children who were forced to climb round chimneys adapted their bodies as if they were corkscrews. Such an action caused a deformity of the knee-caps.[28] Salt was applied to any open sore upon their bodies to toughen the skin. Deformities of the spine, legs, and arms were common.

During the early training period, the chimney-sweeper ascended the chimney with an experienced sweeper following him. If the first boy fell, the other supposedly caught him. When he had practiced ten to twenty times, he was sent up alone. If the flue were narrow, he was sent up without clothing to make the ascent easier. A child who refused to climb was threatened with starvation or beatings--a few masters lighted straw or hay under them.[29] The care given to a majority of the sweeps by their Masters did not approximate that of a revered animal.

There was no appreciable change in attitude toward the chimney-sweeper in Parliament until 1817. During the previous year, the Society for Superseding the Necessity of Climbing Boys had published notices in recommendation of the need for public meetings to support the Society's petition to the House of Commons. The first petition was made by the city of Sheffield. Samuel Roberts, a spokesman for the group, declared:

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[28] B.S.P., (1817), VI, 189-193, 194-197.

[29] Ibid., 189-193.

". . . The West India slavery, excepting only the middle passage, has not a feature comparably horrid, and disgustingly repulsive, with the slavery of these poor creatures."[30]

Lord Milton presented the Sheffield petition with the recommendation that possibly the chimney-sweep trade should be abolished in favor of the cleaning "machine." The Hon. H. G. Bennet, son of the Earl of Tankerville and a member of the Society, introduced the London and Westminster petition. He was appointed Chairman of the Committee of Enquiry which published a report of the interviews of the Society's members, Master Chimney-Sweepers, a surgeon, and the inventors of the "machine."[31] The evidence that William Tooke had compiled during the first decade of the century was presented along with the statistical research made upon the "machine's" success. The Committee found the "machine" failed only in the homes of the rich whose chimneys could be altered by the installation of registers. George Reveley, a member of the Society, testified: ". . . Those chimnies which are the most difficult to sweep are those very chimnies up which a boy ought never to be sent. . ."[32] Sentiment ran high among the members--Bennet introduced a Bill prohibiting the use of chimney-sweepers under the age of fourteen. It was a clever stratagem on his part since a boy of that age could not squeeze

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[30]James Montgomery, The Chimney-Sweeper's Friend and Climbing-Boy's Album (London: Longman, Hurst, Rees, Orme, Brown, and Green, 1824). Reprint of Report, p. 9.

[31]B.S.P., (1817), VI, 172-177. Bill introduced into House of Commons.

[32]Ibid., 202.

himself into a seven inch flue. The Master Chimney-Sweepers, who would have to use the "machine", protested that it was not effective in the removal of soot and caused additional problems.[33]

When Bennet's Bill was presented in the House of Lords, concern for the chimney-sweepers was not as evident. The Society, as well as the opposing Master Chimney-Sweepers, gave further evidence to support their arguments. The Bill was delayed in 1818 and again in 1819 when it was completely jettisoned. Mr. F. Ommaney declared his opposition: ". . . While the pressure of the poor rates was so much complained of, this part of the subject was worthy of consideration, not only with a view to those youths who might, through adoption of the Bill, be thrown out of employment, but with a view to those who would not hereafter be taken from the poor houses to be employed." Sir J. Yorke concurred: ". . . But as to the poor-rates, they must be increased by the adoption of this Bill."[34] Mr. Wilberforce sharply disagreed with Yorke:

> . . . The argument of interest did not always furnish an incentive to action; for he was old enough to know that in many cases men acted in direct opposition both to their own interest, and to the dictates of humanity. During the continuance of the slave trade, surely both

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[33] B.S.P., (1817), VI, 220.

Hansard, (1819), XXXIX, 448. Mr. Ommaney presented a petition from a group of Master Chimney-Sweepers who were agitating against the Bill. Cf., The Morning Chronicle (London), February 18, 1819, p. 2; Sidney Smith, "An Account of the Proceedings of the Society for superseding the Necessity of Climbing Boys," Edinburgh Review, XXXII, (July-October, 1819), 309-320.

> interest and humanity might have prompted the slave owner to take every measure in his power, for the safety and comfort of his slaves, in conveying them from Africa to the West Indies; but did these motives operate in the powerful manner in which the honourable and learned gentleman Mr. Grenfell contended that they must always do? . . . In general, improvements and discoveries were long in being adopted as was sufficiently apparent from the slow progress of machinery in manufacturers. . . In a long course of years machines might get the better, but what numbers of poor wretched boys would suffer in the meantime! Besides, the anti-machinists would, from the shame of admitting they had been in error, continue to employ climbing boys. If the use of machines were established into a system, it would drive the use of climbing boys quite away, and its efficacy would be proved beyond a doubt.[35]

In the House of Lords, Lord Auckland rose to move the second reading of the Chimney-Sweeper's Bill as it moved toward defeat. He hoped the past objections to it had been removed through ". . . time and reflection." The present Bill contained few additional provisions over that presented in 1818, but it did limit the number of apprentices and also repealed the Act of 1788. After May 1, 1821, the use of climbing boys, except for checking chimneys, would be eliminated entirely.[36] This provision immediately evoked the following questions: ". . . first, whether it was necessary for the protection of the boys employed in sweeping chimnies; secondly, whether it was consistent with the security [safety measure]

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[35] Hansard, (1819), XXXIX, 452.

[36] Ibid., 899. Cf., The Morning Chronicle (London), March 9, 1819, p. 2. Climbing boy was a synonomous term for chimney-sweeper. Cf., The Observer (London), March 21, 1819, p. 4.

of houses against fire, that it should be enforced." As for the first question, Auckland was confident, no one could refute the pain suffered by these boys and as to the second, it had been reported by numerous witnesses how effective the "machine" actually swept except in a very few chimneys. He referred to the report of Mr. Davis who divided 1,000 flues into four classes regarding ease of operation:[37]

1st class - 910
2nd class - 50
3rd class - 30
4th class - 10 (the most difficult to clean)[38]

Auckland further cited the stipulation of insurance company representatives who wished to have the chimney-sweepers check the chimneys after they were swept by the "machine."

The Earl of Lauderdale rose to say that he was sorry to hear Lord Auckland wished to press the Bill, for he had heard protests against the rise of machinery as opposed to manual industry.[39] He did not wish to be identified with those who were prejudiced against the "machine" but there was this undeniable fact: ". . . Though he was convinced that the introduction of machinery had not only the effect of

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[37] Hansard, (1819), XXXIX, 899. Cf., B.S.P., (1819), XVII, 105-106. Letter to B. C. Stephenson from George Davis, January 11, 1819.

[38] Ibid., 900. Cf., The Morning Chronicle (London), March 9, 1819, p. 2.

[39] Ibid., 901. Cf., The Morning Chronicle (London), March 9, 1819, p. 2. The Earl of Lauderdale placed the safety of the metropolis over the safety of the chimney-sweeper in such a fashion that public opinion accepted the expendability of human life. Cf., The Observer (London), March 21, 1819, p. 4, reported the debate as factually as did The Morning Chronicle.

enriching the proprietor, but also of enabling the workman to live better and cheaper than he otherwise could have done--yet there certainly was some difference to be drawn between their encouraging and enforcing the adoption of machinery, and especially when those persons who best understood its application in the way of trade were against its introduction at all."[40]

The Earl of Harrowby expressed surprise over the criticism that the Bill was prospective. Many acts could be accused of that quality. If human misery was related to the act of sweeping chimneys, it was their duty to eliminate it. He countered: ". . . What relation had this principle of action to the introduction of a moral code?" They were not legislating moral conduct but applying a remedy to remove an existent evil. The lordships knew there would be some inconvenience in any change, but the inconvenience could be brushed aside by the quality of this act of humanity. Those who would have to alter their chimneys would be those most able to do so.[41]

The Earl of Lauderdale was not deflected by such logic--he commented acidly that the insurance offices would react favorably to the passing of the Bill since it would no doubt increase the danger of fires. The Surveyor-General of the

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[40] Hansard, (1819), XXXIX, 901.

[41] Ibid., 902-903. Cf., The Times (London), March 9, 1819, p. 2.

Board of Works, Col. Stephenson, had stated it would be impractical to prohibit the total use of climbing boys at this time.[42] The Earl sided with this view.

The Earl of Harrowby, who had become a fervent supporter of the Bill, stated: ". . . The best argument for the Bill was, that it would afford time and opportunity for making the arrangements necessary to the abolition of climbing boys." [43] Unfortunately, the Earl of Lauderdale's amendment to commit the Bill for six months carried, and it was permanently discarded.[44]

For the opposition, Lord Ellenborough, the Chief Justice, stressed redress should be found in common law rather than direct legislation by Parliament.[45] Sir Joseph Yorke concurred:

> If the treatment of climbing boys were of such a cruel nature as to require the interference of legislative restriction, he would by no means object to it. But to do away with an ancient trade, when the want of employment had been so much complained of, did really excite in him considerable surprise.[46]

Lord Lauderdale's campaign for permanent delay became

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[42] Hansard, (1819), XXXIX, 982-983. Cf., B.S.P., (1819), XVII, 103-106.

[43] Ibid., 984.

[44] Ibid.

[45] Inglis, Men of Conscience, p. 165.

[46] Hansard, (1819), XXXIX, 548.

a reality when the Bill was finally defeated by thirty-two to twelve in May, 1819.[47]

Concern for human life was slowly making itself felt in a society not here to fore attentive to the spectacle of cruelty, but the burgeoning industrial interests held supreme in the belief that industrial employment of children in trade was an integral facet of the economy of the nation. Thus, the Earl of Lauderdale could carelessly remark:

> This species of legislation he would resist to his latest breath; and he could only account for its introduction on the score that every man who got into Parliament thought himself bound to propose some novel measure, in order to become popular--a notion or a persuasion or whatever else it might be called, than which none had ever been conceived more mischievous to the interests of the people nor more degrading to the dignity of the legislature.[48]

Little did Bennet, who was the butt of the slur cast by Lauderdale, realize that his legislation so humiliatingly defeated in 1819, would become a fact fifty-six years later--100 years after Jonas Hanway asserted: ". . . It will become the more cruel tyrant: nor can an evil of this kind exist, without training up many bad companions."[49]

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[47] The Times (London), March 16, 1819, p. 3. Editorial comment: "It is melancholy to reflect, that in rich and polished States some sacrifice of human life has always been made for the mere purposes of luxury; but it is the business of the philanthropist to moderate the distress of the sufferer, and put off the evil day, when the extravagancies of one class of society, and the wretchedness of another, have acquired such a magnitude, that nothing short of a violent change is capable of correcting the existing mischief."

