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Author(s): T. K. Derry

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THE REPEAL OF THE APPRENTICESHIP CLAUSES OF THE STATUTE OF APPRENTICES

THE repeal of the apprenticeship clauses of the Statute of Apprentices in 1814 is universally regarded as a landmark in the history of *laissez-faire*, since the Elizabethan law requiring craftsmen to qualify by a seven years' servitude in order to practise their trades is one of the most striking examples of the policy of state regulation of industry. Its abandonment, then, could not be devoid of significance, which makes it the more remarkable that accounts of the event are so lacking in detail. The facts, as generally stated, may with advantage be briefly outlined. By the end of the eighteenth century the Statute of Apprentices, much whittled away by narrowing decisions of the judges, who disapproved of it on principle, had become largely inoperative. An attempt to revive it was then made by the woollen workers, who believed that it would check the growth of the factory system, but the capitalist manufacturers retaliated by obtaining, first the suspension from year to year, and finally, in 1809, the repeal of the Act so far as it concerned their trade. After a short interval a second isolated attempt was made to re-enforce the Statute, in London this time and on a much smaller scale. A series of prosecutions were launched, the failure of which induced their promoters to petition Parliament for the extension and improvement of the law. They were rebuffed, and a lawyer in the House seized the opportunity to do away with it altogether, in accordance with those *laissez-faire* doctrines which had already led to the abolition of the wage-assessment provisions of the same Act in the previous year. It is here proposed to fill in some details of the story, in the belief that they may serve to modify the traditional view as to the nature of the event, and may also add something to the general picture of social forces in this critical period. The narrative falls conveniently into two parts: first, the movement for the enforcement and extension of the law; second, the counter-agitation which resulted in its repeal.

I.

The once powerful organizations of the woollen workers lost interest in the apprenticeship question after their futile efforts in 1802-6, but they had set an example of co-operation which was not lost on others,

as, for example, at Leeds, where we are told that "shoemakers and tailors, carpenters, bricklayers, wheelwrights, croppers, and many other trades" were sufficiently united to render mutual assistance, one of the objects being "to prescribe the age at which apprentices should be taken or considered legal."¹ Thus there may be some connection between the agitation in the woollen industry, the history of which has been told elsewhere,² and an obscurer but not less widespread movement in the working class which led up to the events of 1813 and 1814. Trade societies were reluctant to keep records at this period, and although it has been suggested³ that the inclusion of small masters made associations to enforce the Statute of Apprentices immune from the dangers of the Combination Laws, the point was sufficiently doubtful for counsel to give a very guarded opinion on it in 1812.⁴ Therefore the chance survival of even a few sets of rules, in which apprenticeship regulations were being tightened up, goes to suggest that the exaction of a seven years' apprenticeship was an increasingly prominent goal of working-class endeavour in the opening years of the nineteenth century.

One example is that of the Thames Caulkers, who made a rule in 1810 that every member must produce his indenture⁵—a provision that was already being rigorously enforced by the Shipwrights of Liverpool.⁶ About the same time the Old Amicable Society of Woolstaplers actually lengthened the term prescribed by its rules from five to seven years.⁷ So also the Macclesfield Silk Weavers in 1811 were strengthening their regulations to the extent of curtailing the special advantages enjoyed by their own children.⁸ Even the Scottish cotton weavers were affected, for by 1808 or 1809 they were prepared, if necessary, to abandon their demands for a minimum wage or an arbitration system and accept a compulsory seven years' servitude as an alternative remedy for their distress, albeit their spokesman claimed to have no knowledge of the English law on the subject. Their proposal, moreover, took shape as a scheme for "an universal system of seven years' apprenticeship," which would "prevent a number from coming from the country places into the towns," and as such was voiced by delegates claiming to represent, not weavers alone, but "the whole of the trades of any

¹ *Parliamentary Papers* (1806), iii. 367.

² By J. L. and B. Hammond, *The Skilled Labourer* (1919), 180-188.

³ S. and B. Webb, *History of Trade Unionism* (ed. 1920), 66.

⁴ See *infra*, p. 73.

⁵ Rules of 1810 in Webb MS. Collection for the History of Trade Unionism (The London School of Economics).

⁶ Rules of 1800 (*ibid.*).

⁷ Rules of 1809 (*ibid.*).

⁸ *Parliamentary Papers* (1818), ix. 91.

consequence" in Glasgow.¹ It was, of course, deemed "entirely inadmissible."²

The most interesting case, however, is that of the framework knitters, who had been given fresh heart at the beginning of the nineteenth century by their success in compelling a reluctant Chief Justice to allow a penalty, though a very small one, for a breach of the apprentice regulations laid down in the Charter of the Company, which still nominally governed their trade.³ Accordingly, although their application to Parliament in 1812 did not directly allude to apprenticeship, much of the evidence was concerned with abuse of the system. The master stockingmaker, as Gravenor Henson pointed out, paid the hosier rent for his frames when they stood idle, and was therefore "extremely anxious to obtain a workman," even if it meant taking a "colt" or illegal worker. Gentlemen's servants and farm labourers were eager to crowd into the trade, through "an idle conceit that nothing is preferable to liberty," and the impoverished stockinger was always to be found who would teach them for a consideration.⁴ One witness boldly demanded that "colting" should be made illegal for the future, but the grievance remained as one of the motives of Luddite intimidation⁵ and of the "Society for obtaining Parliamentary Relief," the rules of which expelled any member teaching his craft, or any part of it, to any person other than one of his family, or an apprentice, or a fellow-member.⁶ This organization, founded apparently in 1813, remains an enigma, though it was sufficiently important at the time to arouse the curiosity of the Home Office. Its centre was presumably in Nottingham, but it was evidently a confederation of societies, and a reference in the rules to the "craft, occupation, or business" of members seems to imply that it included others besides framework knitters. At least it may be hazarded that this was one of the associations which agitated for the enforcement and extension of the law of Elizabeth.

These years are also remarkable for a revival of industrial activity among such of the London Companies as retained a practical connection

¹ *Ibid.* (1810-11), ii. 1-16.

