

The first legal appointment of a Court of Assistants is met with under Philip and Mary¹. After the time of James I., the transfer of the elective franchise from the "*communitas*" to the courts of the companies became general in the charters; and in this manner, what had hitherto existed merely on sufferance became legal. The king appointed the first members of the court for life. As these withdrew or died off, the court itself filled up the number from former Masters and Wardens. But these it likewise chose from amongst the liverymen. To the rest of the Gild-Members, election-day briefly meant the day on which they assembled in the Gild-hall to hear the names of the elected proclaimed². An oath was also introduced for all members, in which they swore to obey the Master and Wardens and their ordinances³. Refractoriness towards the Gild, violation of its laws, refusal to accept office if elected,—these were punished as formerly. The charitable regulations also remained the same as in former times.

The transfer of the centre of force from the Meetings of all the Gild-Associates to the Court of Assistants was not always effected without opposition from at least a part of the members, as is proved by a pamphlet of the year 1649 on the Constitution of the Clothworkers' Company, the successors of the old Weavers' Gild⁴. According to this pamphlet, a part of the Gild-Associates, relying on the old charters of the Gild, appear to have claimed for the whole body of the Gild-Members, both the right of electing their Wardens, as well as of framing ordinances. Against this the said pamphlet endeavours to prove, with the most arbitrary misrepresentation of the sense and the words, that the word "commonalty" in the old charters meant, not the collective body of Gild-Members, but only the Master, Wardens, and Assistants. A glance at the charters shows at once the untenableness of this assertion⁵. The transfer of the supreme authority rested rather, as it seems, on ordinances of the Gild. However, the democratic party failed in their endeavours.

¹ Herbert, vol. i. p. 118.

² *Ibid.* vol. ii. p. 652, &c.

³ *Ibid.* vol. i. p. 188, &c.

⁴ One copy of this pamphlet is in the Corporation Library, Guildhall, and two copies in the British Museum. In all three the title is wanting. One of them is in the collection of pamphlets of the year 1649 given by George III. to the Museum, and has attached to it a sheet of writing-paper, on which is written in ink: *Chitwin's Collections of ye Company of ye Clothworkers Priuiledges, Aug. 1649.*

⁵ *The Charter of the Company of Clothworkers of London*, London, printed in the year 1648 (British Museum).—During my stay in London, the same struggle was going on in the Watermen and Lightermen's Company between the masters and the men, the latter being represented by the Thames Working-Lightermen and Watermen's Protection Society, as I was informed by the Secretary of this Society.

The possession of large capital, which became more and more a requisite for the independent exercise of a trade, would impair more and more the prospects of workmen becoming masters, and would call forth an ever-increasing antagonism between the interests of workmen and masters¹. It is evident that, under these circumstances, special laws and organizations became necessary for the workmen. In Germany, where the Craft-Gilds were governed as in England, by one master and eight councillors,—except that in Germany the government did not degenerate into such an oligarchy as in England, because the collective body of Gild-Members always elected the governors,—we meet with such organizations in connection with the system of the travelling of journeymen which had become obligatory since the sixteenth century.

It was a difficult task to live in a large town, in a foreign land, with a very scanty supply of cash, until the wandering journeyman had convinced himself, after many inquiries, whether there was work to be had in the place. At the same time it was a matter of importance to the masters living in a town to have the means of finding out whether there were journeymen in search of work, so that in case of necessity they could at once obtain hands for their workshop. Both these wants were met when the host (*Herbergsvater*, father of the inn) appointed to the charge of the house of the Gild (the so-called *Herberge*, inn) was obliged to take in every one who could furnish proof that he was a journeyman of that particular craft. When, then, a travelling journeyman arrived, who wanted work, the host was able to give him the necessary information, for there was in the house a list of all the masters who were in want of journeymen. If several masters had asked for men, he who was first on the list received the first journeymen who arrived; but the master who had more journeymen, had always to give place to him who had fewer in his workshop. Sometimes a special master or a journeyman was appointed by the Gild to look out for work for the wandering journeymen². If the journeyman found no work, he received in various crafts (the so-called *geschenken*, donation-giving ones) a sum of money to support him on his journey to the next town, which was called the *donation* (*das Geschenk*): this came not merely from a fund which the journeymen had formed amongst themselves for that purpose, but the masters also contributed towards it³. There are a series of ordinances referring to cases

¹ The true employer's spirit is already to be seen from the pamphlet, *Relief of Apprentices wronged by their Masters*, London, 1689 (British Museum).

² Already ordained by the *Reformation guter Polizei*, 1530, tit. 39.

³ Berlepsch, vol. iv. pp. 73, 74.

in which a journeyman was to forfeit the donation; and as the Imperial laws¹ which at first forbade altogether the giving of donations (on account of the abuses connected with the system) had no effect, they were contented with restricting it.

In the more important trades in Germany this system of travelling led to the formation of special fraternities of journeymen, which so strikingly resemble the Trade-Unions, that a description of them may be of interest. The following account is derived principally from the Statutes² of the "Shoe-servants"³ of Arnstadt in Thuringia in the year 1628. As the Introduction informs us, these rules were ordained at the request of the masters of the Shoemakers' Guild of that town. It narrates that of old the Shoe-servants had a fraternity, imposts, and some Articles; but that since these had fallen into abeyance, and the Articles had been destroyed in the great fire, the masters had decided "to get some new Articles confirmed, especially as in these evil, unquiet, and perverse times it was highly necessary to establish and maintain sound discipline and honesty in the crafts." In the first place, an inn was established, where all wandering journeymen had to turn in. The host was called Father; the housewife, Mother; the daughters and maid-servants, Sisters; the sons and servants, Brothers⁴. To call them otherwise was an offence for which there was a fine. The greatest reverence had to be paid to the Father and Mother. In this inn the Shoe-servants could obtain a meal for two *groschen* ($2\frac{1}{2}d.$), and a night's lodging for four *pfennige* (about a halfpenny). Work was also found for him here; and no wandering Shoe-servant was allowed to enter the service of a master before he had been at the inn. The fraternity was governed by the whole body of Shoe-servants, who met every fortnight for this purpose. Religious service was held before every meeting. All Shoe-servants had to attend the meeting, with the exception of masters' sons who worked with their own father; for as they were not obliged to travel, the chief object of the fraternity did not concern them. But masters' sons who did not work with their father were obliged to appear. Those who came late were fined. Two elders presided at the meetings. But no meetings could take place, no regulations could be framed, and no decisions come to without the