[48] Hansard, (1819), XXXIX, 901. Cf., Ashton, Dawn of the XIXth Century in England, 216.

[49] Supra, p. 19.

Chapter III

THE QUICKENING OF SOCIAL ACTIVITY IN STRATEGIC REFORM AREAS

On Coronation Day, July 19, 1821, the Prince of Pleasure, George IV, was crowned in a tumultuous splash of color and pomp.[1] His reign was to last just over ten years. With his death on June 26, 1830, cultural contrast died with him. Sensitivity to the discomfort of others was little felt by the new king and the major part of his aristocratic subjects, but there were many who were aware of the rising discontent and the growing prospect for violence in the minds of the populace.

Francis Place, whose sensitivity to discrimination against the lower class was well developed, commented that the elimination of beggary was beginning to be noticeable in 1825. He spoke triumphantly regarding the repeal of the Combination Acts, which had occurred the previous year, and he envisioned the formation of small organizations of craftsmen in various trades who could force wages to be raised. He did not visualize such units on a national scale, nor did he

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[1] The Morning Chronicle (London), July 20, 1821, p. 1. Her Majesty, the Queen, was refused admittance at the door of Westminster Abbey.

assume that the workingmen were capable of such organizational skill. Ironically, he was an effective organizer of radical thought, without the ability to give direction or to function as an effective leader.[2]

The chimney-sweep issue lay dormant until 1824, but, in the meantime, its supporters quietly worked for the use of the "machine" in chimneys all over England. The question was thrown into a new perspective by the slowly burgeoning attention directed to the question of child employment.

Churchwardens and factory owners had previously established a mutually acceptable plan for utilizing parish orphans on an apprenticeship basis until they reached twenty-one years of age. This arrangement proved effective for cotton manufacturers as well as the Master Chimney-Sweepers.[3] Sir Robert Peel, the Elder, carried the original Act in 1802 to alleviate factory children's misery. In 1819, he carried through a measure which prohibited any child under nine years of age to work in cotton factories. No one under the age of sixteen could work more than twelve hours per day. Only the cotton industry had been touched, however lightly, by legal control. Little notice was taken until 1830 when factory reform became a great issue, and was to remain so, for many

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[2]Briggs, Age of Improvement, pp. 212-213. Cf., Cole, British Common People, pp. 231-234.

[3]Supra, p. 10.

years to come.[4]

England was undergoing a change in its social life as well--its rural character was slowly being transformed into an industrial society with all the problems that accompany such change. Despite the fact that wages were higher, the necessity of factory discipline was restrictive and painful to the employees. Their employers, newly rich and immensely proud of that fact, demanded a voice in Parliament which here to fore had been denied to them. These men were hazily aware of the new thought which permeated the lower class, but most certainly did not develop an empathy for such ideas.[5] Reform was not the prerogative of either the Tories or Whigs--and as aristocrat like Lord Ashley did not willingly support a reform platform. Nevertheless, he did find himself attacking cruelty to the insane, factory children, and chimney-sweepers.[6] As a result of his support of single aspects of reform, Ashley became one of a group responsible for universal social change. He, as well as other reluctant reformers, were to find that change in parts of the cultural pattern often is accompanied

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[4] Cole, British Common People, pp. 194-195. Cf., Inglis, Men of Conscience, pp. 121-132.

[5] J. T. Ward, Popular Movements, c. 1830-1850 (New York: St. Martin's Press, 1970), p. 1. Cf., Cole, British Common People, pp. 195, 203-207; Howitt, Rural Life of England, pp. 582, 593-594; George Kitson Clark, Making of Victorian England (New York: Atheneum Publishing Co., 1971), pp. 78-79.

[6] Edwin Hodder, Life and Work of the Seventh Earl of Shaftesbury (3 vols; London: Cassell & Co., Ltd., 1886), I, 141, 294.

by a corresponding defection to change in related areas.[7]

As the mid-point of the second decade of the nineteenth century was reached, the chimney-sweeper's plight again received public notice in the form of a collective literary effort encouraged by James Montgomery. The Chimney-Sweeper's Friend was an attempt to reawaken Parliament to the problem and was dedicated to that most improbable of patrons, King George IV. Montgomery's request for material from the leading authors of the day did not merit much attention, but Charles Lamb, to aid an aspiring author, sent what was to prove to be Montgomery's most famous selection: "The Chimney-Sweeper" from William Blake's Songs of Innocence.[8]

Sir Walter Scott, William Wordsworth, and Charles Lamb were sympathetic but apparently did not want to associate their original compositions with the problem of reform for chimney-sweeepers.[9] To add emphasis to his literary collection,

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[7]Stephenson, Sources of English Constitutional History, pp. 678-679. Roman Catholic Emancipation Act of 1829: 10 George IV cap. 7; "And be it further enacted that it shall be lawful for persons professing the Roman Catholic religion to vote at elections of members to serve in parliament in England and for Ireland, and also to vote at the elections of representative peers of Scotland and of Ireland, and to be elected such representative peers, being in all other respects, duly qualified, upon taking and subscribing the oath herein before appointed. . ." Religion was no longer a political liability.

[8]Montgomery, Chimney-Sweeper's Friend, p. 344. "And by came an angel, who had a bright key,/And he open'd the coffins, and set them all free;/Then down a green plain, leaping, laughing they run,/And wash in a river, and shine in the sun."

[9]Ibid., ix.

Montgomery reprinted a speech made by Dr. Lushington before the Committee in the House of Lords on March 13, 1818:

> . . . My Lords, this requires no comment from me; what must be the state of a human being incarcerated, with all the accumulated soot and filth, in a space of nine inches square, for six whole hours, I will leave to your Lordship's judgment, and not to any representation of mine, with one suggestion only; that the unfortunate child on whom this office was imposed, was subjected not only to the endurance of great suffering, but the imminent risk of life. Think that in this long flue, which is represented, in the evidence of Mr. Tooke, to be nearly two hundred feet in length; if a boy had been stopped in any one part of it by the accumulation of soot and filth, what must have been almost the inevitable consequence--he must have perished miserably; he could not have been extricated from that situation in time to save his life.[10]

Charles Lamb, the individualist, wrote a separate essay romanticizing the chimney-sweeper--a theme which emphasized the sweep's inescapable place in the culture of the time:

> I like to meet a sweep--understand me--not a grown sweeper--old chimney-sweepers are by no means attractive--but one of those tender novices, blooming through their first nigritude, the maternal washings not quite effaced from the cheek--such as come forth with the dawn, or somewhat earlier, with their little professional notes sounding like the peep peep of a young sparrow; or liker to the matin lark should I pronounce them, in their aerial ascents not seldom anticipating the sun-rise?

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[10]Montgomery, Chimney-Sweeper's Friend, pp. 134-135. Lushington refers to William Tooke, who was Secretary of the Society for Superseding Chimney-Sweepers and led the struggle to free the boys the first two decades of the nineteenth century. Lushington also points out how unreasonable it is to ask anyone to clean a seven square inch flue.

> I have a kindly yearning toward these dim specks--poor blots--innocent blacknesses--
>
> I reverence these young Africans of our own growth--these almost clergy imps, who sport their cloth without assumption; and from their little pulpits (the tops of chimneys,) in the nipping air of a December morning, preach a lesson of patience to mankind.[11]

George IV, the patron of these "poor blots," died in 1830 after a reign of a decade in which he made no contribution to the reform movements of this period. He was unmourned by most of his subjects and was succeeded by his brother, William IV, who did not hold such rigid views.[12] Many of his subjects, the industrialists, were busily converting their money into landed estates which provided them with an easy entree into County social affairs. They were often unlettered, as were many members of the gentry. Many of the County families did not care for an academic life and sought the appellation of gentility through wealth. The majority of the gentry opposed extension of the voting privilege to those of lesser station.[13] Nevertheless, the inevitability of reform was brought to the attention of Parliament. Sir Robert Peel, the Younger, proved to be a reliable forecaster in 1820:

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[11]Lamb, Works of Charles Lamb, p. 382.

[12]The Morning Chronicle (London), June 28, 1830, p. 1. Cf., The Observer (London), June 27, 1830, p. 1.

[13]Ward, Popular Movements, p. 12. Many, such as Brougham, distinguished between the dependable middle class and the lowest rung of the lower class.

> Do not you think that the tone of England--of that great compound of folly, weakness, prejudice, wrong feeling, right feeling, obstinacy, and newspaper paragraphs, which is called public opinion--is more liberal--to use an odious but intelligible phrase--than the policy of the Government? Do not you think that there is a feeling, becoming daily more general and more confirmed--that is, independent of the pressure of taxation, or any immediate cause--in favour of some undefined change in the mode of governing the country? It seems to me a curious crisis--when public opinion never had such influence on public measures and yet never was so dissatisfied with the share which it possessed. . . Can we resist--I mean, not next session or the session after that--but can we resist for seven years Reform in Parliament. . .? And if reform cannot be resisted, is it not more probable that Whigs and Tories will unite, and carry through moderate reform, than remain opposed to each other?[14]

Radicalism, as such, was a threatening cloud on the horizon. Yet its power was so diffuse as to make impossible the organization of an effective reform party. Among the proponents of radicalism were William Cobbett, the Earl of Durham, Francis Place, Sir William Molesworth, Edward Gibbon Wakefield, John Fielden, William Thompson, Thomas Hodgkin, and J. F. Bray.[15] Coalitions were still being formed in attempts to secure specific reforms such as those of William Huskisson, a Tory, and Sir James Graham against Wellington; Lord Blandford's Tory group, which allied itself with Thomas

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[14]John Wilson Croker, The Croker Papers, the Correspondence and Dairies of the Late Right Honourable John Wilson Croker, Secretary to the Admiralty from 1809 to 1830, ed. by Louis J. Jennings (3 vols.; London: John Murray, 1885), I, 170. Letter from Sir Robert Peel, the Younger, to John Wilson Croker dated March 23, 1820.