² *Ibid.* (1809), iii. 1.

³ W. Felkin, *History of the Machine-wrought Hosiery and Lace Manufactures* (1867), 435.

⁴ *Parliamentary Papers* (1812), ii. 33-62.

⁵ Cf. *The Beggar's Complaint* (Sheffield, 1812), 102—Reflections on Luddism: "Ever since I can remember, feuds and quarrels have subsisted . . . respecting workmen called illegal men" (B.M. 8276a 4).

⁶ There are two copies of the Articles of this society in the Home Office Papers—a manuscript copy which was received not later than February 14, 1814 (H.O. 42-137), and a version printed at Nottingham in 1813 and received the following April (H.O. 42-138); cf. Webb, *History of Trade Unionism* (ed. 1920), 62.

with their craft. In 1810, for example, the Basketmakers ordered the insertion in the newspapers of a notice, which referred to a number of unqualified basketmakers who were trading "to the great detriment and injury of persons duly apprenticed to the said craft," and gave them the alternative of applying for the freedom of the Company immediately or submitting to a prosecution.¹ In the following year an attempt was made to induce the Founders to take cognizance of the fact that "many persons were employed by masters in the trade, who had never served any apprenticeship thereto," but the Court of the Company found that the free journeymen were insufficient to supply the industry, and postponed consideration.² But the Company chiefly concerned was that of the Clockmakers, who "claim to have always identified themselves with the Trade, in whose interests they were originally incorporated,"³ and who were at this time attempting to check the counterfeiting of makers' names on clocks and to procure a ban on imported clockwork.

A special committee was appointed in April, 1809, to memorialize the Treasury and the Board of Trade, which brought forward an ingenious argument to the effect that, as most of the improvements in machinery for the silk, cotton, woollen, and other manufactures had been originated by persons trained as clockmakers, "some particular advantage should be afforded them by the legislature . . . and . . . the exclusive right of exercising their own trade appears to be the most equitable remuneration."⁴ Thenceforth the enforcement of apprenticeship throughout the industry took its place as one of their demands. There were almost endless delays. First the Memorial was sent back to be shaped as a Bill. Then the Company was advised to wait until the following session, when representatives were twice received by George Rose (Vice-President of the Board of Trade), and the Lords of Trade gave their cautious approval; as for the industrial regulations, they wrote, "It seems to be admitted they might be very proper as growing out of the primary objects." At this point a rival committee of the trade intervened, and Rose refused to take any action until they were united. Up to the end of the year 1812 the promoters were busy soliciting help, first from Vansittart, then from the Members for the City, and finally from the Prime Minister. Lord Liverpool was still

¹ H. H. Bobart, *Records of the Basketmakers' Company* (1911), 120.

² W. N. Hibbert, *History of the Worshipful Company of Founders* (1925), 80.

³ S. E. Atkins and W. H. Overall, *Some Account of the Worshipful Company of Clockmakers* (1881), 343.

⁴ *Journal of the Clockmakers' Company*, vol. vi. (Guildhall Library MS. 2710). The remainder of the paragraph is based on the Minute Book of the Clockmakers' Committee for Correspondence, Laws, and Suppression of Malpractices (Guildhall Library MS. 2727).

too busy to do anything for them when the session of 1813 came to an end, and they were left to prepare a fresh petition. Accordingly, the apprenticeship proposals made their appearance once more in February of the following year, but in April they were finally withdrawn in view of the then imminent repeal of the apprenticeship law. The Company had vainly attempted to defend the Elizabethan policy against the enemies of the corporation spirit, who, they insisted, "at the same time condemn the whole political and commercial establishment of Britain ; which is nothing other than a grand Corporation, composed of an infinity of smaller ones."¹ As a matter of fact, their own efforts had been frustrated, not so much by a deliberate adhesion to free trade principles as by the supineness and administrative chaos which characterized the Government.

When the enforcement of apprenticeship was being demanded by the Scots, among whom it had no traditional sanctity, by the knitters, who had failed so often, and by London companies with their capitalist outlook, it is not surprising that the highly skilled and well-organized artisans of the metropolis should take up the subject, or that they should be able to enlist the aid of the provinces when they later needed it. The method employed was that of prosecution. From the late date to which indictments of illegal workmen continue in the neighbouring county of Hertford,² it seems likely that in London the Statute of Apprentices, so often described as obsolete, had never entirely ceased to give rise to litigation. One case can be traced in 1804, when an uncertainty about the nature of the trade saved a mast and blockmaker who was accused of employing an unapprenticed sawyer,³ and early in 1809 a judgment was extorted from Lord Ellenborough, much against his will, disallowing as illegal employment under the Act a contract by which a learner paid a premium and took wages.⁴ About the same time an unqualified coachmaker was charged:⁵ thus there was nothing new about what we may describe as Chippendale's campaign, inaugurated in December of the same year, but its extent and vigour.

Chippendale was an attorney who was employed by various trades to bring forward cases under the Act of Elizabeth. In 1813 he gave a Parliamentary Committee a full list of the actions he had fought, but volunteered no further information about his employers, except to remark that in one instance, where a carpenter was prevented from

¹ *Circular to Members of the Trade*, issued by the Clockmakers' Company, September 25, 1812 (Guildhall Library).

² The Process Book of the county records three prosecutions in the eighties and one in the nineties of the eighteenth century.

³ *Spencer v. Mann and others* (5 *Espinasse* 110).

⁴ *Beale v. Geale*, February 14 (2 *Campbell* 1).

⁵ *Coward v. Maberley*, May 24, 1809 (2 *Campbell* 127);

setting to work a youth who had been bound for five years only, the boy had subsequently been articled, at the request of the Chairman of Quarter Sessions, to one of the journeymen carpenters who had ordered the prosecution.¹ Internal evidence, however, supplies one most important fact about the prosecutors: nineteen actions brought by the same attorney cover thirteen distinct trades, while the test-case originally submitted to counsel concerned a fourteenth,² so that the direction must certainly have been in the hands of some general representative body.