¹ See the *Reformation guter Polizei*, just mentioned, and *Conclusum Imperii*, 1731, § 7.

² Berlepsch, vol. iv. pp. 67-72.

³ The German word is "Schuhknechte," i. e. shoe-servants. The journeymen Shoemakers were thus called in Germany up to the year 1799, when, at Nürnberg, they first got to be called "Geselle" (Berlepsch, vol. iv. p. 67).

⁴ For the identical way of naming amongst the French "Compagnonnage," compare Simon, *Étude sur le Compagnonnage*, p. 154.

presence of the masters' deputies, who were elected annually. The journeymen had also their own box, containing their Articles, their seal, and whatever other documents or valuable effects the fraternity possessed. The box was provided with two, and sometimes with three, locks, the keys of which were kept respectively by one of the elders and one of the masters, so that neither could open the box in the absence of the other. The seal of the journeymen could only be used with the consent of the whole fraternity and the deputed masters. The opened box was the sign that the meeting had begun, just as with the Craft-Gilds. While, therefore, the box was open, all present had to remain with uncovered heads, and during such time all disrespectful conduct, as well as improper clothing, cursing and swearing,—in short, all that showed want of respect,—was severely punished. On the other hand, we find that, whilst the box was open, a social cup was handed round, to the expense of which all had to contribute. One of the elders had to collect this, as well as the other contributions; and in case he neglected this or any other duty, he incurred punishment. The other contributions of the members consisted in one *groschen* ($1\frac{1}{4}d.$) entrance-fee, in a fortnightly contribution of six *pfennigen* (about three farthings), with one *groschen* ($1\frac{1}{4}d.$) every quarter. In return the members received support in sickness, for which, however, they had to make repayment if they were restored to health; and in the event of death they were buried at the expense of the fraternity. All journeymen had to attend the funeral; and this was also the case when any member of a master's family died. The Statutes contain, besides, regulations for promoting orderly conduct and good morals among the Shoe-servants. Associating with common women, playing at dice, immoderate drinking, inducing others to drink, gaming, and such-like things, were all punished. No one was allowed to go about the streets except in decent clothes; and all who insulted or calumniated others were also punished.

Much the same were the journeymen fraternities in all trades¹; except in the Stonemasons', for every individual master stonemason, with his journeymen, formed a fraternity². The societies of the French "compagnons" corresponded to these organizations; except that with them I know nothing of a superintendence by the masters. There were in both the same ceremonies³

¹ See Berlepsch, vol. vii. pp. 162-168; vol. ix. pp. 76-89.

² Ibid. vol. viii. p. 192.

³ See in Berlepsch, vol. ii.-ix., the chapters on the journeymen and their customs; also Simon, *Sur le Compagnonnage*, and Agricol Perdiguer, *Le Livre du Compagnonnage*, Paris, 1857.

upon admission, on entering the inn, on meeting together, and so forth; and though these may be partly explained by the intention of the journeymen thus to enhance in their own eyes the importance of their state, so rich in toil, yet these ceremonies must nevertheless be considered to a great extent as absolutely absurd. As neglect of these formalities was severely punished by the journeymen, they drew down upon themselves severe enactments from the German Imperial Legislature¹; and in France the *Compagnons Cordonniers et Tailleurs* of Paris fell in consequence under the greater excommunication in 1648².

Especially interesting too, with regard to modern Trade-Unions, is the Craft-Gilds' practice of punishment by *Schelten*, reviling, i.e. declaring any one infamous³. Both master and journeymen were reviled in this manner; and, indeed, on the most silly grounds, as, for example, when any one had killed a cat or touched a dead dog; so also for infringements of Gild principles, as when any one enticed away another's custom. Indeed, whole Gilds imposed such interdicts upon each other. Every Gild and every journeymen's fraternity kept a "black list." In this, as well as in the testimonials of travelling journeymen, the names of the reviled were entered, so that the warning against them spread through the whole country. As soon as the journeymen heard of the occurrence of such a reviling, they turned out of the workshop of the reviled master, or refused to work with the reviled journeyman, until these had made atonement, and were again recognized as honourable by the governing body of the Gild⁴. This reviling was the most severe punishment that the Gilds could inflict on refractory members; and though the strike was not then a legal means of coercion—for the Imperial laws were violently opposed to it—yet this shows that it was at least recognized as such by the employers⁵.

But frequently—as, for example, when the Gild omitted to

¹ *Conclusum Imperii*, 1731, § 9.

² Simon, *Sur le Compagnonnage*, p. 74.

³ In the early Middle Ages every creditor used to revile thus his debtor on non-fulfilment of his obligations. See Gengler, *Deutsches Privatrecht*, Erlangen, 1854, p. 198.

⁴ Pölitx and Bülow, 1843, vol. i. pp. 359–364.