[15]Ward, Popular Movements, p. 16. Cf., Briggs, Age of Improvement, pp. 245-246.

Attwood, and the Birmingham Political Union; the extreme Tory, the Duke of Richmond, and such supporters of Canning as Lords Palmerston and Melbourne who were members of Lord Grey's Whig Cabinet.[16] Even the ultra Tory, Richard Oastler, collaborated with extreme Radicals to secure industrial reform, while many Peelites allied themselves with the Liberals on the free trade issue.[17]

Lord John Russell, in the introduction of the Bill on voting reform, March 1, 1831, chose the moderate course:

> We wish to place ourselves between the two hostile parties. Neither agreeing with the bigotry of the one, that no Reform is necessary, nor agreeing with the fanaticism of the other, that only some particular kind of Reform can by any means be satisfactory to the people. . . No man of common sense pretends that this Assembly now represents the commonalty or people of England. If it be a question of right, therefore, right is in favour of Reform. . . Whatever may be thought of the particular acts of the House of Commons, I repeat that the confidence of the country in the constitution of the House of Commons is gone--and gone for ever.[18]

Lord Palmerston, a Whig of moderate views, looked upon the legislation as something that would alter the distribution of power, while also strengthening the Constitution and increasing the prestige of the middle class. Ironically, the Reform Act

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[16] Ward, Popular Movements, p. 17. Cf., Jasper Ridley, Lord Palmerston (New York: E. P. Dutton & Co., Inc., 1971), pp. 147, 152.

[17] Ward, Popular Movements, pp. 17, 54-55. Cf., Halevy, History of the English People, III, 107-108; Ridley, Lord Palmerston, p. 148.

[18] Hansard, (1831), II, 1062, 1063, 1065.

of 1832 was not generally looked upon as an essentially radical reform, since the aristocracy did not foresee the ultimate destruction of their own power by the modest extension of the franchise.[19]

The Tory Party, on one hand, was composed of a group of Pittites, the aristocratic County families, as well as their neighbors, the squires and the minor gentry; Evangelicals such as Lord Ashley and Wilberforce; the military; and a number of tradesmen and artisans.[20] Their opponents, the Whigs, often were of high birth and held what could be construed as hereditary and traditional views. They regarded the maintenance of the Constitution as a Whiggish prerogative and met the even more vigorous demands of the populace with a carefully prepared plan of modified acceptance but almost complete inaction. Bipartisan action was needed to carry through the reforms of the period, as a result of the Whig Party's inner dissension and disorganization.[21]

In opposition to both the Tories and Whigs, many working men did not believe their interests could be served in

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[19] Ridley, Lord Palmerston, p. 150. Cf., Ward, Popular Movements, p. 12. Palmerston was a realist in his assessment of popular opinion--possibly he helped to avert revolution at a time when the threat was very real.

[20] Ward, Popular Movements, p. 15. Cf., Briggs, Age of Improvement, p. 249; Howitt, Rural Life of England, p. 593.

[21] Ward, Popular Movements, p. 15. Cf., Halevy, III, 180. ". . . no clear-cut demarcation between Whigs and Liberals, Liberals and Radicals." Not all Tories were averse to Reform. Mr. Croker believed in certain concessions to relieve more dangerous agitation at a later period--he writes on his position on Reform, Croker Papers, I, 137.

Parliament without representation. They supported universal suffrage, annual Parliaments, and the ballot--anything less was a mockery. These views were to form the basis of the Chartist Movement from 1831 to the early 1850's. Thomas Attwood's Birmingham Political Union created just the kind of political tension that Peel had predicted twelve years before. Excitement mounted until it stopped just short of violence and more importantly, outbreaks against the law. Attwood's genius was revealed in his ability to sustain this high level of excitement among his followers. He organized a group of masters and men who effectively worked together to gain for their views national acceptance. Originally, Attwood organized the B.P.U. to spearhead all local reform movements. His initial effort was modest; there were 15,000 in attendance at the January, 1830 meeting, but in May, 1832, Attwood had attracted 100,000 members. His importance cannot be minimized in the history of reform.[22]

Wellington stoutly resisted Russell's reform Bill. The Bill was introduced three times before it finally went to the House of Lords. At one time it was delayed in the committee stage after the passage of the second reading--Grey resigned when the creation of peers, to assure passage of the Bill in the House of Lords, was denied him. Wellington tried, but

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[22]Ward, Popular Movements, pp. 41-42. Cf., Cole, British Common People, pp. 249-252; Briggs, Age of Improvement, pp. 244-245; Engels, Condition of the Working Class in England, p. 126.

failed, to form a government in May, 1832 when Grey returned triumphantly to carry the Bill through both Houses of Parliament without the necessity of creating new peers. With many Tory Lords absenting themselves from the Chamber at the time of voting, an anti-reform Prime Minister could not hope to stay in power, and an unreformed Parliament recognized it could not hope to master an irresistible force, public opinion.[23]

Keeping pace with political reform, the members of the Evangelical movement continued their pressure for social reform in other areas. William Wilberforce, despite the fact he had retired from Parliament in 1825, delivered impassioned speeches which urged for the abolition of slavery in 1832, and the mushrooming home missions societies centered their efforts on the problem of child employment.[24] The Evangelicals, while proud of their upper class position, were not entirely disassociated from the Methodists, a dissenting group with more radical tendencies. The Methodists reacted strongly against what they considered were tendencies toward "Popery" among the Anglicans. The factory education movement, encouraged by

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[23]Ward, Popular Movements, p. 41. Cf., Croker, Croker Papers, II, 183. Mr. Croker wrote to the Duke of Wellington of his intention to retire from Parliament because of the ". . . usurpation, leading to as complete a subversion of our ancient Constitution, as the Long Parliament." August 11, 1832.

[24]Ward, Popular Movements, p. 19. Cf. Halevy, History of the English People, III, 84; Inglis, Men of Conscience, p. 405, Wilberforce speaks, in his Practical View, of the levelling of social barriers in the sight of Christ.

the Established Church, was totally rejected by the Methodists who supported their previously established Sunday School.[25] It is possible that the radicalism of the dissenters, heartened by the stand taken by the loyal Protestants, found expression in theological arguments and prevented them from organizing a new party, or at least, from erupting into violence.[26] It is noteworthy that the Primitive Methodists supported the Ten Hours Bill during the same period as the Wesleyan Methodists refused to allow the proponents of this legislation to meet in one of their chapels.[27]

Social legislation was to find a major place on the legislative calendar of the Reformed Parliament during much of this third decade of the nineteenth century. The need to revise the existing Poor Law was apparent to every member--a Royal Commission, composed of a cross section of English public figures, released a Report on the matter in February, 1834.[28] The Government, represented by Lord Althorp, brought in a Bill proposing amendments to the Poor Law in April, 1834,

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[25] Ward, Popular Movements, pp. 20-23. "Religion thus remained a vital cause of controversy, a potent force in society and politics and the constant promoter of many of the voluntary societies which were a glory of the Victorian Age."

[26] Ibid.

[27] Ibid., p. 59.

[28] Ibid., p. 78. Cf., Halevy, History of the English People, III, 119-122. Edwin Chadwick shared the Royal Commission leadership with Nassau Senior.

which was enacted by Parliament in August, 1834.[29] The Amended Poor Law completely revised the legislation of two centuries earlier--Nassau Senior, Co-Chairman of the Royal Commission, and an accepted authority on economics, wished to abolish the Poor Law, but a majority of the Commission supported revision of the existing arrangements. The tenor of the new law centered around the theory that the Commissioners could declare exactly what relief the able-bodied would receive unless they went into the workhouses.[30] The definition of "settlement" was likewise redefined in a manner unlike the construction given in the Elizabethan era. Laborers could acquire "settlement" rights in a parish if they were ". . . born in that parish or apprenticed there, had rented a domicile for at least a year or owned the most infinitesimal strip of ground."[31] This provision tended to curtail migration of workers to the north. In point of fact, the movement of laborers was restricted because many parishes denied residence to new workmen because of the fear of unemployment and the resultant need to provide parish relief. Under the

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[29] Hansard, (1834), XXII, 881-882. ". . . his Majesty should be authorized to appoint a central board of Commissioners, vested with such power for that purpose," (final seat of discretionary power.) Cf., Cole, British Common People, pp. 274-276. Stephenson, Sources of English Constitutional History, pp. 728-729.

[30] Stephenson, Sources of English Constitutional History, p. 729. Cf., Defoe, Giving Alms No Charity, pp. 14, 25, 28.

[31] Halevy, History of the English People, III, 121. Cf., Briggs, Age of Improvement, pp. 280-281; Supra, p. 3.

Amended Act, for the first time, illegitimate children were deemed the mother's sole responsibility--she had to enter the workhouses in order to obtain assistance for her children.[32]

The plight of the chimney-sweeper became evident again ten years after Montgomery's literary effort, when a Bill was introduced on March 25, 1834 in the House of Commons:

> And be it further Enacted, That from and after the passing of this Act, no Person or Persons using or carrying on the trade of employment of a Chimney-Sweeper shall hire, use, retain or employ in such his trade any Child under the age of Fourteen Years. . . And be it further Enacted, That any Person or Persons using or exercising the trade or business of a Chimney-Sweeper, wilfully requiring, permitting or suffering any Apprentice, Child, or Servant of any description, being under Fourteen Years of age, to ascend a Chimney Flue for the purpose of extinguishing Fire therein, shall be held and adjudged guilty of a Misdemeanor, and be proceeded against accordingly. . . . That every Binding of a boy as an Apprentice to any Person using or carrying on the trade of a Chimney-Sweeper, and whether such Bind shall be by a Parish Office, or by the Parent or next friend of the Boy, and also every Assignment of such Apprentice, shall take place by and with the Consent of two of his Majesty's Justices of the Peace. . .[33]

The Duke of Sutherland, upon moving the second reading of the Bill, commented that this employment produced more misery than any other trade. He was aware everyone was

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[32] Halevy, History of the English People, III, 122.