These nineteen cases, which stretch over a period of approximately three years from December 4, 1809, when the first was tried, resulted in no less than twelve acquittals. In three instances the courts ruled that the trade in question—coachmaker, patent lockmaker, machine-maker—was of post-Elizabethan origin and therefore, according to a generally accepted doctrine, was not bound by the Elizabethan law. In three others it was held that the penalty, which was fixed in the statute at the rate of forty shillings a month, could not be awarded, because the breach of the law was not proved to have lasted a full month. In the remaining cases the defence was of a still more tenuous character, yet the grievance under which Chippendale's employers felt they laboured lay rather in the minority of successes than in the majority of failures. On four occasions they had been allowed only a single penalty, although they had proved the offence to have continued for several months, while in the other instances they were legally restricted (by the statutes regulating the powers of informers)³ to twelve months' penalty as a maximum, half of which went to the Crown. Their gains, therefore, could never exceed £12. On the other hand, as informers they were debarred by law from winning their costs when the verdict was theirs, although they had to pay those of their opponents when they lost. In nine cases where the costs of a successful defence are specified, the average sum to be paid amounts to not less than £27 10s. In the one instance where the costs of both sides are detailed, those of the prosecution are double those of the defence. So it may be inferred that a journeymen's organization, proposing to prosecute a firm for employing illegal men, had to be prepared to pay its own costs of perhaps £40 in any event, and to risk having to pay its opponent's costs of perhaps £27 10s., all in the hope of securing a penalty which could not amount to more than £12. This was the grievance which they now desired to put before Parliament, and which was later to be

¹ *Parliamentary Papers* (1812-13), iv. 50.

² Cf. Webb, *History of Trade Unionism* (ed. 1920), 59. The document is now lost.

³ 31 Elizabeth cap. 5 and 21, James I. cap. 4.

misrepresented as a "very extraordinary" claim to pay no costs in event of failure.¹

But we are anticipating the course of events. At the moment the fact which must have emerged was that, even if the courts showed themselves less unfavourable to their claims, a prolonged legal campaign was a financial impossibility. Accordingly, in the summer of 1812, "the mechanics of the metropolis," as they style themselves, resort to the idea of an appeal to Parliament, and take the opinion of counsel as to the legality of their proceedings.² Their adviser informed them that a deputation with the bona fide object of petitioning Parliament was within the law; but added that, "If the deputation is addressed to any object of forming Resolutions, or other proceedings to prevent masters from employing those persons who have not served apprenticeships, or to prevent regular journeymen from working where such persons are employed, then such deputations will amount to unlawful conspiracies at Common Law, and will also come within . . . the 39th and 40th George III. cap. 106."³ To overstep the bounds of legality was evidently easy for working-class agitators, but they proceeded with the task.

The terms of the case stated for counsel make it fairly certain that two delegates from every metropolitan trade had already been assembled in August, 1812,⁴ and this body continued to meet throughout the first half of the following year. An enemy of the movement alleges that, although it was called together solely to petition Parliament, "various other objects" came under its consideration,⁵ and it may be conjectured that an informal understanding of some kind was already in existence among the leaders of prominent London trade societies, which had made possible the joint prosecutions and readily lent itself to the new purpose. Would it be going too far to describe it as a nascent trades council? Be that as it may, the metropolitan crafts contrived to make themselves the nucleus of a national organization, which went to work with such good effect that on April 28, 1813, a petition was sent up to the House of Commons bearing more than 32,000 signatures,

¹ *Parliamentary Debates*, xxv. 1129.

² Cf. *Prospectus of an Association to amend an Act of the 5th of Elizabeth*, 1 (Guildhall Library).

³ Opinion of S. Shepherd, August 27, 1812, included in the *Prospectus of an Association, etc.*

⁴ "Case. The mechanics of the metropolis, and indeed all over the Kingdom, have associated themselves": these can presumably be identified with the two deputies from each London trade who are referred to in the *Prospectus* itself, which is dated June 18, 1813.

⁵ Letter from "A Master Manufacturer" in *The Public Guardian*, June 23, 1813.

considerably more than half of which had been collected outside London, while one in every sixteen was the name of a master craftsman.¹

This document set forth five premises—the connection between the regulations of apprenticeship and “the superiority of the mechanics, tradesmen, artificers, and manufacturers of this country over every other”; the neglect of them in late years by both masters and journeymen; the inadequacy of the penalty recovered by the successful prosecutor; the inexpediency of the exemption of new trades and branches of trades; and the inconvenience of the statute in its present shape in other respects. On these grounds the petitioners begged leave to introduce an amending Bill to render the Act more effective. When the petition, which Rose had presented to the House, was debated upon, he secured the appointment of a Select Committee against some opposition, but at least one of his supporters justified his vote by an expectation that the Committee would come to opposite conclusions from those of the petitioners.² It was empowered also to consider counter-petitions from Plymouth, where “many of the petitioners, owing to the poverty or early decease of their parents, were not apprenticed to learn any art or trade,”³ and from the Bermondsey fellmongers, who were anxious that there should be no arbitrary curtailment of the supply of potential blacklegs.⁴

The evidence tendered to the Committee was, on the whole, less impressive than might have been expected from the multitude of supporters.⁵ True, it effectively exhibits the disregard of the statute, instancing twenty-five trades in which there were illegal masters, twenty-five containing illegal journeymen, and twenty-one where short terms of less than seven years were known to have been served; but the force of the examples is lessened by the fact that they are all taken from the same four rather similar areas, London, Liverpool, Bristol, and Plymouth. This can probably be accounted for by the short notice at which witnesses had to be produced before the Committee, which reported before the end of the month in which it was appointed,⁶ and that may also explain why they were not better primed with positive arguments in favour of the law.

As it was, they had only three or four rather small points to make. One of these was that in half a dozen trades non-observance of the apprenticeship law had hampered exports. The coachmakers, for instance, alleged that the bad work of the illegal men had “totally

¹ *Journals of the House of Commons*, lxviii. 426. The signatures are analyzed by George Rose: *Parliamentary Debates*, xxv. 1129.

² *Ibid.*, 1130.