⁵ The possession of still greater power by the journeymen is shown by the contest between the Chapter of the cathedral at Magdeburg and the journeymen Smiths of that city, in the year 1600. The Gild of Smiths at Magdeburg extended also over the surrounding small towns and villages; but the jurisdiction over the masters and journeymen who lived there was exercised, not by the Gild, but by the journeymen Smiths of Magdeburg. This relation was even recognized by the government, and in the contest of 1600 the journeymen compelled it to carry out their wishes, by threatening to leave the workshops and even "to stop the masters' hammer." Indeed, the Chapter was obliged to pay them a fine of a hundred thalers. Pölitx and Bülow, 1843, vol. i. pp. 365–369; printed also in Berlepsch, vol. vii. pp. 72–75.

punish a master who had infringed any of the trade customs of the journeymen, or who in their judgment was not honourable, or when the masters, by means of the local authorities, had carried a resolution which was to be entered in their book of Articles—all the journeymen of a place struck work, and then wrote to the journeymen of other districts, warning them from coming to the places of strike¹. Such occurrences took place especially at Mayence, Würzburg, Augsburg. The most famous of them, that of the Augsburg Shoe-servants² in the year 1726, was in fact the cause of the Imperial decree of 1731, which was directed against this and several other abuses of the handicrafts. The Imperial laws, however, were never carried out, and the decrees of the territorial princes remained ineffectual, since the handicrafts throughout the whole of Germany hung together. Further tumults on the part of the journeymen led at last to the entire suppression of their fraternities. In many parts of Germany, however, they existed till the present century³.

Among all these seditions, though, I do not know one which had its origin in disputes about wages. It was rather presumed infringements of privileges, innovations in trade customs and the like, which always produced the uprising. In France, it is true, we already find strikes on account of wages⁴. On the whole, however, these situations show a tolerable understanding between master and journeymen. The special associations of journeymen are much rather supplements of the Craft-Gild-organization, than confederations directed against the masters: nowhere do we find a trace of opposition against the prevailing trade-system, as such, like we see in the quarrels between our Trade-Unions and their employers; the old disagreements seem merely like family disputes between parents and children.

But while in Germany and France the working-class was thus completely organized, and even to a certain degree governed itself under the superintendence of the masters, we must ask whether a similar state of things did not exist among English working-men? The "Acte towching Victuallers and Handycraftmen," 2nd and 3rd Edw. VI. c. 15 (1549), forbids, it is true,—jointly with the conspiracies and covins of the sellers of victuals "to sell their victuals at unreasonable prices,"—all "confederacies and promises of the artificers, handicraftsmen, and labourers; not only that they should not meddle with one another's work, and perform and finish what one hath begun; but also to constitute and appoint how much work they shall do

¹ Berlepsch, vol. iv. p. 77.

² Weisser's *Recht der Handwerker*, Ulm, 1823, p. 73.

⁴ Oudin-Lacroix, pp. 15, 16.

³ Ibid. p. 142.

in a day, and what hours and times they shall work ;" and, besides, "that they should not make nor do their works but at a certain rate." But all regulations forbidden in this Act recur frequently in the bye-laws of companies ; they therefore in no way originated in agreements of workmen only, but as much in those of masters. Moreover, whilst the word "*labourer*" certainly does not refer to the skilled workmen of the crafts, but probably only to labourers in agriculture, the prohibition of confederacies of "*artificers and handicraftsmen*" is directed as much against the masters as against the workmen of the crafts. And the act forbids, in the same breath with the confederacies of the craftsmen in general, all conspiracies of "divers sellers of victuals" for raising prices. This Act, therefore, does not refer at all to combinations similar to those of our working-men of the present day (as is the prevalent explanation), but is simply an attempt to check the increasing abuses of the Craft-Gilds, and this especially in the trades providing for men's daily wants, where such abuses would be felt most severely. This explanation, which is at once proved by a closer examination of the Act itself, is moreover confirmed when the Act is compared with its German counterpart, the Imperial Code of Police of 1577, title 37¹. This law contains absolutely identical prohibitions ; but these apply avowedly as well to the masters as to the workmen of the crafts. But in any case, the 2nd and 3rd Edw. VI. c. 5 refers only to transitory combinations, and the existence of a regular organization of the working-class cannot be inferred from it.

The account in Stow² of the rising of the London apprentices, "when some of their *brotherhood* have been unjustly, as they pretended, cast into prison and punished," rather points to the journeymen's fraternities of the Continent. Their outbreaks against the foreigners I have already noticed. In the seventeenth century also they often acted as a body, and expressed their opinion on all religious and political questions of the time³. Especially interesting in this place is the fact, that when

¹ *Reichspolizeiordnung*, 1577, tit. 37—Of Crafts in general : "We have also heard as certain, that the craftsmen in their Craft-Gilds, or otherwise, conspire and combine, that no one shall sell his finished labour or work by open sale for more or less than the others ; and they thus raise the prices in such sort, that those who need their labour, and wish to buy, must pay at their (the craftsmen's) pleasure, &c. We therefore declare our earnest opinion and desire, that this shall henceforth be in no way suffered by the authorities, but that they shall watch over it : where the crafts offend however against this, they shall be punished by the authorities according to circumstances, without mercy."

² Stow, edit. 1720, pp. 332, 333.

³ See *The Honour of London Apprentices exemplified in a brief Historical Narration*, London, 1647 (Brit. Mus.) ; further, the account in Godwin's *History of the Commonwealth*, vol. ii. p. 368, "how the apprentices entered Parliament and forced the Speaker and the members to put the question and pass the votes they

Cromwell had abolished the feasts of Christmas, Easter, and Whitsuntide, "and other festivals commonly called holidays," as tending towards superstition, and had introduced the strict puritanical *observation* of Sunday, the apprentices, who by this "were not only deprived of the benefit of visiting their friends and kindred, but also of all set times of pleasure and lawful recreations," petitioned¹ Parliament for the appointment by law of one day in every month for these purposes ; and Parliament thereupon set apart for them the second Tuesday in every month². The masters, as it appears, were in no way pleased at this, and curtailed their apprentices in the enjoyment of their "play-days³ ;" whereupon Parliament, on a further petition from the apprentices, ordered that on these fixed play-days all shops should remain closed⁴.