[33] B.S.P., (1834), I, 546-547, "A Bill (As Amended by the Committee) For the better Regulation of Chimney-Sweepers and their Apprentices." Cf., The Observer (London), March 31, 1834, p. 2. The paper commented that little worthy of notice had occurred in the House of Commons in the past week. Poor Chimney-Sweepers!

cognizant of the evil and pointed out that there was a desperate need for machinery to be substituted for the climbing boys. Sutherland said the "machines" were already sweeping the chimneys of 150 buildings in London, and argued that they were swept better than previously by the boys. The chimneys of many private homes were also being swept by the "machines."[34] The fear of an increase in insurance rates had not materialized, and the testimony before the Committee did not indicate any increase in insurance company premiums. The Bill guaranteed that no one would be unemployed, he concluded, and it would put an end to an era of cruelty.[35]

Lord Kenyon, in response, could not agree. He still felt that the welfare and safety of the metropolis required the use of climbing boys. He did not accept the evidence given before the Committee as sufficient cause for abolishing the practice in the passage of this particular Bill. He asked that the Bill be referred back to the Upstairs Committee.[36]

Later in the debate, the Duke of Richmond spoke of the advantageous cleaning of chimneys by machinery in the public offices over which he had authority. He favored further evidence to be given by the Master Chimney-Sweepers. Exacerbated with this line of thinking, the Duke of Hamilton

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[34] Hansard, (1834), XXIV, 418.

[35] Ibid.

[36] Ibid., 419.

said the Bill was ". . . calculated to alter the whole system of building in London." People would then have to build chimneys according to a code of rules. ". . . This he thought was carrying legislation a little further than was necessary."[37]

Viscount Melville wished to refer the Bill "above stairs," but Lord Suffield remarked:

> . . . When a case was fully made out for any measure, which its opponents could not overturn by fair reasoning and just argument, they immediately appointed a Committee as the best way of getting rid of it.[38]

Suffield gave credence to the fear of the Master Chimney-Sweepers, who believed the Bill would eliminate the employment of climbing boys. He did not feel the Bill was intended to do this--rather, its purpose was only to remove any accompanying evil. He felt that the Master Chimney-Sweepers refused to use the "machine" because of ignorance--when asked to use it by homeowners, he said, they were guilty of advising the servants to clean the chimneys themselves.[39]

Earl Grey had no objection to the measure but wished it referred to a Committee. His point carried weight with the anti-reform group:

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[37] Hansard, (1834), XXIV, 419.

[38] Ibid.

[39] Ibid., 419-420.

> He had received a communication signed by individuals connected with the Sun Fire-office, the Phoenix Fire-office, the Westminster Fire-office, the County Fire-office, the Globe insurance-office, and the Royal Exchange Insurance-office, all deprecating the passing of the measure.[40]

Their fear centered on the use of mechanical cleaning methods in the smaller flues and in other types of chimneys than those of the usual construction. However, most of the other insurance companies did not oppose the Bill.[41] Discord over the Bill ended with its reference to a Committee.

At this same time, the social reformers who were fighting to abolish factory abuse under the leadership of Thomas Sadler, a radical member of the House of Commons, introduced a Ten Hours Bill to limit the long hours of work required of women and children in factories and mines.[42] Sadler, also, wished to prevent the employment of children under nine years of age. Machinery, operated by children over nine years of age, was to be checked periodically by magistrates. As in the case of chimney-sweepers, the Members displayed shock and dismay over the revelations made before their respective Committees, but during the second reading of the Bill, the anti-reform group were eloquent in their descriptive vision

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[40] Hansard, (1834), XXIV, 420.

[41] Ibid.

[42] Hansard, (1832), XI, 342. In effect, Mr. Sadler wished ". . . to rescue them from the state of suffering and degradation which it is conceived, the children of the industrial classes in hardly any other country endure, or ever have experienced, and which cannot be much longer tolerated."

of the consequences derived from the interference with free enterprise and painted the picture of economic recession if the Bill were passed.[43]

The political economists did not care for Sadler's interference any more than did the factory owners. Unfortunately, with the passage of the Reform Bill of 1832, Mr. Sadler's effectiveness as a leader was neutralized as he lost his seat at Newark in the resulting election. The Short-Time Committees were, as a result, leaderless in Parliament in their program for factory reform. Lord Ashley, who previously had achieved minor notice on the Lunacy Commission, replaced Sadler, but in spite of the information produced by Sadler's research, factory reform was referred to a Royal Commission.[44] The evidence brought before it confirmed Sadler's contention of abuses. It was shown children employed in the mills generally worked twelve to thirteen hours per day and were forced to spend their lunch periods cleaning the machinery. Occasionally, a child told, in his interview, about a sixteen hour day with a penny an hour extra pay for overtime. The Report did not support the Ten Hours Bill but did admit some

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[43] Hansard, (1832), XI, 385-398. Lord Althorp, Mr. John T. Hope, P. Howard, Mr. Kearsley, all feared, in varying degrees, the effect on wages and the economic structure of the nation.

[44] Hodder, Earl of Shaftesbury, I, 146-147. Letter from Robert Southey to Lord Ashley, January 13, 1833; letter from Rev. G. S. Bull to Short-Time Committees, February 6, 1833, revealing Ashley's acceptance of factory leadership upon Sadler's sanction.

action was necessary because of the children's obvious physical deterioration and the many injuries in their employment. The Report recommended a working day of eight hours for children between the ages of nine and fourteen and advised against employing children under nine years of age.[45]

Lord Ashley introduced on February 5, 1833, a Factory Reform Bill in the House of Commons in the face of severe criticism--Lord Althorp, representing the Ministry in power, brought in another Factory Bill to counter Ashley's which decreed that no child should be employed under nine years of age. It lowered the minimum age of machine operators from eighteen to thirteen years of age to satisfy the aristocrats and the political economists who had been predicting a recession if children were not allowed full-time employment.[46] Ashley's Bill limited adult hours as well, but Althorp's provided shifts for children in eight hour relays and thereby increased adult working hours, since the mills would be open for at least sixteen hours. Unfortunately, the magistrates, who had the power to enforce the law, in reality, would not comply with either Bill's provisions. As always, the chief concern

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[45] B.S.P., (1833), XX; XXI, "First Report of the Central Board of His Majesty's Commissioners appointed to collect Information in the Manufacturing Districts, as to the Employment of Children in Factories, and as to the Propriety and Means of Curtailing the Hours of their Labour. . ."

[46] Hodder, Earl of Shaftesbury, I, 165. "It provided for the limitation of the hours of labour for "women and young persons" to ten hours a day. . . in any instance in which the provisions of the Act were infringed, on the third offense personal punishment should be inflicted upon the mill-owner."

was the economic stability of the nation. This assured the defeat of the Ten Hours Bill, but Lord Althorp's Bill passed by a large majority and became law.[47]

Philanthropists viewed the social legislation of the 1830's as a failure: children were still toiling in the factories with little legal restraint exercised by the magistrates; chimney-sweepers were still ascending chimneys in which they were often half buried in soot; voices still clamoring to be heard in Parliament were paid little attention; and the enemies of the New Poor Law were still attacking it with virulent cries. It was not a problem of men but one of time and place. The eighteenth century views on dress and manners had changed, and life was less artificial and rigid; living was held to have greater purpose. However, there was still a strong desire, as in any century, to hold fast to customs of previous years and to avoid changes which might be economically unsound. Flexibility of thought on reform had not yet been achieved--aristocratic judgment was still

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[47] Hodder, Earl of Shaftesbury, I, 165-167. Cf., J. L. Hammond and Barbara Hammond, Lord Shaftesbury (London: Constable & Co., Ltd., 1923), pp. 29-33. Althorp hinted about the chance of famine, other dire consequences if Ashley's Bill were to prevail. Cobbett let fly his famous quip: "Now it was admitted that our great stay and bulwark was to be found in 30,000 little girls, or rather in one-eighth of that number. Yes, it was asserted that if these little girls worked two hours a day less, our manufacturing superiority would depart from us." Cf., Hodder, Earl of Shaftesbury, I, 168, letter from Robert Southey to Lord Ashley, July 24, 1833: "You have done well, and will always look back with satisfaction on what you have done. . ."

deferred to by men who were of equal intelligence and vision.[48] A vacuum existed in the area of the national conscience--the world decried chimney-sweeping by children, acknowledged the deplorable conditions surrounding it, but accepted the evil because the offered alternative broke entirely with custom and might be hurtful to the economy. This lack of conscience was reinforced by unmitigated boors of short vision and lack of compassion as portrayed in Britain by men such as the Earl of Lauderdale, Lord Kenyon, and the Duke of Hamilton.[49]

There were realists, then as later in the century, who were liberal in thinking but not in practice. Popular government was thought to spawn popular reforms, and the aristocrats were not yet ready to concede any limitation of their authority. They believed that, if an individual were poor and in want, it was a condition which was a natural outgrowth of the class to which he was born. A clever person could change his position in life as long as it was achieved

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[48] Hodder, Earl of Shaftesbury, I, 214-216. Letter from Richard Oastler to Lord Ashley, April 17, 1835. He fumigates against an Act,". . . obtained by fraud," Cf., Kitson Clark, Making of Victorian England, p. 7: ". . . after the repeal of the Corn Laws as before the final control of politics still remained in the hands of the old governing classes; Briggs, Age of Improvement, p. 282: ". . . Before England could cross the threshold into the Victorian age of balance it first had to go through the ordeal of prolonged social and economic crisis, and the crisis necessarily involved major political reorganizations."

[49] Supra, pp. 40, 55-56.

by the accumulation of wealth, but the thought that every man was equal to every other man, as taught in America in this same period, was not generally accepted in England. Every man had his place and was equal to another within his own class, but not beyond it.[50]

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[50]Engels, Condition of the Working Class in England, p. 336.