³ *Journals of the House of Commons*, lxviii. 455.

⁴ *Ibid.*, 488.

⁵ Cf. Report of the Committee in *Parliamentary Papers* (1812-13), iv.

⁶ Cf. *Journals of the House of Commons*, lxviii. 531 (May 31, 1813).

annihilated our trade abroad." Another was the undercutting of prices by illegal men in seven of the trades, but this only became a telling argument in the hands of the ship caulkers, who urged that "they work at under price, not being able to complete the work as well as we are." A third point, of which a good deal was made, was the practice of the Government in admitting no workman to the royal dockyards without his indentures. Finally, the men received unsolicited and unintended help from the Bermondsey fellmongers, who described to the Committee a strike which had occurred in their trade a few years previously, when the masters had only been enabled to triumph by the liberty which they assumed of advertising for unqualified workmen. They were eloquent in exposing the perils of combinations, but the Committee was probably more impressed by the fact that the masters' spokesman, who had served his time himself, acknowledged that they still preferred to employ the regular men and found the newcomers not fully competent after three or four years in the trade.

However telling the arguments of the men's witnesses might have been, it is in the highest degree improbable that they would have won the active sympathy of a Parliament which, only two or three years earlier, had scouted the similar proposals of the cotton weavers as "calculated . . . to restrict the number of hands when manufactures are flourishing; to confine workmen to a trade in which, by a change of circumstances, they may be no longer able to find employ . . . and to infringe on personal liberty in that most essential point, the free exercise of Industry, of Skill, and of Talent."¹ In this instance there was no such declamation, for the simple reason that there was no report; and, if an explanation is desired for the absence of any report, it can be found in the fact that the committee, though open to all comers, had rarely been attended by more than two or three members, once a quorum was formed.²

Rose, who was no longer in office, had originally been dragged into the matter against his will. He had reminded the men's representatives that he had espoused the Bill which repealed the apprenticeship law for the woollen industry, and had candidly stated that they also were likely to be disappointed. But he was now convinced that they had made out "a very strong case indeed," though it remains doubtful whether he himself ever seriously contemplated the rigorous exclusion of all illegal men. At all events, he had several interviews with a sub-committee of the promoters, and finally induced them to defer even the

¹ Report on Cotton Weavers' Petitions, 1, in *Parliamentary Papers* (1810-11), ii.

² *Parliamentary Debates*, xxvii. 570 (speech of George Rose). This is also the authority for the account of his activities in the following paragraph.

introduction of their Bill until the following session, assuring them that "nothing could be lost by delay."¹ At the end of the session, in answer to a question, Rose merely stated that he did not intend personally to base any proposal upon the reported evidence.²

Meanwhile, the "mechanics, handicraftsmen, and artificers" elaborated their preparations. The Grand Committee sat from time to time in Southampton Buildings, Holborn.³ A manifesto, detailing their grievances and the proposed remedies, was issued under the title of "Prospectus of an Association to amend an Act of the 5th of Elizabeth."⁴ The meetings and subscriptions, which had been started in the provinces during the previous year, were to be continued: the latter, fixed at the rate of twopence a month, were not to be regarded merely as a resource for feeing counsel, but as "the means of keeping up the spirit of the mechanics, by having an opportunity of meeting monthly, for the attainment of an object which is strictly legal." Above all, Rose was to be persuaded to bring in a Bill, backed by petitions from every quarter and by such pressure as deputations of electors could bring to bear upon their parliamentary representatives.

II.

Before the session of 1813 ended, the situation was entirely reversed. Although the artisans' committee, preoccupied with their own Bill, remained apparently in blissful ignorance until November, a certain Serjeant Arthur Onslow, M.P., had given notice by July that, in default of any proposals from Rose, he would himself take up the apprenticeship question where it had been left by the Select Committee.⁵ Since he was the person who had chiefly opposed that committee's appointment,⁶ it was not to be expected that he intended to gratify the wishes of the petitioners. Indeed, in his experience as chairman of the Surrey Quarter Sessions, he had seen something of Chippendale's activities, and had formed the fixed opinion that it was only skilful workmen who were ever indicted as illegal.⁷ He was, however, a new Member of Parliament, and one who was never again to distinguish himself during a period of eighteen years' service⁸—unless it was by his annual motion, invariably shelved, for the repeal of the Usury Laws—so that it is at

¹ *Prospectus of an Association, etc.*, 2.

² *Parliamentary Debates*, xxvii. 423.

³ *Prospectus of an Association, etc.*, I.

⁴ It is signed "P. Cunningham, Secretary," and dated June 18, 1813.

⁵ *Parliamentary Debates*, xxvii. 424.

⁶ *Ibid.*, xxv. 1129.

⁷ *Ibid.*, xxv. 113. Cf. *Parliamentary Papers* (1812-13), iv. 50.

⁸ He sat for Guildford from 1812 to 1830, becoming recorder of the borough in 1819 (*The Gentleman's Magazine*, lxxxix. 80).

least a reasonable hypothesis that his actions were determined from the first by the wishes of that group of manufacturers who were his allies throughout the business, and marked its success by a formal presentation of plate to their spokesman.¹

At all events, the reopening of Parliament on November 4 was anticipated by the calling of a select meeting of master manufacturers at the Museum Tavern, when a committee of management was appointed to organize support for Onslow's intended motion. The committee met, with Alexander Galloway in the chair, and issued invitations to individual masters for a further meeting, which was to consist of twelve persons from each manufacturing employment carried on in the metropolis. A hostile eye-witness has left an amusing account of this, in which it is alleged that the attendance, which should in theory have reached the figure of 960, was actually about 50; that the people who did attend were "chiefly . . . a few interested individuals who are carrying on particular trades contrary to law and some other persons who had been punished for their having disobeyed the said statute"; and that the Resolutions were only carried in the end by ignoring those who wished to discuss the general principle, after a member of the committee of management had suggested to the chairman that "they did not come there to hear any argument against their design."²

The picture is probably rather overdrawn, but in any case what counted was not the numerical strength of the masters' committee, but its influence and wealth, of which full use was made during the interval afforded by Onslow's postponement of his motion. It was to have come up on November 30, but he decided to wait until February, as the members for the manufacturing districts were not yet in town, and then there was a further delay until April 27, 1814, to ensure a full House.³ Meanwhile the committee engaged an efficient secretary in Richter, who had been associated with Francis Place's educational undertakings,⁴ and by the beginning of January they had printed several papers for general distribution and had opened a correspondence with the industrial towns,⁵ to be followed up two months later by the production of a pamphlet of twenty-six pages, based on an assiduous study of the parliamentary papers.⁶

¹ [George White]: *A Few Remarks on the State of the Laws . . . for regulating Masters and Workpeople* (1823), 59, says that "he received several pieces of plate from the masters of several manufacturing towns."