In deciding the question whether there existed special organizations of the journeymen within the Crafts, an ordinance of the Clothworkers' Company appears also worthy of consideration : "The Master, Wardens, and Assistants shall choose the warden of the Yeomanry ; they shall govern the Yeomanry in such sort as in former times has been used⁵." Were these wardens of the Yeomanry the same as the masters who, as in the German Gilds, were delegated to the fraternities of journeymen ? And may we therefrom form a conclusion as to the existence of fraternities of like nature in England ? The ceremonies which were customary among the Trade-Unions in the woollen manufacture down to the thirtieth year of the present century, show such a striking similarity to those of the German fraternities of journeymen⁶, that the supposition suggests itself of a derivation of those Trade-Unions from the old journeymen fraternities. Yet I willingly admit that in

required ;" see also Malcolm's *Anecdotes of the Manners and Customs of London*, 1811, p. 190.

¹ Two *Humble Petitions of the Apprentices of London and parts adjacent, for Lawful Recreations, &c.*, London, 1646 (Brit. Mus.)

² See the *Ordinances of the Commonwealth*, an. 1647, cap. 81, for abolishing festivals.

³ See the *Humble Remonstrance of the Apprentices of the City of London*, 1647 (Brit. Mus.)

⁴ See the *Ordinances of the Commonwealth*, anno 1647, cap. 83—Daies of recreation allowed unto Scholars, Apprentices, and other Servants.

⁵ Herbert, vol. ii. p. 657.

⁶ See the customs of the German journeymen in Berlepsch, vols. ii.-ix. The ceremonies of those Trade-Unions I found in a pamphlet avowedly written in the interests of the employers, *Character, Object, and Effects of Trade-Unions*, London, 1834, p. 67. They are again printed in a book by Ward (*Workmen and Wages, at Home and Abroad*, London, 1867, p. 102), plagiarized in the most shameless manner—with a disregard of the passages which even in that pamphlet are favourable to the workman—both from the above, and from another, *On Combinations of Trades*, London, 1831. And this one-sided plagiarism its author then dedicated to Mr. Gladstone !!

default of all other information on such organizations¹, this hypothesis does not appear tenable, unless further proofs should be produced², especially as in England the journeymen were never obliged by the Gild-Statutes to travel for a certain number of years, whilst in Germany and France all journeymen's associations owed their origin to this system of travelling.

As to the general position of the workmen in the sixteenth and seventeenth centuries, and especially as to the relations between masters and men, we find from the above ordinances of the English Clothworkers, that "controversies between the livery and their apprentices were to be settled in the old way before the master at the Common Hall," and that "journeymen should make no unlawful assemblies, brotherhoods, congregations, and flockings together." The Gild-Statutes of the sixteenth and seventeenth centuries further ordain regularly, that "no person of the mystery was to hire himself to a person of another mystery, where greater wages were offered; no journeyman should work with any of another fellowship, if he can be set on work by a freeman of his own art;" no member was to suffer his apprentice or servant "to buy and sell to his own use, or that of persons of other mysteries," such practice having brought masters "to an after deale and sore damage." On the other hand, we find a

¹ Since I sent the above to the printer I have found among my extracts a note taken from the *Journals of the House of Commons*, vol. xlix. pp. 322-324, which supplies some further information. According to a Report of a Committee of the House in 1794, on Petitions of the Woolcombers complaining of the use of the "Gig-mill," there existed then a club among the Woolcombers. Out of a hundred workmen there was not one to be found who did not belong to it. Every member had to pay contributions according to the wants of the society. Its object was to assist journeymen travelling in search of work, when work was scarce, and to relieve the sick and to bury the dead members. Everybody wishing to get relief must be in possession of testimonials of the society as to his proper conduct as a Woolcomber and as to his honesty. Whoever deceived the society lost his claims to such testimonials and to relief from the funds. The objects of this club, it is seen, were the same as those of the German *Gesellenladen* and the French *compagnons*. If we add to this, that the just-quoted records of ceremonies among Trade-Unions refer to Woolcombers also, the suggestion made in the text seems greatly corroborated. The fact that the modern Trade-Unions call the assistance given to members out of work simply "donation," the translation of the "Gesehenk" of the German journeymen's fraternities, seems also worth noticing. There is however one difference to be noted. The said Woolcombers travelled only when work was scarce, while the "wandering" of the German, and the *Tour de France* of the French journeymen, were obligatory. This, as well as the date, make me therefore inclined to consider this Woolcombers' Club as a Trade-Union for assisting men thrown out of work by the Gig-mill, which may perhaps, however, have descended from an old journeymen's fraternity.