Chapter IV

THE EMERGENCE OF A NEW THOUGHT IN SOCIETY

William IV died in 1837, nearly seven years after his ascension to the throne. His reign, distinguished by neither great dissension nor great works on his part, ended an era of male royalty on the English throne. A mere slip of a girl, Victoria, ascended to the throne in June, 1837 and became, in her years as the longest reigning English monarch, a symbol of righteous womanhood, not only in Great Britain, but in the United States and on the Continent as well. Her age identified with her and stood in vivid contrast to the pattern of elegance and stylish perfection of the late eighteenth century when the issue of chimney-sweeping first arose in Parliament. During the age to which she gave her name, it became an important matter for her subjects to attain social betterment in life, even though much immorality and cruelty was concealed behind a bland conventionality and dedication to good works.[1]

The fear of an English Revolution, parallel to the

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[1] The Morning Chronicle (London), June 21, 1837, p. 2: "If ever being were blessed by Providence it is that noble Princess to whom, in the pride of youth, and the vigour of intellect, has descended the royal crown of our country."

French Revolution, rose again to haunt the educated classes of the country. It permeated middle class thought to such a degree that the Tory Party increased somewhat in numbers. Lord John Russell, as Sir Robert Peel charged, stirred agitation in a speech at Liverpool in September, 1838.[2] He and Sir Robert fought over the approach to reform in 1839.[3] At this time, Chartist agitation was deliberately misrepresented as reaction against the New Poor Law of 1834. While limited to Parliamentary reform, the Chartists, in reality, supported a program of reform in the factories, abolition of the workhouses, and removal of the duties on imported corn [grain] as well as changes in the suffrage. Free trade appealed to the poor with the prospect of a lower price on bread. However, a new thought was raised that the repeal of the Corn Laws would not aid the poor unless the wage system was revised. Thus, the Chartists watched the growth of the free trade movement with fear since they [the Chartists] promised the pot of gold after the political franchise was won, and the Free Traders did not bother with political considerations--just inexpensive bread.[4]

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[2]Halevy, History of the English People, III, 300. Cf., Hansard, (1839), XLV, 108, 117.

[3]Hansard, (1839), XLV, 108, 117.

[4]Cole, British Common People, pp. 280, 337. Cf., Halevy, History of the English People, III, 306, 309-310.

The Chartists took matters into their own hands; they wound their petition, filled with 1,200,000 signatures, around Thomas Attwood's person to symbolize the importance of their movement. They prudently removed the center of the campaign to Birmingham.[5] If Parliament remained adamant, the Birmingham Convention would provide an army of 500,000 men to march on London. The National Petition was taken to Parliament where Attwood unenthusiastically supported it in his speech to the Members. It was refused by a majority of 237 to 48 on July 12, 1839. Rioting broke out in Birmingham but did not extend beyond the city because the trade unions refused to join in the dispute.[6] A major disturbance did take place on November 6, 1839 in Newport but was quashed immediately.[7] Halevy commented: ". . . If the Tories were so successful in exploiting the fear of Chartism, it was because they were not so very afraid of it themselves."[8] Carlyle drew this moral from the Chartist uprising: ". . . Although the Chartist programme was itself Radical and political, he regarded the rising as a token that political Liberalism and even Radicalism were bankrupt."[9]

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[5]Halevy, History of the English People, III, 319-320. Cf., Cole, British Common People, pp. 283-287.

[6]Ibid., 319-323.

[7]Ibid., 324, 326.

[8]Ibid., 327.

[9]Ibid., 327. Halevy commented that Carlyle was honest in his assessment.

The social questions were, for the first time, pre-empting the political considerations of the day. Lord Ashley, interestingly enough, did not support Chartism or its Charter--he looked upon Chartism in the same light as he did Socialism and rejected them both with contempt.[10]

Queen Victoria announced her forthcoming marriage to Prince Albert of Saxe-Coburg-Gotha at the opening of Parliament in 1840. Her nuptial plans were approved by her subjects and were formally acknowledged by the Prime Minister, Sir Robert Peel, in the House of Commons. The marriage took place on February 10, 1840. Victoria's conventional and imminently sensible approach to the throne, following the turbulence of the reigns of her uncles, George IV and William IV, won approval in Great Britain and assured a modicum of tranquility in the land after a period of uncertainty.[11]

The following summer, Lord Ashley wrote in his diary on July 1st:

> My hands are too full, Jews, Chimney-sweepers, Factory Children, Education, Church Extension, &c., &c. I shall succeed, I fear, partially in all, and completely in none. Yet we must persevere; there is hope. For years I laboured

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[10] Hammond, Lord Shaftesbury, pp. 52-53. Cf., Hodder, Earl of Shaftesbury, I, 320-321.

[11] The Observer (London), February 10, 1840, p. 3. The Postscript: ". . . We have only to join in the general prayer, that this union may be productive of unceasing happiness to our beloved sovereign, and not less respected consort, as well as advantage to the people of these realms."

> in the Factory cause; some few sympathised, more ridiculed, as many resisted, and far more were indifferent; but how stands the question now? many confess the good that has been done, and no one ventures to deny it; the refuted are silent, and the mockers abashed; a path is opened to future and wide exertions; the horizon brightens with the dawn of day, and hope is displayed for the things of this world and the next.[12]

For almost sixty-seven years there had been some form of agitation to remove the chimney-sweepers from the chimneys. As Hodder looked back from the vantage point of 1888, he concluded that the failure of the movement in its early years lay chiefly with property owners who did not want to re-build their chimneys in order to facilitate mechanical cleaning.[13] Nevertheless, the failure of 1835 was not total, in that each attempt, as earlier ones to free the sweeps, resulted in a renewed determination on the part of their sympathizers to gain their objective.

Lord Ashley pointed out to the House of Commons, in 1840, that the condition of the factory children was what he termed, ". . . tenfold better than that of the chimney-sweepers. Every fire insurance company in London, except one, had adopted the "machine" for sweeping chimneys, and recommended their adoption to others."[14] It was still a practice

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[12] Hodder, Earl of Shaftesbury, I, 294.

[13] Ibid., 295.

[14] Ibid., 298.

to use children who were not any older than five, six, or seven years of age as sweeps, and Ashley knew of one still younger who was only four and one-half years of age.[15] The children were still sent naked into the chimneys and, at times, slept naked on top of the soot bags they had collected in their work. Ashley pointed out to the House of Commons that the conditions of labor resulted in a strong incitement to crime among the chimney-sweeps which had led to the sentencing of twenty-three to Newgate Prison. To correct conditions, he wished to lower the prohibiting age from sixteen years of age to that of twelve since it was very difficult to enforce the provisions of the existing law. Despite his eloquence, the House of Lords still opposed the Bill following its successful passage in the House of Commons. However, in August, 1840, Ashley did carry his Bill through the House of Lords.[16] Its regulatory provisions were vague--there was not much hope of preventing very young children from being employed by some Master Chimney-Sweepers. Mr. Stevens, the

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[15] Hodder, Earl of Shaftesbury, I, 298. Cf., Hansard, (1840), LIII, 1093. Mr. Hume did not have any hope of successful legislative interference with a trade. Old Sir Robert Inglis, whose age did not interfere with his compassion, thought the same principle was involved as in their interference with the slave trade.

[16] Ibid., 297, 299. For the first time, a fine could be levied on any Master who allowed any person under twenty-one years of age to ascend or descend a chimney or to clean a flue. No apprentice could be under the age of sixteen, 3 & 4 Vict. cap. 85. Cf., B.S.P., (1840), I, 283-286, "A Bill for the Regulation of Chimney-sweepers and Chimneys." Flues were to measure no less than 9" x 14".

Secretary in the Hand-in-Hand Insurance Office, was instrumental in securing support from the other insurance offices for this legislation which did not resolve the problem, but did provide a good foundation for future legal action.[17]

Lord Ashley decided upon a major offensive in August, 1840, on the question of the employment of children in the mills and factories, laying emphasis on those trades of earthenware, porcelain, hosiery, pin and needle making, manufacture of arms, iron works and forges, iron foundaries, glass, collieries, calico printing, tobacco, button, bleaching and paper mills.[18] He was instrumental in the appointment of the Committee to investigate the success of the Act of 1833 over which he had agonized after Lord Althorp's successful scrimmage with him.[19] To ensure a successful investigation, he followed the appointment of the Select Committee with action leading to the formation of the Children's Employment Commission. In the meantime, the Committee reported conditions in the mills--it was found that some children never went home during a twenty-four hour period since their work was broken by periods of inactivity.[20] The Report gave

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[17] Hodder, Earl of Shaftesbury, I, 297, 299. Cf., Hansard, (1840), LV, 108, 434.

[18] Ibid., 304-306.

[19] Supra, pp. 59-60.

[20] Hodder, Earl of Shaftesbury, I, 304. Cf., Hammond, Lord Shaftesbury, p. 56.

impetus to factory legislation in 1841 but, unfortunately, it was not passed by both Houses as a result of a lack of confidence in the existing Government. Melbourne dissolved his Ministry, and Sir Robert Peel replaced him on August 30, 1841.[21]

During the creation of the new ministry, Sir Robert Peel offered a post in the Royal Household to Lord Ashley in an effort to desensitize him. At this point in time, the two, who had been somewhat antipathetic, were irreconcilable. Peel would never support Factory Reform, and Ashley could not support Peel's capitalistic legislation. Yet, the one was a pioneer in industrial and financial regulation, and the other, a pioneer in social reform.[22] Ashley refused the appointment.

The Commissioners of the Children's Employment Commission--Thomas Tooke, the economist; Southwood Smith, a doctor; Leonard Horner and R. J. Saunders, factory inspectors; released their first Report in May, 1842. It was written surprisingly well and equally surprising, contained graphic illustrations.[23] The Report dealt with conditions in the mines

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[21]Hammond, Lord Shaftesbury, p. 58.