² This paragraph is based throughout on notices in the Minute Book of the Clockmakers' Committee (see *supra*, p. 70, note 4).

³ Cf. *Parliamentary Debates*, xxvii. 424 (Onslow's speech of April 6, 1814).

⁴ "Richter is secretary to the Associated Manufacturers for repealing the 5th Elizabeth and his time is wholly and beneficially occupied": Francis Place to Edward Wakefield, January 2, 1814 (B.M. Add. MSS. 35152 fo. 24: cf. fo. 37).

⁵ *Ibid.*

⁶ *The Origin, Object, and Operation of the Apprentice Laws.*

We may now turn to examine the activities of the men's committee on the other side. They had been kept sufficiently busy preparing their monster petition for the extension of the statute, which bore more than sixty thousand names,¹ but by the time of its presentation to the House of Commons they were making ready to face a new menace. In November and December, 1813, they twice circularized the City Companies² on the subject of "the novel and dangerous tendency" disclosed in Onslow's notice, but it may be as well to refer first to the meeting held at the Freemasons' Tavern on January 14, when the full plan of campaign was detailed.³ As before, it was agreed that signatures should be collected for a petition, subscriptions solicited, and the London Members of Parliament canvassed. What was new was the appeal to the general public, for it was determined that twenty-five resolutions, put by Peter Laurie from the chair, should be advertised in all the leading newspapers. These emphasize most of all the vested interest of the qualified worker. "The apprenticed artisans," they declare, "have, collectively and individually, an unquestionable right to expect the most extended protection from the Legislature, in the quiet and exclusive use and enjoyment of their several and respective arts and trades, which the law has already conferred upon them as a property, as much as it has secured the property of the stockholder in the public funds: and it is clearly unjust to take away the whole of the ancient established property and rights of any one class of the community, unless, at the same time, the rights and property of the whole commonwealth should be dissolved, and parcelled out anew for the public good."

The task which lay readiest to hand was that of enlisting the aid of the City Companies and Corporation as the natural champions of vested interests. Accordingly, the first of the two circulars mentioned above urged that Onslow's proposal would immediately affect the elective franchises, so that it was the business of the Companies, "ever alive to their rights and liberties," to resist him. But the Clockmakers, at least, needed no such prompting, for they had resolved independently to induce the Common Council of the City to oppose Onslow, had sounded the Recorder and the Remembrancer, who promised their support, and—by the time the second circular appeared—were printing a manifesto of their own to extol "that great palladium of British manufactures, the Statute of Apprentices."⁴ For the moment their

¹ 62,875: *Parliamentary Papers* (1817), vi. 48.

² On Nov. 29 and Dec. 23 (Enclosures in the Clockmakers' Minute Book).

³ Cf. *Resolutions of the Master Manufacturers and Tradesmen of London and Westminster* (copies in the British Museum and Goldsmiths' Libraries).

⁴ The canvassing took place between November 10 and 18, and the manifesto is dated December 14 (Clockmakers' Minute Book).

cause triumphed, since the Common Council after some delay instructed the General Purposes Committee to consider the expediency of a petition on behalf of the existing law.¹ But the propaganda of Onslow's party had saved the Council from engaging itself more definitely,² and after individuals had been approached in his interest,³ a deputation was sent to confer with the Serjeant, the result being that a clause was inserted in his Bill to safeguard the civic privileges, while more general objections were quietly shelved.⁴

The help of Members of Parliament was also solicited. Thus the Committee of Artisans and Manufacturers ventured to despatch a most respectful letter to Lord Liverpool, desiring an interview, but he seems never to have acknowledged it or shown any interest in the matter.⁵ Usually, however, it was the local Member who was approached, and, in the trading towns where a majority of constituents might be apprenticed freemen, he would be likely at least to render the cause lip-service. In consequence, one member sardonically prophesied of Onslow's measure: "There would be a great number of speakers against it, but . . . a large majority of votes for it."⁶ Romilly, who was more independent than the common run of members, tells us that he was eagerly canvassed both by his Bristol electors and by the London Association, but continued openly to support the other side.⁷ In general, though, Onslow showed himself quick to placate harassed interests, wherever possible. He assured the London silk-weavers that their business was not included in the Bill.⁸ He attempted to satisfy the freemen of Liverpool by announcing that "it had never been within his contemplation to interfere in the smallest degree with chartered rights."⁹ In April, 1814, he was still endeavouring to convince Peter Moore that his Coventry constituents were mistaken in thinking their interests to be at stake.¹⁰

But the Englishman's liberty of petitioning was the chief weapon in the armoury of the artisans. Their Committee expressed a confident

¹ Minutes of the Court of Common Council (1813), 104, December 16: cf. Clockmakers' Minute Book.

² Cf. Clockmakers' Minute Book.

³ "The members of the Common Council have been seen, many of them separately, and have been made to understand the question": Francis Place to Edward Wakefield, January 2, 1814 (B.M. Add. MSS. 35152 fo. 24).

⁴ Minutes of the Court of Common Council (1814), 37, May 5.

⁵ The Committee of Artisans and Manufacturers to Lord Liverpool, March 7, 1814 (B.M. Add. MSS. 38256 fo. 318).

⁶ *Parliamentary Debates*, xxvii. 574 (speech of William Smith).

⁷ *Memoirs of the Life of Sir Samuel Romilly, written by himself* (1840), iii. 135.