² It is remarkable that whilst there exists a rich German literature from the seventeenth century on Craft-Gilds, and especially on the position of the workmen in these Gilds, nothing on this subject is to be found in England. Most of the authors who have written on it in Germany were professors of universities or students, who had to write a dissertation in order to take their degrees.

series of regulations, of which the maintenance became in later times the main object of Trade-Unions. "No person was to exercise the trade, who had not served an apprenticeship of seven years, or been instructed by his father for that term;" no member was to instruct anybody in the trade, except his male children and apprentices regularly bound; no member was to employ any workman except he were free of the company; no journeyman was to work with a non-member. Further, "None shall lend out or put forth any of his apprentices to work with any other, because it will hinder and take away the living of free journeymen; no foreigner shall be employed before a free journeyman; no householder shall keep above two apprentices at one time, except he employ a journeyman freeman, and then he may keep three; every master, warden, and assistant may keep three;" or as in Sheffield, "No person to have more than one apprentice in his service at one time, nor to engage another before the former be in his last year, nor take any for a less term than seven years¹." Besides, other accounts of the seventeenth century show that, in the trades in which these restrictions were not maintained—either because they were not corporate, or because the 5th Eliz. c. 4 did not apply to them, or because the regulations of the Gild or the Statute were not observed—the workmen, in consequence of the abuses practised by their employers, had fallen into the very hardships for the prevention of which the Trade-Unions in the eighteenth and nineteenth centuries have striven to maintain those old regulations².

¹ See Herbert, vol. ii. pp. 656, 657, and vol. i. p. 191; also Hunter's *History of Sheffield*, p. 119, and *Journals of the House of Commons*, vol. xxvi. pp. 790-794.

² See "The Case and Proposals of the Free Journeymen Printers in and about London, humbly submitted to consideration. Licensed Oct. 23, 1666." "Whereas there are at this present in and about the City of London, to the number of a hundred and forty Workmen Printers, or thereabouts, who have served seven years to the art of Printing, under lawful Master Printers, and are reduced to great necessity and temptations for want of lawful Employment, occasioned partly by supernumerary Apprentices and Turn-overs, which have increased the number almost to twice as many on the whole, as would be sufficient to discharge all the publick and lawful work of the kingdom, The Workmen Printers above-mentioned, &c. propose: 1. That no Forreigners (that is to say) such an one as has not served seven years to the art of Printing, under a lawful Master Printer, as an Apprentice, may be entertained and employed by any Master Printer for the time to come. 2. That a provision may be made to hinder the increase of Apprentices and a limitation appointed as to the number, &c. 3. That no Turn-overs be received by any Master Printer, but from a Master Printer; and that no Master Printer turning over any Apprentice to another Master Printer may be permitted to take any other Apprentice in his place, till the full time of the said Apprentice so turned over be expired: for otherwise, the restraint and limitation of Apprentices will be evaded, and the number supplied by Turn-overs," &c. (British Museum.) Compare also the preamble of "An Act for the good order and government of the Makers of Knives, &c. and other Cutlery Wares in Hallamshire, in the county of York, and parts near adjoining" (21 Jac. I. 1624).

As the Craft-Gilds everywhere had sunk down to mere societies for the investment of capital, and as their dividends depended entirely on the exclusion of competition, it was unavoidable that the spirit of gain should lead them to restrictions which became always more oppressive for the public. The annoyances they caused were considerably increased by a process which, after the sixteenth century, was of frequent occurrence in all countries: those Craft-Gilds namely, which had hitherto comprised kindred crafts, split up into several, according to the individual trades. These then watched each other with the utmost jealousy in order to prevent encroachments on their mutual rights, and continually fought each other in endless law-suits. Thus, for instance, the Fletchers and Bowyers in London separated themselves into two corporations in the reign of Elizabeth¹. One might wonder that, on the one hand, the workmen, whose position was so much deteriorated by the degeneration of the Craft-Gilds, did not at once overthrow their dominion, as the Craft-Gilds had formerly superseded the degenerated Gilds of the patricians (pp. cx, cxi above); and that, on the other hand, the State did not, in the interest of the public, take any steps towards the abolition of the Gilds, which had already been desired so often. But as to the working-men, though their position, and especially their prospects, had been greatly deteriorated by this degeneration of the Craft-Gilds, their interest was rather a reformation, than the abolition, of those bodies. The Craft-Gilds maintained a number of regulations, which protected the working-men, and in consequence of which their material position appears comfortable and free from cares, if compared with that of the factory hands at the beginning of this century, when these regulations no longer existed. Uprisings of working-men are therefore to be found in those days only in consequence of infringements of Gild-regulations. But as for a reformation of the Craft-Gilds according to the interests of the working-men, the latter were not powerful enough to carry it out against their masters. These still held strongly together in their Gilds, and did not yet, as in later times (and as formerly the patricians), rival each other in weakening competition. The State also had changed, and no longer consisted, as before, of an organization of many smaller states. As, after the sixteenth century, the State became in all countries continually more centralized by its kings, it was not possible for the journeymen to act with the same facility as the craftsmen had acted in former times in the towns. More-

¹ See Herbert, vol. i. p. 175.

over, owing to the men's isolated method of working, they had not yet acquired the same feeling of solidarity, or the same consciousness of the power of masses, as our factory hands since have. And as to the State abolishing the Craft-Gilds—kings used the bourgeoisie as a support; first, as Henry VII. in England, against the nobility¹; and then, because they needed them for pecuniary reasons. The capitalists had yet to attain the same dominion in the State, which in the fourteenth century they had obtained in the towns.

The first loan to the kings by the Gilds in England was made to Henry VIII.² in 1544. Thereupon followed, under the pretence of a holy zeal for the purity of religion, the most shameless confiscation of the whole property of the Craft-Gilds in favour of the king's private purse, by 37th Henry VIII. c. 4, and 1st Edward VI. c. 14—for the donations of which this property consisted had always in Roman-Catholic times been charged with yearly payments for supporting chantries for the souls of the respective donors. The corporations of London had to redeem their property with £18,700. From this period the extracting of money from the trading corporations became a regular source of supply to Government. In most manifold ways Elizabeth, and afterwards James and Charles, contrived to screw out of the Companies their wealth. This was especially managed by the granting of patents for monopolies, and for the oversight and control of different trades, to courtiers, by which the public suffered quite as much as the Companies. During the Civil War too, and the Commonwealth, the Companies had to suffer great exactions and oppressions³.