[22]Hodder, Earl of Shaftesbury, I, 349-360. Ashley regarded the offer as a tremendous slight upon him--it is revealed in their correspondence on the issue. Peel's excuse was Ashley's "high morality" which would add tone to the Court, a diary entry of September 2, 1840, p. 357.

B.S.P., (1842), XV-XVII, "Report of Children's Employment Commission." Cf. Leonard Horner, "On the Employment of Children in the Factories and other Works in the United Kingdom and in some foreign Countries," London Quarterly Review, CXXXIII, (December, 1840), 93-98.

and collieries of Great Britain and covered the areas of South Staffordshire, Shropshire, Yorkshire, and Scotland.[24] The coal pits, varying from 200 to 1,600 feet in depth, were investigated minutely. It was found that men generally dug the coal with pick-axes; young boys, girls, or women were the loaders of the carriages; boys, girls, or women pulled the loaded carriages; and little boys or girls opened the trap-doors on the tunnels as each carriage passed through.[25] Many of the underground workers were under the age of thirteen, and some went to work in the pits at as early an age as four or five. There appeared to be no distinction in the employment of males or females. The little boys or girls who opened the trap-doors sat in darkness for twelve to fourteen hours per day, and if they went to sleep, they were beaten.[26] When the children were older, they were forced to crawl on their hands and knees pulling the carriages along shafts described as extremely narrow and wet.[27] Ashley was horrified by the horrors of the mines:

> When the passages were very narrow, and not more than eighteen to twenty-four inches in

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[24] B.S.P., (1842), XV, XVI, XVII, "Report of Children's Employment Commission."

[25] Ibid., XVII, 18. Cf., Hansard, (1842), LXIII, 1331. Practice varied across Great Britain.

[26] Ibid., XVI, 240. Cf., Hansard, (1842), LXIII, 1327.

[27] Ibid., XVI, 391.

> height, boys and girls performed the work by "girdle and chain;" that is to say, a girdle was put around the naked waist, to which a chain from the carriage was hooked and passed between the legs, and, crawling on hands and knees, they drew the carriage after them.[28]

Little children not more than six or seven years old carried ". . . burdens of coal of half a hundredweight up steps that, in the aggregate, equalled an ascent, fourteen times a day, to the summit of St. Paul's Cathedral."[29] No one could offer a reason why men and women must work together in the mines in almost naked circumstances--Parliament, as well as the country, was appalled to the point of action. Ashley introduced a Bill in the House of Commons on June 7th, 1842, which forbade the employment in the mines of all women and girls, as well as boys under thirteen, and prohibited all parish apprentices from such employment.[30] As in the case of factory and chimney-sweep legislation, the early enthusiasm for the Bill wore off, and, in the House of Lords in particular, the coal interests, caring little for public opinion, opposed any action. The Marquess of Londonderry, the half-brother of Lord Castlereagh, was the opposition leader who attacked the integrity of the Commissioners and the honesty of their Report. The Government

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[28] Hodder, Earl of Shaftesbury, I, 415. Cf., B.S.P., (1842), XVI, 396.

[29] Ibid. Cf., Hansard, (1842), LXIII, 1328.

[30] Ibid., 421. Cf., Griffith, Population Problems of the Age of Malthus, p. 124.

reneged on its promise to support the Bill, but the legislation did survive, although only after amendment.[31] Unfortunately, a dire effect of the Bill was the very real hardship in Scotland where women needed employment. Cruelty in the mines was not erased immediately, but a reaction to unkindness in any form had been set in motion--this awakening of conscience was to eventually free factory workers, as well as chimney-sweepers, from their individual discomfort. A beginning was made for social reform--the aristocrats might not care for its far-reaching effects, but they could not ignore any more the presence of pain.

> The passing of the 1842 Mines Act was the most striking of Ashley's personal achievements, and it is not surprising that he thought at first that the momentum given to his influences would carry the Ten Hours Bill to immediate victory. But when he returned next year to his arduous task, he found it more than ever like the task of the treadmill.[32]

On this historic day, Lord Ashley spoke to the House of Commons for two hours on his Ten Hours Bill, utilizing the Commissioner's Report as the basis of his recommendations. One of his most determined opponents was Richard Cobden. Hodder quoted from a letter of Cobden's addressed to his

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[31] Hansard, (1842), LXV, 101: The Marquess of Londonderry said this was a measure which affected property to the amount of £10,000,000, and such a measure should not be hurried through Parliament."

[32] Hammond, Lord Shaftesbury, p. 83.

brother, Frederick:

> Old Sir Robert Englis sat with his hands folded ready to sigh, and if, needful, to weep over a case of church destitution; he delivered a flaming panegyric upon Lord Ashley the other night, styling him the friend of the unprotected, after he had been canting about the suffering of lunatics.[33]

The Chartists tried again to gain favorable attention in Parliament in May, 1842. A petition with three million signatures, carried by thirty men, failed to sway a deaf, middle class Parliament.[34] Ashley, unlike many of the Members, did not underestimate either the depth of the economic distress or the capacity for mob action. Its significance is not lost in his diary comment of August 18th: ". . . All minor objects (the Poor Law, Factory Bill, Truck System, etc., etc.,) are subordinate to the grand and final remedy of the Charter! . . . At the dissolution of Parliament the mass of the working classes were with Peel, because they had hope; they are now against him, because they have none."[35]

The second Children's Employment Commission Report was released early in 1843 and provided an additional shock for Members of Parliament.[36] The Government decided to carry its own Factory Bill, which Ashley did not support. Eight year

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[33]Hodder, Earl of Shaftesbury, I, 421, 424-425, June 7, 1842.

[34]J. L. Hammond and Barbara Hammond, Age of the Chartists, 1852-1854; a study of discontent (London: Longmans, Green & Co., 1930), p. 278. Cf., Halevy, History of the English People, IV, 30.

[35]Hodder, Earl of Shaftesbury, I, 433.

[36]Hammond, Lord Shaftesbury, pp. 86-88. Cf., B.S.P., (1843), XIII, XIV, XV.

old children were allowed to work six and one-half hours per day, and "young persons" could be employed to work twelve hours per day. A feature of the Bill, of which Ashley did approve, was the introduction of compulsory education for factory children.[37] There was an immediate opposition to the education clauses from dissenters.

Ashley, determined as ever that no "young person" should work more than ten hours per day or fifty-eight hours per week, ran into stiff opposition from Sir James Graham, the Home Secretary, who was prepared to resign if Ashley's motion of May 13, 1844 was carried to this effect.[38] Peel supported Graham and announced to the House of Commons that the Ministry would resign if Ashley's motion was accepted. An immediate reaction to the proposal set in and Ashley suffered a bitter defeat, 297 to 159. Despite the defeat of the Ten Hours proposal, there was definite progress in the revision of factory legislation. The danger of mutilation of workers was reduced considerably by the installation of guards around the machinery, and the staggering of work schedules was omitted whenever possible.[39] Most importantly,

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[37]Hammond, Lord Shaftesbury, p. 87. Cf., Hodder, Earl of Shaftesbury, I, 451-462.

[38]Ibid., p. 99. Cf., Hodder, Earl of Shaftesbury, II, 49, 51-52. Charles Greville is quoted by Hodder: "Melbourne is all against Ashley; all the political economists, of course; Lord Spencer strong against him." Graham supposedly called the Bill a "Jack Cade legislation."

[39]Hammond, Lord Shaftesbury, p. 100.

factory owners recognized there could be little evasion of the law--the magistrates now upheld its provisions.

The Ten Hours conflict raged from 1846 to 1849, at which time Richard Oastler and the Short Time Committees believed Ashley had compromised his integrity by accepting the Government's offer of a ten and one-half hour day to be worked between 6 A.M. and 6 P.M.[40] Ashley's diary entry indicated that he had no great confidence in the House of Commons' support of the Ten Hours provision.[41] The Short Time Committees were furious over his neglect to notify them of his compromise with the Government and immediately announced that his leadership of factory reform was at an end.[42] To add fuel to the fire, the Government, under the leadership of Sir George Grey, who was Lord Russell's Home Office Secretary, eliminated the word "children" in the Bill--the factory owners could keep the mills open until 8:30 P.M. Ashley resigned his seat in the House of Commons in January, 1846, a consideration based solely on his Christian conscience. He had been elected as a Protectionist and would not vote as a

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[40]Hammond, Lord Shaftesbury, p. 134. Cf., Hodder, Earl of Shaftesbury, II, 198.

[41]Hodder, Earl of Shaftesbury, II, 202. Cf., Hammond, Age of the Chartists, pp. 285-287. The Central Short Time Committee ". . . (with branches in all the different towns) made up of trade unionists, . . . and supporters from other classes, of whom the most important were Fieldin, Woods, and Oastler, and the Rev. C. S. Bull," was in charge of the Ten Hours movement.

[42]Hammond, Lord Shaftesbury, pp. 143-145. Cf., Hodder, Earl of Shaftesbury, II, 198.

convert to Free Trade. John Fielden assumed leadership of Ashley's Bill which was defeated by ten votes. Undaunted by his failure, Fieldin introduced another Ten Hours Bill which carried on its second reading. Russell gave the Government's approval to the Bill, eliminating any opposition.[43]

The chimney-sweepers, neglected because of the focus of attention on the factory children, came once again into the public eye with the death of seven year old Thomas Price in 1847. Forced a second time into a hot flue at a chemical works, he was partially suffocated, following which he was beaten to revive him. The Master Chimney-sweeper, John Gordon, found himself tried for manslaughter--and received a sentence of ten years' transportation.[44] A new Society was organized: the Climbing Boys' Society, of which Lord Ashley, now Lord Shaftesbury, was Chairman and the Bishop of Winchester, President.[45] A Bill to reform conditions under which sweeps labored was passed in the House of Lords in 1851, but failed to achieve passage in the House of Commons. Shaftesbury tried again in 1853, but met opposition in the House of Lords led by two Irish peers, Lord Clancarty and Lord Wicklow.[46]

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[43]Hodder, Earl of Shaftesbury, II, 201. Cf., Hammond, Age of the Chartists, pp. 288-290. "The non-conformist clergy befriended the poor against the landowner; the Church clergy befriended the poor against the manufacturer."