⁸ *Parliamentary Papers* (1818), ix. 121.

⁹ *Parliamentary Debates*, xxvii. 224 (speech of December 1, 1813).

¹⁰ *Ibid.*, 423 (speech of April 6, 1814).

hope that every "town or corporation and neighbourhood" would "not only petition Parliament that the Statute of Apprentices may not be repealed, but that those most invaluable provisions may be strengthened and made more effectual."¹ It gave a useful if belated assurance that their projected Bill would respect the interests of all persons already practising a trade, however acquired.² London was placarded for signatures, and emissaries are reported to have been sent through the country.³ The campaign was remarkably successful, as not less than three hundred thousand persons signified their approval of the existing law, "while the illegitimate, unapprenticed, and itinerant counter-petitioners did not exceed two thousand."⁴

The wide distribution and varied status of the champions of the old order was a still more striking testimony to the efficiency of the organization. From the very first days of the session Parliament was flooded with appeals from every corner of the kingdom, equally from north and from south, from great industrial centres like Leeds and Liverpool, and from such humble groups as the glove manufacturers of Yeovil.⁵ As for status, the usual description of the petitioners as "several masters and journeymen mechanics, artificers, and handicraftsmen" might be discounted as a mere formula, were it not that in several instances they specify themselves to be master manufacturers or master tradesmen, without including journeymen,⁶ while in one place—Leeds—the magistrates are mentioned,⁷ and a whole petition emanates from "Directors of the Chamber of Manufactures and Commerce of Birmingham."⁸ As if this effort were not enough, the production of Onslow's Bill was promptly followed by the depositing of a new series of petitions, directed more specifically against his proposals, which continued to pour in until the Bill had passed the Committee stage in the House of Lords.⁹ These last came from London only, as time was pressing, but the fact that they included eight general petitions and twenty-three from particular trades, at least one of which bore a thousand names,¹⁰ while the counter-petitions numbered two,¹¹ confirms the conclusion that the Committee was in fairly complete control of the trades of the metropolis.

¹ Circular of December 23, 1813 (*supra*, p. 78, note 2).

² *Ibid.*

³ *Parliamentary Debates*, xxvii. 563 (Onslow's speech of April 27, 1814).

⁴ *Ibid.*, 574 (Peter Moore's speech).

⁵ *Journals of the House of Commons*, lxix. 179, 262.

⁶ *Ibid.*, 185, 192, etc.

⁷ *Ibid.*, 179.

⁸ *Ibid.*

⁹ The last are in *The Journals of the House of Lords* under the date July 6 (xl. 1044); the Bill was reported the same day (*ibid.*, 1045).

¹⁰ *Cf. Journals of the House of Commons*, lxix. 257.

¹¹ *Ibid.* 257, 263.

The arguments of the petitions, as reported in the Journals of the House of Commons, are largely of a formal character and need not detain us, since a convenient summary of the various arguments which opponents of repeal advanced is contained in "A Letter to the Lords and Commons on the Advantages of Apprenticeships," which was published at this time. Its author, William Playfair, was, among other things, a pamphleteer by profession, so that, although he had championed the cause of apprenticeship independently in his edition of *The Wealth of Nations*, published in 1805,¹ it is quite likely that his present venture was directly inspired by the men's committee, whose "great wisdom and liberality" he incidentally extols. Thus his discussion of the case of the illegal man is obviously disingenuous, since he asserts that he is amply protected by the combination laws, while all that is desired is that, when there is competition for employment, "he who has served his time should have a preference." In the same way, he tries to disarm popular prejudice by denying the existence of journeymen's associations for the enforcement of the law: "These," he declares, "are mere phantasmagoria . . . merely mentioned to influence the opinion of the British legislature." A still more conclusive proof is provided by his knowledge of the Committee's plans, including their projected Bill, which he says was to have repealed the absurdities of the existing law and effectively restricted apprentices in proportion to journeymen employed. Playfair's arguments may therefore be taken as representative.

The three main points can be stated very briefly. In the first place, the pre-eminence of English manufactures was used as a reason for deprecating rash experiment. Instead, "we should wish to preserve those regulations by which our workmen have attained a degree of skill and dexterity unknown in any other country, and which originated in the time of Elizabeth; that is, which is coeval with the regulations that innovators, in their zeal for reform, would induce the legislature of this country to do away." In brief, "The present mode . . . cannot be a bad one, since it has produced such happy results." Secondly, the moral value of apprenticeships was stressed. To illustrate this, Playfair cites the example of towns "where apprenticeships have no particular privileges, and where the trades can be most easily learnt," yet the respectable inhabitants nevertheless prefer to apprentice their sons. Why? "They bind them apprentices to keep them from becoming vagabonds and blackguards." Lastly, it was stoutly maintained, at the cost of consistency, that legal benefits were an absolutely necessary inducement. "If you take away the motive for apprenticing youth, though you do not prohibit, you prevent the thing."

¹ Vol. iii. 243-252.

To discover the arguments which were ranged against these, we may proceed with the history of Onslow's Bill. He announced on April 6 that he hoped to bring it before the House that session,¹ and three weeks later he was in a position to move the first reading of a Bill, prepared by himself with four supporters, including the first Sir Robert Peel.² On this occasion Onslow opened up the subject in an elaborate speech (subsequently published),³ the main points of which appear to be drawn from the pamphlet produced by his allies, the Committee of Manufacturers, a few weeks earlier, though he wisely remodelled their historical account of the law of Elizabeth as "a law passed in semi-barbarous times . . . under the feudal government and tyranny of the ancient barons."⁴

He began,⁵ of course, by emphasizing the modifications, so strange and inconsistent, which the judges had been obliged to introduce into the Statute, and exposing "the narrowness of the views of its framers," who had aimed firstly at the subservience of industry to agriculture, and secondly at the rigid differentiation of trades. "The reptile, though crushed, is not dead; it still has power to sting." Then, having created a suitable atmosphere, he proceeded to explain away the alleged merits of the Act. As regards skill, he triumphantly demonstrated that, if the petitioners were right in their assertion that seven years' training was necessary in the various trades, that fact would in itself safeguard their interests better than any law. In respect of the national morals, of which he proclaimed himself the champion—"I never can put any increase of national wealth in competition with national morals"—the case for apprenticeship was destroyed by the prevalence of the "outdoor" system, and its place was supplied through the "pains . . . taken to diffuse religious instruction, and to promote education among the lower orders of society." In the third place, he urged that it was not his intention to discourage apprenticeships, which, he alleged, were as commonly served in trades that lay outside the statute as where it was nominally compulsory. This disposed of his opponents' case, so the Serjeant closed with a telling list of the trades which already enjoyed a statutory exemption from the burdens of the Act and an effective allusion to "the glorious news, just communicated by the Chancellor of the Exchequer"—news of peace, which spelt unemployment for the munition workers, whom the law would prevent from entering other occupations.