But the causes of the overthrow of the Craft-Gilds arose in the bourgeoisie itself. These causes were, the rise of large capital, and its investment in manufacture. The 2nd and 3rd Philip and Mary already indicates the commencement. After stating that "the rich clothiers do oppress the weavers, some by setting up and keeping in their houses divers looms, and maintaining them by journeymen and other persons unskilful; some by engrossing of looms into their hands, and letting them out at such unreasonable rents as the poor artificers are not able to maintain themselves by, and much less their wives and families; some again by giving much less wages for the workmanship of cloth than in times past, whereby they are forced utterly to forsake their occupations, &c.; it is enacted that no clothier, living out of a city, burgh, or market-town, shall keep more than two looms, nor more than two apprentices," &c. In short,

¹ See Herbert, vol. i. p. 109.

² Ibid. p. 112.

³ Ibid. p. 113, &c.

the Act endeavours to protect the small masters against the competition of the rich capitalists. But neither this Act nor all the other attempts of the corporations could restrain the process of development, which, especially in consequence of a series of technical discoveries, threw manufacture altogether into the hands of the large capitalists. Handicrafts, and the corporations together with them, lost continually in importance, and only made themselves hated and despised in their endeavour to arrest the natural progress of events. I need not enter into the details of these excesses of the Craft-Gilds; for as the merits of the following system consisted chiefly in these faults of the former, and as in consequence of this peculiar kind of merits the followers of the new era were not restrained by modesty from self-praise, the Craft-Gilds' faults are universally known¹. These excesses caused the removal of the trades carried on under the new system, to places free from the influence of corporate control. Birmingham, Manchester, and other places of kindred note, owe to this their career of prosperity, which was soon to leave the ancient cities and boroughs far behind. The competition of the Great-Industry rising in the new cities deprived the old corporations of their real essence, by making the attainment of their chief objects illusory, and thus turned them into mere empty shadows of their previous grandeur. In France the sovereign people finally swept the corporations away in the night of the 4th August, 1789. In Germany, several bureaucratic enactments brought them piecemeal to death, and the last remnants were destroyed by the North German Industrial Code of 1869. In England they died out gradually before the newly-rising Great-Industry; and all that remains of the ancient Gilds in the Livery-companies of to-day, is the common eating and drinking.

Yet in England there grew up successors to the old Gilds, in the Trade-Unions of working-men, which, like the first Gilds of the old freemen, sprang up as a defence against the great capitalists, who, like ever the strong, competed with each other at the expense of the weak.

¹ See however the account of the London Framework-knitters' Company in Part V.

V. THE ORIGIN OF TRADE-UNIONS.

TRADE-UNIONS are the successors of the old Gilds. With this assertion I concluded the foregoing part of this Essay. It is far from being a new statement. On the contrary, friends and enemies of these associations have repeatedly, in words and print, pointed at their connection with the old Gilds, the former to justify, by this pedigree, their existence, the latter to condemn them at once by describing them as continuations of institutions considered for long, and generally, at best as antiquated. Their enemies, by the dodge of applying to them the epithet of "long-condemned associations for the restriction of trade," generally dispensed with all further inquiries into the real results of their working.

Indeed, every reader of the foregoing pages who has ever made himself familiar with the rules of a Trade-Society, or with one of the numerous blue-books inquiring into the organization of Trade-Societies, must grant at once their similarity to the Craft-Gilds. But notwithstanding this striking likeness, and the numberless writings on the subject of Trade-Unions, nobody has yet inquired historically how these Unions originated¹, and how far they may really be considered as the descendants of the old Gilds. All opinions on this point which I have yet met with are vague, and, as I am obliged to say, far from corresponding with the reality. The most plausible theory is expounded by Mr. Ludlow in one of the best papers ever written on Trade-Unions². According to his idea, the first Trade-Unions originated in the capitalist-masters withdrawing from the Craft-Gild, so as "to confine it to the operative class, so that

¹ Mr. Thornton's chapter *On the Origin of Trades' Unions* (in *The Fortnightly Review*, New Series, vol. ii, p. 688, and in his work *On Labour and its Claims*) bears the same relation to the real origin of Trade-Unions, as Rousseau's *Contrat Social* to the historical origin of States.

² *Trade-Societies and the Social Science Association*, in *Macmillan's Magazine*, February and March, 1861.

the Gild would necessarily merge in the Trade-Society." He accordingly says, "The Trade-Society of our days is but the lopsided representative of the old Gild, its dwarfed but lawful heir." For the historical proof of the identity between the two, he refers to Mr. Hill's *Account of Trade-Combinations at Sheffield*¹.

Considering only the rules and restrictions prevailing in the old Craft-Gilds, and comparing them with the regulations which our modern Trade-Associations, existing only among workmen, try to enforce, one might feel inclined to accept this opinion at once. But the fact is, that in no one single instance did such a withdrawing of the masters from the Craft-Gild, leaving it to the workmen alone, ever take place. On the contrary, I think it more probable that the masters generally remained in the corporation, to prevent its bye-laws being enforced against them, and to annihilate its influence. Such, at least, was the case at Sheffield—as I will show further on—or the audience of Mr. Roebuck's declamations against the United States, the still existing Cutler's Company in Hallamshire, would have consisted of the same persons as returned Mr. Mundella for Sheffield! Trade-Unions are no lopsided representatives of the old Gilds; they are complete Gilds themselves, as well as the Town-Gilds and Craft-Gilds. And when calling them the successors of the old Gilds, I did not mean to designate them as continuations of the Craft-Gilds, nor do I think that their descent from these now certainly antiquated societies could justify their existence. But if I succeed in proving that wherever we find in a trade the first formation of such unions among the workmen, and if, wherever more detailed records of their origin are extant, we see them arising under the same circumstances and for the same objects as the Frith-Gilds and Craft-Gilds previously arose, that is, under the breaking-up of an old system, and among the men suffering from this disorganization, in order that they may maintain independence and order, I think that this, together with the identity of their organization with that of the Gilds, will not only justify me in calling the Trade-Unions the successors of the latter, but will justify as well the existence of the Unions, as I shall then have proved that certain circumstances of disorganization, if unchecked by stronger restrictions², call forth necessarily in

