

but at the time it did original educational work and added lustre to his name.

His life in chambers must have been an arduous one—first at 36 New Broad Street, afterwards at 38 Finsbury Square,—his days given up to his ever-increasing practice, his mornings and evenings to writing: the amount achieved was prodigious, and he allowed himself but little relaxation.

I may mention that it was at this time that my grandfather first visited at the house of old Mr Gillies, a city merchant of refined literary tastes and the father of the two distinguished women, Mary and Margaret Gillies (author and artist), who afterwards became the friends for life of himself, his wife, and daughters, and in whose home he—and I with him—had rooms in Kentish Town and afterwards at Highgate, though he occupied for professional purposes the rooms in the city to which I have before referred.

CHAPTER IV.

WORK ON THE FACTORY COMMISSION, 1833.

IN the year 1833 it became clear that some legal interference was necessary with regard to Factories.

In order to understand the abuses which existed in factories in 1833, we must revert to the system of employment at the end of the last century and trace its gradual development.

At that period all the spinning and weaving of the country was domestic, the spinning being carried on in farmhouses and scattered cottages in rural places by the mothers and daughters of the families, and the weaving by men working in their own homes in towns and villages. This peaceful state of things did not last beyond the beginning of the present century. The "spinning-jenny" and "power-loom" were invented,

and changes occurred. Large buildings were now needed to carry on the work, and mills and factories sprang up beside the streams of Nottinghamshire, Derbyshire, and Lancashire, these places being chosen because water was required to turn the new machinery. The water-wheel now did much of the work which had formerly needed the strong arms of men, but the small and nimble fingers of children were henceforth called into play, as they were found to be specially fitted for much of that which remained to be done by hand. Thus it came about that children's labour, in consequence of its greater cheapness, was substituted for that of grown people.

In order to get a sufficient supply of children, which the scanty population near the mills could not afford, manufacturers applied to the managers of the workhouses in London and other large towns, for pauper children to be taken as apprentices. Hundreds, it is said even thousands, of children were thus taken away from even the slight protection which the tender mercies of the workhouse authorities of that day might afford, and placed entirely in the

power of the master manufacturer, or, worse still, of his overseer.

The evils that resulted from this apprenticeship system resembled those springing from slavery. One writer¹ says:—

“There is abundant evidence on record, and preserved in the recollection of some who still live, to show that, in many of the manufacturing districts, cruelties the most heartrending were practised upon the unoffending and friendless creatures who were thus consigned to the care of the master manufacturers; that they were harassed to the brink of death by excess of labour, that they were flogged, fettered, and tortured to the most exquisite refinements of cruelty; that they were in many cases starved to the bone whilst flogged to their work; and that, in some instances, they were driven to commit suicide to evade the cruelties of a world where, though born into it so recently, their happiest moments had been passed in the garb and in the coercion of a workhouse. The beautiful and romantic valleys of Derbyshire, Lancashire, and Nottinghamshire, secluded from

¹ M. Fielden, M.P., ‘The Curse of the Factory System.’

the public eye, became the dismal solitudes of torture and of many a murder."

The Legislature interfered, and in 1802 passed an Act for regulating factories and protecting the apprentices employed in them. This Act was brought in and carried by Sir Robert Peel, the father of the statesman who repealed the Corn Laws, and himself a large manufacturer.

A further change in the history of manufacture, however, occurred. The steam-engine was invented, and when its power was applied to manufacture, it was no longer necessary to build factories where water-power was at hand; they were henceforth principally established in towns. Apprentices were now but little employed; free, paid child-labour, here to be obtained in abundance, was preferred by the mill-owners. They had never wished for apprentices; the charge of them had always entailed considerable trouble; the responsibility was felt heavily by conscientious masters, whilst the legal restrictions of Sir Robert Peel's Act prevented the avaricious and hard-hearted from profiting by the abuses of the system. Apprenticeship therefore died a natural death.

It might be thought that children employed under the new plan, receiving wages and living at home under the protection of their parents, would suffer no hardships calling for legal restraint; but representations having been made to the Government that abuses had crept in, a Royal Commission of inquiry was determined upon in 1833.

On this occasion Dr Southwood Smith was appointed by the Government a member of this Commission, conjointly with Mr Tooke and Mr Edwin Chadwick.¹

Their first work was to send district commissioners into the manufacturing regions to collect evidence, and the results of those inquiries were embodied in the general Report. My grandfather took a deep interest in the subject, for the evils disclosed by the inspection, if not so great as they had been under the apprenticeship system, were still sufficiently appalling: children, some of them not more than five years old, were obliged to work the same number of

¹ This Commission, for considering the employment of children in *factories*, preceded by eleven years the one relating to their employment in *mines* alluded to in the Introduction.

hours as the adult operatives—twelve, fourteen, or sixteen hours a-day—sometimes the whole night; their health was thus often ruined for life; neither time nor strength remained for education; they were growing up totally ignorant; and they were, besides, often unkindly treated.

It is sad to see in the Report such words as these, quoted from the children's lips: "I am sick tired, especially in the winter nights." "So tired when I leave the mill that I can do nothing." "I feel so tired when I gang home that I throw myself down, no caring what I does." "So tired I am not able to set one foot by the other." "Many a time I have been so fatigued I could hardly take off my clothes at night, or put them on in the morning. My mother would be raging at me, because when I sat down I could not get up again through the house."

As to their ruined health, such sentences as these foretell it: "Many nights I do not get a wink of sleep from the pain." "My knees failed from the work." Or, "Severe pains would come on, particularly in the morning."