¹ *Parliamentary Debates*, xxvii. 424.

² *Journals of the House of Commons*, lxix. 214.

³ *Parliamentary Debates*, xxvii. 563, published as "Substance of the Speech of Mr. Serjeant Onslow" in *The Pamphleteer*, iv. 8 (November, 1814).

⁴ *The Origin, Object, and Operation of the Apprentice Laws*, 10, 24.

⁵ The next two paragraphs are based on *Parliamentary Debates*, xxvii. 563-574.

The opposition showed itself singularly lacking in constructive proposals. Lockhart suggested the appointment of a fresh committee to examine the whole subject in all its bearings, but Rose scouted the idea on the ground that the proceedings of the committee of the previous year had been so farcical. His own opinion was that the workmen had made out a very strong case on that former occasion: he had been impressed by the respectability of their representatives, and he felt that the Act they were upholding "was created by one of the wisest administrations this country ever saw." Yet Rose concluded by remarking rather inconsequently that the Bill was likely to pass, if it merely did away with the penalties for employing illegal men. The support which one of the City and one of the Bristol representatives gave to the opposition was still more faint-hearted, and even Peter Moore, the adroit Radical negotiator who sat for Coventry, could find nothing better to do than to prophesy that Onslow would find it difficult to carry his proposals through because of the strength of the feeling in the country. This gave one of the promoters, William Smith, a chance to announce his intention of disregarding the wishes of his Norwich constituents, and Onslow then wound up the debate and introduced his Bill, which, as had been expected, confined itself to the abolition of the compulsory seven years' apprenticeship together with the entirely obsolete property qualifications of the law.

There the matter rested until May 13, when Onslow in due course moved the second reading.¹ On this occasion the opposition was led by one of the butts of the House, an Irish baronet named Flood, who ended by withdrawing all that he had said on discovering that Romilly was on the other side. Their other speakers carried scarcely more weight, though it is of interest to find Canning an advocate of the existing system as being "useful to the perfection of our manufacturers, and still more useful as affecting the morality of the lower orders." Concrete proposals were needed, but all that emerged was a suggestion that a clause should be inserted in the Bill to give parents a legal right to part-earnings as an encouragement to apprentice their children. Not much was needed to combat so ill-organized an attack, and when William Smith had made the ever-popular appeal to the idea of progress, reminding his audience that the whole trade of Elizabeth's realm could not match the trade of London as they knew it, Onslow easily won the day with his assertion that the journeymen were fighting against their own best interests.

They, however, obstinately refused to recognize the friend in disguise, and when the Bill reached the Committee stage four days later, the London Association petitioned to be heard by counsel against

¹ *Parliamentary Debates*, xxvii. 879-884.

it.¹ The Bill came up again on the 23rd² and their representative, Serjeant Warren, was in constant attendance,³ but it was not proposed to hear him until June 7, when the House was promptly counted out.⁴ Two days later they arranged to receive him, but this time attention was diverted by a fresh appeal on behalf of the old order from Flood, whose adulation of Queen Elizabeth and the laws she made was ridiculed as courtly flattery worthy of a Raleigh. In this way the Bill, with some minor amendments by Onslow, passed through the Commons unmolested.⁵

On June 16 it reached the Lords, whereupon the London Committee immediately petitioned for a delay, in order that the mechanics of the kingdom might have an opportunity to express their sentiments regarding the measure.⁶ No notice was taken of their request, so, when the second reading came on, they shot their last bolt in the shape of seven petitions from masters and journeymen of London trades, the conclusion of which deserves quotation.⁷ They pray, "That their Lordships will consider the injury the regular artisans and manufacturers will sustain if the protection they have hitherto enjoyed should be taken from them, having been led from the infancy of their apprenticeship to consider their servitude as the means of their future subsistence; should that be taken from them, what confidence can they have in the solidity of any establishment that has heretofore been the happiness and boast of their country? The Petitioners therefore hope, that they shall not be driven to the necessity of seeking in other countries that protection denied them in their own, but shall still partake in common the benefits of known established laws that regulate the rights and properties of this community." The appeal fell on deaf ears. Their lordships, who seem to have had no serious debate on the subject at any stage,⁸ contented themselves with making some trivial alterations, which the Commons accepted, and on July 18, 1814, the measure became law.⁹

It remains to examine the reasons why the repeal was so easily and rapidly accomplished. The commonly accepted theory is that the fabric of the law was shaken, first by the free trade doctrines promul-

¹ *Journals of the House of Commons*, lxix. 275.

² *Ibid.*, 300.

³ Cf. *The Times*, June 8, 1814 (report of Sir John Newport's speech).

⁴ *Parliamentary Debates*, xxviii. 14.

⁵ *Ibid.*, 38-39; cf. *Journals of the House of Commons*, lxix. 355.

⁶ *Journals of the House of Lords*, xlix. 995 (June 20).

⁷ *Ibid.*, 1025.

⁸ None is recorded in *Parliamentary Debates*.