[44]Hammond, Lord Shaftesbury, pp. 221-223.

[45]Ibid. Cf., Hodder, Earl of Shaftesbury, II, 350: Lord Ashley succeeded to the earldom, upon the death of his father, on June 2, 1851.

[46]Hansard, (1853), CXXVII, 495-497.

Lord Beaumont was even more violently opposed, and finally the Bill was referred to a Select Committee.

The Select Committee's evidence supported Shaftesbury's Bill. Seven Master Chimney-sweepers testified in favor of the Bill's provisions along with six other reputable witnesses. Lord Beaumont, who called the Bill ". . . a pitiful cant of pseudo-philanthropy," became the object of ridicule during the testimony of the Master-Chimney-sweeper, Peter Hall.[47] The latter, a veteran of forty years of climbing experience, and a chimney-sweep at the age of seven, described Lord Beaumont's own tortuous chimneys in the following interrogation:

Committee: Have you lately examined any defective chimneys?

Witness: I have.

Committee: Where?

Witness: At Lord Beaumont's.

Committee: Were they very difficult chimneys?

Witness: I should say if there could be any worse, I should not know where to find them; their situation is as bad as can possibly be; if they had been built for the purpose, they could not have been worse.

Committee: Do you know when they were built?

Witness: They have been built within his Lordship's time, most of them so; I was informed by his builder.

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[47]Hammond, Lord Shaftesbury, pp. 221-223. Cf., Hansard, (1853), CXXVII, 497: ". . . what he objected to was constant interference by the legislature in matters of this kind."

Committee: Who was the builder?

Witness: Pearce, his name is.

Committee: Who was the architect?

Witness: His Lordship, he told me.[48]

Lord Beaumont's chimneys were vertical for approximately seventy feet, became horizontal for thirty-five feet, turned a right angle and ascended another sixty feet. Richard Harrison, the Master Chimney-sweeper whose child swept these chimneys, feared for his life. As the child ascended inside the chimney, the father climbed on the outside to avert disaster.[49] Peter Hall went on to testify about the Lord-Lieutenant of Cambridgeshire, Lord Hardwicke, who also possessed problem chimneys. He was not vindictive toward his betters--his knowledge was first hand--he would never forget an apprentice of twenty-seven years earlier whose dead body he had himself removed from a boiler. His support of the Climbing Boys Society was total and complete, and, it came as no surprise, that Lord Hardwicke regarded him as ". . . a public informer."[50] The Lord-Lieutenant's position, however, was such that he could successfully oppose testimony from one

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[48] B.S.P., (House of Lords), 1852-53, XXXI, 227. Cf., Percy Ford, Select List of British Parliamentary Papers, 1833-1899 (Shannon, Ireland: Irish University Press, 1969), p. 64; Hammond, Lord Shaftesbury, p. 225.

[49] B.S.P., (House of Lords), 1852-53, XXXI, 227.

[50] Ibid.

of the lower class. As a consequence, the Committee refused to proceed with the measure.[51]

The following year, Lord Shaftesbury doggedly returned to bring the chimney-sweep problem before the House of Lords. He was successful and it came before the House of Commons. J. G. Phillimore moved the second reading of the Bill, only to find Mr. Fitzroy, Lord Palmerston's Under-Secretary, and Lord John Russell strongly opposed to the measure. The Bill, in its original form, forbade the employment of any child under sixteen years of age as a chimney-sweeper. The operative phrase: ". . . to use or assist in the trade or business of a Chimney-sweeper," was, however, inadequate since it did not specifically cover an act of offense according to the interpretation of Russell, serving as Minister without portfolio.[52] Shaftesbury was bitter and made the following entry in his diary for May 20, 1854:

> For three days have suffered much from giddiness, and today suffer from grief. The Government in the House of Commons threw out the Chimney-Sweepers Bill, and said not a word of sympathy for the wretched children, nor of desire to amend the law. They stood on mere technicalities, Fitzroy and Lord J. Russell giving the ministerial opposition. Walpole was as

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[51] B.S.P., (House of Lords), 1852-53, XXXI, 227.

[52] Hammond, Lord Shaftesbury, pp. 226-228. Cf., Hodder, Earl of Shaftesbury, II, 479. Lord Palmerston was Home-Secretary.

> hostile as any of them, sacrificing the bodies and souls of thousands to a mere point of legal etiquette! I have to thank Phillimore for bringing it in, and Kinnaird and Acland for supporting it; and again I must bow to this mysterious Providence that leaves these outcasts to their horrible destiny, and nullifies, apparently at least, all our efforts to rescue them in soul and body.[53]

The following year, June, 1855, Shaftesbury again introduced a Bill for the protection of chimney-sweeps in the House of Lords, but to no avail.[54] The Crimean War excluded all domestic issues from serious consideration, and Parliament was unwilling to re-consider unresolved social legislation.

In 1861, the climbing boys were included in a comprehensive study of labor conditions undertaken by the Children's Employment Commission. The First Report issued in 1863 gave credence to Shaftesbury's belief in 1861, that the evils of the early part of the century still existed in the chimney-sweeping trade.[55] Hodder commented:

> The story of the sufferings of the "Climbing Boys" employed by chimney-sweepers, reads rather like a chapter from some terrible record of the Dark Ages, than a veritable chapter from the history of this enlightened century.[56]

The Report revealed there was little change in the high incidence of cancer of the scrotum, suffocation in soot, hardening of the flesh by rubbing open sores with salt, or the endless

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[53] Hodder, Earl of Shaftesbury, II, 479.

[54] Hammond, Lord Shaftesbury, p. 228.

[55] Hodder, Earl of Shaftesbury, III, 155.

[56] Ibid., 151.

beatings employed to force the boys up the flues. A six year old child was preferred by the Master Chimney-sweeper as--". . . a nice trainable age."[57]

Peter Hall, Agent for the North Staffordshire and Birmingham Association for the Employment of Climbing Boys, testified that he knew the rigors of the profession from his experience as a climbing boy at six and one-half years old, and later as a Master. His interest in prosecuting illegal acts in the trade covered a period of twenty years, with 400 convictions to his credit. He spoke of the magistrates and police with disfavor indicating that ". . . they often lend themselves to it, calling the man and the boy to do what is illegal. . ."[58]

Hall referred to the case of a child, seven years of age, who was forced up a chimney by the Master, Robert Robinson, at 3 o'clock in the morning at the house of John Shaw, a beerhouse keeper. He was threatened, if he refused, with the loss of all his meals that particular day. The chimney was on fire--the child was burned ". . . in various parts of his body."[59] The Committee concluded that the Act governing such behavior was unenforceable ". . . in most parts

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[57]Hammond, Lord Shaftesbury, pp. 228-229.

[58]B.S.P., (1863), XVIII, 391.

[59]Ibid.

of England, the metropolis, and some other towns excepted; that great and unnecessary suffering was thereby inflicted on a large number of boys, many mere children. . ."[60]

The Commissioner's Report stirred public opinion somewhat--Kingsley's Water Babies did not assuage the shamefaced discomfort.[61] There was no opposition in either the House of Lords or the House of Commons when Shaftesbury's Bill was carried through as an amendment to the Act of 1840.[62] For twenty-four years its provisions had not been enforced, and it was soon found that the amendment to the Act in 1864 did not assure legal enforcement. The previous penalty for violation was a fine of 5 to 10.[63] Shaftesbury, without a sound legal opinion, carried a Bill through with a maximum penalty of 10, but lacking any minimum penalty. The informer was to receive exactly one-half of the assessed penalty. Peter Hall, who was Lord Beaumont's accuser, testified when the Children's Employment Commission made its Fifth Report, released in 1866, that the highest penalty payment he ever received as an informer was 10s. In one case, the fine was half-a-crown. The

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[60] B.S.P., (1863), XVIII, 83.

[61] Charles Kingsley, Works of Charles Kingsley (28 vols; Hildesheim, Georg Olms, 1969), IX, 377. "Get him to sweep out the crater of Etna. . . ," was Mr. Grimes, the Master's eternal punishment.

[62] Hammond, Lord Shaftesbury, p. 233. Still no enforcing power.

[63] Ibid. Cf., Supra, p. 69.

city of Manchester enforced the amended Act for a time until interest died, and in Birmingham, where there was magisterial discord, the police did not even try to enforce such a controversial issue. Hodder sadly states that November 1, 1864 was not "The Chimney-Sweepers' Emancipation Day."[64]

From 1864 to October 9, 1872, there were no entries in Shaftesbury's diary regarding the climbing boys. On the latter date, however, Shaftesbury broke his long silence:

> Yesterday stirred, after a long interval, by my poor climbing boys. One suffocated in a flue in Staffordshire. The Act which forbids the practice, intentionally made the evidence difficult. Years of oppression and cruelty have rolled on, and now a death has given me the power of one more appeal to the public through The Times.[65]

Christopher Drummond, sent up a flue in a fernery, died after fifteen minutes. The letter to The Times, mentioned in the diary entry, did not stir any activity, nor did it affect the members of the House of Lords. Another diary entry of March 20, 1873 repeats his anguish for this seven and one-half year old boy, Christopher, who died in a flue at Washington Hall in the county of Durham. Shaftesbury, however, hoped that ". . . good may come out of evil."[66]

One more death occurred before the Government gave the problem serious attention: George Brewster, fourteen years

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[64] Hodder, Earl of Shaftesbury, III, 155.

[65] Ibid., 156.

[66] Ibid. Cf., The Times (London), October 7, 1872, p. 12.

old, suffocated in a flue at Cambridge. The Times, finally moved from its position of lethargy, stating: ". . . The time has come for a final review of a system under which such an offence is visited with no heavier punishment than six months' imprisonment." The Times disregarded the legal provision which decreed a conviction of manslaughter and called it murder.[67]

A new Bill was introduced by Shaftesbury in 1875--he had profited by the legal mistakes of the past. No Master Chimney-sweeper was allowed in the trade without a license from the police, who must renew it annually. If any Master did not follow the provisions of the Acts of 1840 and 1864, which were still operative, they stood in danger of having their licenses revoked.[68] The House of Lords, bored by the long struggle, listened inattentively, according to the diary entry made by Shaftesbury on May 12, 1875, recounting the long hoped for successful conclusion of his efforts:

> Last night Chimney Sweepers' Bill in House of Lords. It was, under God, a success in its issue, though I did not think it, or feel it, at the time. Was much disheartened at outset, House very inattentive--had twice to implore their "condescension to hear me." At last they listened, and so far as their undemonstrative natures would allow, applauded me. . .[69]

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[67] The Times (London), March 25, 1875, p. 7.