¹ *Trades' Societies and Strikes. Report of the Committee on Trades' Societies appointed by the Social Science Association, London, 1860, p. 521.*

² The want of a similar growth of Trade-Societies on the Continent must be accounted for by the military sway prevailing there at the end of the eighteenth and the beginning of the nineteenth century, which suppressed all kinds of meetings and unions, and by the absence of a similar disorganization of trade to that which prevailed at that time in England.

all times the same organizations into Gilds. Indeed, in our time of physical and economical law-making, one might call this a historical law.

Our inquiry makes it necessary that we should first of all represent to ourselves the regulations of the Statute of Apprentices, the 5th Elizabeth, c. 4, which codified the order existing for centuries among the Craft-Gilds, and applied it to all the trades of its time. There were indeed combinations and associations similar to Trade-Societies already before 1562. But, as I have shown in Part IV., they were but exceptions, occurring chiefly in the building-trades¹. And the very fact of their occurring in the building-trades in the Middle Ages, is another proof of the justness of the theory which I am going to put forward in these pages; for these trades resembled entirely our modern manufactures, with their small number of masters and their masses of workmen, with sub-contractors, and deductions from wages. And as to the 2nd and 3rd Edw. VI. c. 15, it has been shown above² that this statute refers, not to associations of journeymen like our Trade-Societies, but to the abuses of craftsmen in general.

According to the 5th Eliz. c. 4, no one could lawfully exercise, either as master or as journeyman, any art, mystery, or manual occupation, except he had been brought up therein seven years, at least, as an apprentice. Every householder dwelling in a city, town-corporate, or market-town, might take apprentices for seven years at least. But only those youths might be taken as apprentices whose parents possessed a certain fortune; and none could be bound but those who were under twenty-one years of age. Whoever had three apprentices must keep one journeyman; and for every other apprentice above three, one other journeyman. As to journeymen, it was enacted that, in most trades, no person should retain a servant under one whole year, and no servant was to depart or be put away but upon a quarter's warning. The hours of work were fixed by the Act to about twelve hours in summer, and from the day-dawn till night in winter. Wages were to be assessed yearly by the justices of the peace or the town-magistrates, at every general Sessions first to be holden after Easter. The same authorities were to settle all disputes between masters and apprentices, and protect the latter. The 1st Jac. I. c. 6 expressly extends this power of the justices and town-magistrates to fix wages, to the wages of all labourers and workmen whatever.

It is evident that, as long as the regulations of the Statute of Apprentices were maintained, the position of the workmen was

¹ See p. cxliv, above.

² See pp. clvii, clviii.

secure. The long term of service assured them the regularity of employment, which they desired above everything. The magistrates were, according to the intention of the Act, to assess the wages so as to "yield unto the hired person, both in the time of scarcity and in the time of plenty, a convenient proportion of wages;" and the hours of work were not excessive, especially as the manner of carrying on industry was not then so exhaustive as it is now-a-days. Besides, the restrictions as to apprentices prevented a too great competition from lowering the skilled workmen to the level of common labourers. But as Adam Smith¹ tells us, the operation of this statute was limited by interpretation to cities, towns-corporate, and market-towns, and to those trades only which were established in England before the 5th Eliz.

In order to prove my assertion, that the Trade-Unions originated with the non-observance of these regulations, I will now successively consider, first, some of the trades subject to the 5th Eliz. c. 4; then, some of those which were incorporated by charter; and lastly, some which were free from any restrictions, whether by charter or Acts of Parliament.

The woollen manufactures were the old staple trade of England. I have already spoken in Part IV. of the great importance of the Craft-Gilds of the Woollen-weavers; and we have seen how the great number of workmen employed in this trade led them to combine whenever there was a temporary want of sufficient organization². Later on, the trade came under the 5th Eliz. c. 4, and was regulated besides by the 5th and 6th Edw. VI. c. 22 as to the use of machinery, and by the above³ cited 2nd and 3rd Philip and Mary, c. 11, as to the number of looms which one weaver might have.

According to a report of a Committee of the House of Commons in 1757, the assessment of wages by the justices seems to have fallen into disuse in this trade already before 1720. In that year the justices fixed a rate of wages; but it was not carried out into practice. This want of fixed wages evidently led to oppressions of the workmen by the masters, and induced the men to combine. Accordingly, in 1725 the 12th Geo. I. c. 34 prohibited the combinations of workmen employed in the woollen manufactures; and an Act of the following year ordered the justices once more to fix the rate of wages in this trade. In accordance with this Act, the workmen petitioned the justices in 1756 to fix such rates of wages. But as the masters made a counter-petition, the justices refused to act. The immediate consequence, according to the evidence of a master, was, that

¹ *Wealth of Nations*, Bk. I. ch. x. Part ii.

² See pp. cxliii, cxliv, above.

³ See p. clxiii.

the Weavers revolted, hindered the journeymen who went on working, and drove them from their looms. This master estimates the losses which arose to the country from these riots, at from £15,000 to £20,000. This strike induced the master manufacturers to agree with the workmen, and peace was at once re-established¹. In the same year the justices were ordered again, by the 29th Geo. II. c. 33, to settle the rates of labour yearly in the woollen manufactures.