The evidence of the overseers and managers

is scarcely less strong than that of the little sufferers themselves.

One manager says: "I have known the children hide themselves in the wool so that they could not go home when the work was over. I have seen six or eight fetched out of the stove and beat out of the mill."

Another says: "After the children from eight to twelve years old had worked eight or nine hours, they were nearly ready to faint: only kept to their work by being spoken to, or by a little chastisement to make them jump up. I was sometimes obliged to chastise them when they were almost fainting, and it hurt my feelings; then they would spring up and work pretty well for another hour; but the last two or three hours were my hardest work, for they then got so exhausted."

And a third manager says: "I have seen them fall asleep, and they were performing their work with their hands, while they were asleep, after the 'billy' had stopped and their work was over."

Two great objections were made to any legislative limitation of the number of hours of chil-

dren's labour. One was, that it was impossible to shorten their hours of work without also shortening those of the adults, who could not go on without them; the other, that it was wrong to restrict the liberty of the subject.

The first of these was, truly, a difficulty; but if the evil was so very great, it appeared to my grandfather and those acting with him that some change *must* be made in the mode of working, rather than overtax the children to this extent. Relays of children must be obtained, or grown-up workers must be substituted as assistants.

With regard to the second objection—that it would be restricting the liberty of private individuals if the law interfered—the Report shows that children, at the age at which they suffered these injuries, were not free agents, but were let out to hire by their parents, by whom their wages were appropriated, and who were easily rendered callous to their children's wrongs by a threat of dismissal, or a bribe of an additional penny an hour of wage. If the law did not step in to protect these unfortunate little ones from parents whose selfishness and ignorance

was allowing them to grow up diseased and benighted, where, argues the Report, was their help to come from?

The question as to whether it is right in any instance for the Government to intervene between parent and child, is now practically settled by the many laws and enactments which regulate children's education and hours of labour. But in those days the idea of any restriction of a parent's right over his child excited much opposition. It was regarded by many people as both impracticable and undesirable.

The reformers, however, carried their point and achieved success. That very year the Factory Act passed, and the recommendations of the Report were nearly all embodied in it. No child was allowed to be employed at all under eight years old; children between eight and thirteen were only allowed to work six and a half hours a-day; and all those employed were obliged to attend school for three hours a-day. Inspectors were appointed to see that the provisions of the Act were fully carried out.

Of course there was considerable indignation on the part of the millowners, but many of

those who at first objected to the restrictions were afterwards convinced of their utility, and as time passed on this conviction spread amongst all classes and gathered strength.

The only modifications of the Act of 1833 which have been made since, have been mere extensions of its principles. The regulations, which at first applied to cotton, cloth, and silk mills only, have been extended by subsequent Acts to bleaching and dyeing works. Powers have also been given to compel the fencing of machinery, and to enforce other safeguards against injury to the workpeople.

Even after the Factory Commission had finished its work, and had ceased to exist, my grandfather continued to watch with interest the results of what had been done. Five years afterwards, the House of Commons having ordered a Return showing the working of the educational provisions of the Act, he went down himself to various mills, and I find his copy of the Return thickly pencilled with marginal notes like the following:—

“I visited this mill myself with a view to examine the school.” “The whole neighbour-

hood was opposed to the direction of the mill. They now consider it a great blessing.” “The children of the higher class of people are anxious to get employment in the mills.”

It must have given him great delight to feel that, as was said by a writer eleven years later—

“The present Act has led to an amelioration of the treatment, and an improvement in the physical and moral character, of the vast juvenile population, such as was never before effected by an Act of Parliament; while the benefits resulting from it to all parties, the employers no less than the employed, are not only rapidly multiplying and extending, but are becoming more and more the subjects of general acknowledgment and gratulation. There is reason to believe that the total number employed in factory labour in the United Kingdom is little short of 1,000,000.¹ In one district, not by any means one of the largest, the number of children attending school was increased from 200 to 2316.”

¹ This was in 1844.

CHAPTER V.

RISE OF THE SANITARY MOVEMENT, 1837.

PERHAPS the most necessary and the most tried quality in a reformer is Patience. Notwithstanding the publication of the 'Treatise on Fever' in 1830, and the tribute paid by the scientific world to its masterly exposition of the treatment and causes of the disease, notwithstanding the constant and ardent endeavours of the author to propagate his views, yet seven long years passed away before he was able to awaken the apathy of the public and the authorities.

Year after year went by, and the wards of the Fever Hospital continued to be supplied from the same districts, from the same courts and lanes—even from the very same house—as before. The preventible suffering, thus daily brought before my grandfather's eyes, was a

daily reminder of the urgent need for help—of the necessity for taking practical steps to diminish it.

In 1837 the opportunity came for pressing forward in the cause. That year a frightful epidemic fever broke out in London, arousing general alarm, and demanding special inquiry. The pressure on the poor-rates became excessive, and my grandfather was appointed by the Poor Law Commissioners to report on the eastern districts of London, Drs Arnott and Kay being appointed to other districts.

The title of the Report presented by him is at once striking. He called it, "Report on the Physical Causes of Sickness and Mortality to which the Poor are particularly exposed, *and which are capable of prevention by Sanitary Measures.*" Its opening words are,—

"Some of the severest evils at present incident to the condition of poverty, which have a large share in inducing its high rate of sickness and mortality, are the consequences of improvidence. Such evils are capable of being remedied only by bringing the poor under the influence of the inducements to forethought and prudence.