[68] Hodder, Earl of Shaftesbury, III, 157.

[69] Ibid., 158. Cf. B.S.P., (1875), I, 343-349.

The case for the chimney-sweepers was settled both in Parliament and in the country by the sweep of public opinion which provided the thrust for social programs in the late nineteenth century. Tradition would still be held dear in Great Britain for years to come, but the modification of culture would continue at an accelerated pace over that of the first decade of the century. The proponents of equality viewed the future with more equanimity and hope than had ever been experienced previously.

Chapter V

CONCLUSION--LOOKING BACKWARD

When Lord Shaftesbury looked back down the years to Jonas Hanway, William Tooke, and Henry Grey Bennet in their common struggle to free the pathetic chimney-sweeper from his towering, brick prison which often became his grave, he pondered over the complexity of the human mind:[1]

> One hundred and two years have elapsed since the good Jonas Hanway brought the brutal inquiry before the public, yet in many parts of England and Ireland it still prevails, with the full knowledge and consent of thousands of all classes.[2]

Basically, the struggle was waged over a symbolic figure, the chimney-sweeper, and the right of some men to dominate the lives of those inferior in ability and station to themselves. At the beginning of the struggle, the chimney-sweeper's position, encased in a rigid pattern of long-standing constructions, was little different from that of the English agricultural laborer who was born and died on one of the great estates of the land. With the coming of the Industrial Revolution in the mid-eighteenth century, and the attendant migra-

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[1]Hodder, Earl of Shaftesbury, III, 158, diary entry, April 28, 1875. Supra, pp. 6-16, 28-40.

[2]Ibid.

tion of vast numbers of people into the cities and towns, their positions changed, in that the agricultural laborer, if he were enterprising and intelligent, might raise his station in life.[3] The chimney-sweeper, however, was caught in a web of indifference and, as a result, remained imprisoned in the chimneys for over a century.[4]

The eighteenth century position on Parliamentary right to interfere in those affairs outside of the circumstances of political decision was ambiguous at most. At one end of the spectrum stood the aristocrat, bred for centuries to regard himself as the final authority, not only on his estates, but in country affairs, where he held an official position representing the central law of the land.[5] The bourgeosie, wealthy and secure in their position, chose to build a similar position of authority for themselves in Parliament and preferred to contain the status quo for the lower class.[6] Concessions to the poor clearly eroded the newly laid foundation of his place in society. The magistrates, who enforced the law of the land, were men of conscience, and upheld the laws ordained by Parliament, but these men also disregarded a law contrary to the interests of the ruling class.[7] Jonas Hanway did not plead

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[3] Supra, p. 6.

[4] Supra, p. 85.

[5] Supra, pp. 6-7.

[6] Supra, pp. 7, 25, 43, 46.

[7] Supra, pp. 16, 68.

release for the chimney-sweepers; his troubled conscience viewed their situation as irretrievable--his solution was to construct legal safeguards, but to leave the trade locked in custom.[8]

William Tooke, the Secretary to the Society for Superseding the Necessity of Climbing Boys, viewed custom as a force of magnitude but one which was subject to modification by changing belief.[9] He did not stand idly by--his solution was to work for the alleviation of the chimney-sweepers' misery by practical invention of a substitute cleaning device, the ubiquitous "machine."[10] Theoretically, the substitution should have been accomplished without all the furor it aroused, but in practice, the "machine" created a complex situation. The people of the land, fearing the danger of fire in soot-clogged chimneys, hired Master Chimney-sweepers who, in turn, apprenticed small children as their chimney-sweepers.[11] The Masters did not enter the chimneys--their peculiar construction (7" x 7" at the minimum, and 9" x 14" on an average) did not physically admit the body of an adult. Consequently, small children were necessary to the Masters, and unfortunately, the economy of the nation which supported the theory of a family

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[8] Supra, pp. 4-16.

[9] Supra, pp. 28-29.

[10] Supra, pp. 29-30.

[11] Supra, p. 32.

unit all engaged in labor, strengthened the position of the Masters on child employment.[12] The Amended Poor Law, in addition, supported family employment in its refusal to aid those families outside of the workhouse whose parent or parents could not support the entire family.[13] Parish orphans who found employment as chimney-sweepers reduced the pressure on the workhouse but also reinforced Parliament's determination to force the poor to care for themselves. The increase of the poor rates paralleled that of the rising population, and it was not uncommon for the Members of Parliament to view the possibility of a nation reduced to bankruptcy by the poor who increased their numbers at an alarming rate, but could not qualify in the labor market.[14]

William Tooke did not force Parliament to accede to his demands for reform nor did Henry Grey Bennet succeed where Tooke failed. He was considered a young, liberal upstart by seasoned politicians who were more contemptuous toward him than they were to another young reformer, Lord Ashley. It may have been expedience on Bennet's part more than sincerity, since he did not risk again his career or the anger of his father, as did Ashley for the sake of a social conscience.[15]

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[12] Supra, pp. 12, 31, 35, 40.

[13] Supra, pp. 52-54.

[14] Supra, p. 35. Cf., Supra, p. 9. Remark of Defoe's.

[15] Supra, pp. 34-40. Cf., Hodder, Earl of Shaftesbury, I, 283.

The early agitation of the nineteenth century bore fruit in the middle years as social reform became acceptable to the Victorians. Whether it was by design or accident, the entire aspect of children's employment--the factories, mines, chimney-sweeping--fell under Lord Ashley's scrutiny until it was difficult to separate one from the other.[16] The Ten Hours victory, as well as the alleviation of the abuse in the mines, along with the vitriolic pen of Charles Dickens, gave impetus to the final success of the chimney-sweeper agitation.[17] Thus, the drama and plight of the chimney-sweeper must be studied as part of the story of social reform at all levels of life.

One noted historian, in his study of Victorian England, credits the French Revolution with retarding the avariciousness of the rich and inspiring the inadequately rewarded in their quest for greater economic and social stability.[18] In the period 1800-1850, new legislation providing for voting reform; abolition of the slave trade and ultimately slavery itself; the arrangement for the protection of children employed in the factories and mines; and, lastly, the freeing of the chimney-sweepers from the horrors of their trade nullified any real desire for revolution in Great Britain. After 1850,

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[16] Supra, p. 66.

[17] Supra, p. 77. Cf., Hodder, Earl of Shaftesbury, III, 298.

[18] Kitson Clark, Making of Victorian England, pp. 32-33. Cf., Supra, pp. 8-9; Foord, His Majesty's Opposition, p. 470.

the working class steadily continued to better the economic conditions won in the previous half-century and threatened reprisal for benefits still unwon.[19] However, in the period of 1830-50, social reformers often could not gauge the depth or extent of the gains they won or estimate the cost of such gains to themselves.[20]

In the light of other reforms, the tardiness of chimney-sweep reform, still an unresolved question in 1872, must have appeared as a stiuation of unrelieved callousness to Shaftesbury when he reviewed the progress of the century in 1875.[21] It was Christopher Drummond's death in 1872 that provided the catalyst which broke the barriers resisting change, once and for all. Shaftesbury's eloquence seemed to have little effect in stirring the bored Lords, but neither, did it raise great hostility in them as in previous years. To Shaftesbury, his opponents' concern were no different from that of the Earl of Lauderdale's in that long forgotten year of elegance, 1819.[22] He was wrong: the aloof mid-Victorian

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[19]Kitson Clark, Making of Victorian England, p. 33. "In fact, it might be said that to a dangerous night and a stormy morning had succeeded an afternoon which was sunlit and serene, even if it was only the interval before the hours of darkness came again."

[20]Hodder, Earl of Shaftesbury, II, 50. "Cast down, but not destroyed. I feel no abatement of faith, no sinking of hope, no relaxation of perserverence. The stillest and darkest hour of the night just precedes the dawn." Diary entry, May 16, 1844.

[21]Ibid., 156. "But by God's mercy, good may come out of evil." Diary entry, March 20, 1873, after Christopher Drummond died.

[22]Supra, pp. 37-40.

aristocrat was little different from his predecessor of the Regency Age, but the era, its culture and the importance placed on the individual and his social rights, had experienced a revolutionary modification.

The Hammonds regarded the chimney-sweep struggle as a ". . . strange story." They believed that there must be some link with the belief of every Englishman that his ". . . home is his castle, and to dictate the method in which his chimney should, or should not, be swept, a dictation which might even involve an alteration in that chimney, meant an interference with private affairs."[23] This is an understandable attitude toward life, but its impact on a child and his pain, was not defensible in post-Reform Britain. If it had been the aristocratic members of society alone who maintained that posture, it might have been understandable, but it was an opinion held by ". . . a large proportion of the public," makes the view incredible.[24]

It is ironic, indeed, to find that Hanway's suggestion in 1785 to license all Master Chimney-sweepers through the magistrates, was the ultimate solution reached in 1875 to end evasion of the law thirty-five years after Lord Cockburn's statement in 1840:[25]

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[23] Hammond, Lord Shaftesbury, p. 217.

[24] B.S.P., (1863), XVIII, 91.

[25] Hanway, A Sentimental History, pp. 108, 118.

> It was not only a scandal to the law to allow the sweeping of chimneys by children, but it was a deep disgrace on society to perpetuate the trade--society being, in point of fact, art and part in the commission of the inhumanity. It was indeed monstrous to allow any child to be employed in such a way, and if the trade was but once put down, it would be looked upon with so much horror that it would be difficult to convince the next generation that it had ever existed in a country claiming to be Christian. [26]

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[26] *B.S.P.*, (1863), XVIII, 93.

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