⁹ *Journals of the House of Commons*, lxix. 463. Cf. *Journals of the House of Lords*, xlix. 1045, 1061.

gated by Adam Smith, and second by the repeal of the statute in relation to the woollen industry and wages, and that the series of events arising out of the prosecutions of 1809-12 merely added the final thrust. None of this can be said to be untrue, but in attempting to determine the relative importance of different causes, it seems pertinent to remark that the economic doctrines, already a century old, were not particularly emphasized in the debates, and to observe that the case of the woollen industry was sparingly, the repeal of the wage-clauses of the statute never, cited as argument. *Laissez-faire* was, no doubt, bound to triumph in the end, but the actual circumstances under which this part of the old system came to be overthrown require some additional explanation.

In the first place, it may be noticed that, from a political point of view, the cause of apprenticeship was caught between two fires. The Tory party, which completely dominated the national councils at this time, was too much steeped in anti-Jacobin prejudices to hesitate to side with the masters against the men. The latter's only hope, therefore, lay in the remnant of Whigs and Radicals, the economists among whom were already committed to the principles of *laissez-faire*. Thus Francis Place and his friends regarded the opposition to Onslow as sheer "bigotry"¹ and "a proof of the ignorance of the journeymen of their real interests."² Not only so, but the party as a whole thought of apprenticeship as an illiberal institution, a bulwark of corporations and a restraint on the poor man's freedom of action. Therefore we find Francis Place giving active assistance to Onslow,³ and his friends applauding the attack upon "our vile corporation system which should be cut up root and branch"⁴ while Romilly, the leader of the advanced Whigs in the House, joins in the outcry against a law that had operated to "take from the poor man the only property he possessed—his genius and industry."⁵ So there was no possibility of an organized political support for the opposition.

The promoters of repeal, on the other hand, were able to use the bogey of workmen's combinations to rally all forces to their side. It was, indeed, the existence of these associations, rather than the fact

¹ Edward Wakefield to Francis Place, December 20, 1813 (B.M. Add. MSS. 35152 fo. 22).

² Edward Wakefield to Francis Place, January 27, 1814 (*ibid.*, fo. 135).

³ How much is uncertain, as his papers contain only one allusion to it. On January 2, 1814, Place writes to Wakefield, "The affair of Serjeant Onslow partly originated with me. . . . I never was so intensely occupied in my life as I have been lately with the two committees—the statute of Elizabeth. . . ." (*ibid.*, fo. 24).

⁴ Edward Wakefield to Francis Place, January 27, 1814 (*ibid.*, fo. 35).

⁵ *Parliamentary Debates*, xxvii. 882 (speech of May 13, 1814).

that they were enforcing the Statute of Apprentices, which roused the governing class to sweep away their pretext. So far back as the day when the first petition had been discussed in the House, Josiah Butterworth had dilated upon a "conspiracy" amongst the employees of his shop in Fleet Street, which "attained that height" that he was compelled to discharge an illegal worker.¹ For the discerning eye there was plenty of evidence of the activities of combinations in what came before the Select Committee, and none could miss the plain statement of the Bermondsey fellmongers.² "The general apprehension of the masters," they declare, "is, that if men were compelled to be bound for seven years, and those who have been so bound were to combine together, that let their demand be ever so exorbitant we must comply with that demand, or have our goods perish." But what may well have been a general impression is most clearly stated in a letter from a master manufacturer, which appeared in *The Public Guardian*,³ reporting that "a convention of delegates has been sitting in the heart of the metropolis," nominally to concert a measure for extending the Act of Elizabeth, actually with certain further objects, for which they exploit both the Benefit Societies and the Statute. He concludes: "I am fully persuaded that so long as any restraining or prohibitory law exists . . . it will furnish a never-ceasing motive to all denominations of journeymen to congregate in dangerous bodies and engender injurious measures to the peace and prosperity of the country." If the danger of combinations required any further exposition, it was provided by the Sheffield cutlery manufacturers, who, only a few days before Onslow was to launch his Bill, appealed independently to Parliament for the abolition of the ancient apprenticeship code of Hallamshire, on the express ground that, so long as their trade was restricted to a limited body of freemen, they were "wholly at the mercy of these journeymen."⁴ The Serjeant, accordingly, had one argument which could not fail of effect: "The continuance of this law is . . . affording a colour for the most dangerous combinations: nothing would so much tend to unnerve them, as repealing these restrictions."⁵ It echoed through the debates.

A popular cry like this was very useful, but it is possible that Onslow was still better served by the apathy and indifference of educated opinion. Once he had agreed to respect the privileges of corporations, it was found impossible to procure a quorum to discuss the subject of apprenticeship in the London Court of Common Council, the very

¹ *Ibid.*, xxv. 1130 (speech of May 3, 1813).

² *Parliamentary Papers* (1812-13), iv. 53-57.

³ June 23, 1813.

⁴ Petition of April 21, 1814: *Journals of the House of Commons*, lxix. 197.

⁵ Speech of April 27, 1814, as reported in *The Pamphleteer*, iv. 8, 308.

hearthstone of the system.¹ *The Times* reported the final debate in the House of Commons in the four words: "A conversation took place," appending the names of the speakers.² Even *The Tradesman or Commercial Magazine*, which should surely have been interested, elicited the complaint from one of its readers: "All the proceedings both in and out of Parliament have scarcely been made a point of discussion in your pages."³ If the public was indifferent, statesmen and legislators, preoccupied with the peace negotiations and the vexed question of the Corn Law, were not likely to wrestle with this other subject, acknowledged to be complicated. No member of the Cabinet took any part in the debates, there was never a division on the question,⁴ and, if Onslow had had his way, the committee stage would have been taken in a house too thin to constitute a legal quorum.⁵ In fine, the Act of 1814 did not owe its inception to the adoption by Parliament of a coherent new economic policy, but was the child of an age of political chaos and governmental ineptitude.

T. K. DERRY.

¹ Minutes of the Court of Common Council (1814), 37, May 5.

² *The Times*, June 10, 1814.

³ Letter of June 8, 1814, signed "A Qualified Apprentice": vol. xiii. 15.

⁴ Cf. *Memoirs of the Life of Sir Samuel Romilly, written by himself*, iii. 135.

⁵ *Parliamentary Debates*, xxviii. 14 (speech of June 7, 1814).