But these were mere transitory skirmishes, called forth by individual attempts of the masters to abolish the existing order of things. As, however, this order was still maintained by the legislature, these attempts did not at that time lead to the formation of lasting Trade-Societies. This did not come about till the transition of the woollen manufactures from the domestic to the factory system, and till the attempt of the master manufacturers to get the 5th Eliz. c. 4 repealed. A Parliamentary Report² exists which gives almost a photograph of the state of the woollen manufactures at the time of these changes. As it is of importance for the understanding of the origin of Trade-Unions in all trades to have a clear idea of this transition, I will give a detailed account of these changes in the woollen manufactures, and will then deal less fully with the other trades.

The woollen manufactures were carried on in the last century by small masters in their own homes. They dwelt in villages and scattered houses, and often cultivated besides a little land, from three to twelve or fifteen acres. Often too they had a horse to carry their cloth to market, or, in later times, to the public mill. The number of such small masters in the environs of Leeds was estimated in 1806 as 3500.

Every master had served a seven years' apprenticeship. Though the 5th Eliz. c. 4 was not known, either to masters or men, its regulations were maintained, because they corresponded to custom. Thus even in 1806 there were in Harnley, a clothworkers' village of from 4000 to 5000 inhabitants, ninety-seven apprentices bound for seven years, and only four bound for a shorter period.

Each master employed on the average ten journeymen and apprentices. As a rule there was one apprentice to two or three

¹ *Journals of the House of Commons*, vol. xxvii. pp. 730-733.

² *Report and Minutes of Evidence on the State of the Woollen Manufacture of England*, July 4th, 1806. Every single statement made in the following account in the text can be proved from this report, which I recommend every reader interested in the subject to peruse, as it is one of the most interesting reports I know of.

journeymen. Besides, the master was regularly assisted by his wife and children. Children working with their fathers did not need to be bound by indenture. As a rule, all these persons worked in the master's house, where the wool was worked through all the various stages, till it became undressed cloth, and, if necessary, was dyed. Sometimes also the journeymen did the work in their own houses, and were assisted in it by their wives.

The master himself taught the apprentice his trade. If the latter had the prospect of ever becoming a master himself, he was also taught how to buy raw materials. In this case the master received a premium on taking the apprentice. After the seven years' apprenticeship the apprentice could settle at once as a master; but as a rule he worked first for one or two years as a journeyman. The fact that a young man of good repute could always get credit for as much wool as would enable him to settle as a small master, is especially urged in recommendation of this system. The great stability and regularity of employment appears, however, as its chief advantage. Slackness of trade did not at once stop work in the workshops. The master went on working, although he could not find an immediate sale for his products, and took his wares to the market. The fact is, that he seldom worked to order. Sale in the cloth-halls was the rule. If, then, a sudden stagnation occurred in the foreign market, or a large firm became bankrupt, the losses distributed themselves over a larger surface. They fell on the whole body of manufacturers; and though each individual small master suffered by it, there were but few, if any, whom it ruined. In such extreme cases the small masters also often took work from other small masters, to maintain their families.

Like the trade of the masters, the employment of the journeymen was exceedingly regular. As a rule, journeymen were hired for a year, and had board and washing at their masters'. They received besides, annual wages of from £8 to £10. There were journeymen who had continually for twenty years and more worked with the same masters. If trade became slack, or there was a stop in the sale, journeymen were not suddenly discharged in masses. Such discharges scarcely ever happened; as a rule, the masters let the men work on in the hope of better times. They considered it a duty to keep, in time of distress, the workmen to whose exertions in good times they owed their wealth. If a master was in want of work for his journeyman, he used to see about for a job for him at another master's; if one could not be got, he was kept on by his old master. "The men and masters," says a master, "were in general so joined together in sentiment, and, if I may be permitted to use the term, love to each other, that

they did not wish to be separated if they could help it." If, on the other hand, a master ever had more orders than he could satisfy, he asked another master to lend him a journeyman¹.

The centres of this organization of trade were the cloth-halls, to which the masters brought their products to market. In Leeds there were two halls, one for white cloth and one for coloured. Similar halls were at Bradford, Halifax, and Huddersfield. There the cloth was examined and measured by the authorities. The two chief cloth-halls at Leeds were under the direction of a certain number of Trustees, who were elected for three years by all the clothworkers of the manufacturing villages, as the most trustworthy and most intelligent of their body. They watched over the general trade interests, and especially the observance of all rules and bye-laws which were framed from time to time for the government of the halls. No clothworker was allowed to bring his wares for sale in these halls, unless he had served a seven years' apprenticeship.

The introduction of machinery brought a change into this state of things. Mills were now erected on rivers and streams, to make use of the fall of the water. Various processes, which had before been chiefly performed by hand under the masters' own roof, were now executed in public mills by machinery. In the neighbourhood of every manufacturing village were several such mills to be found. The manufacturer brought his wares to them with little trouble and loss of time, and fetched them back after they had gone through the necessary process. The cost was but small, so that he was enabled to get by these mills the advantage of very expensive machines. Sometimes too the master himself performed the work by machinery in the mill, in order that it might be well done.

¹ See the *Report* above referred to, p. 8. See, for the passage cited in the text, p. 43. As the statements in the text might be thought by some exaggerated, I will quote some questions and answers from the *Report*. "During the time you were employed by a domestic manufacturer, had you regular work constantly?" "Yes, I had; I never had reason to complain." "Were you constantly employed without reference to masters, or were you sometimes employed and sometimes discharged?"—"I never was discharged; I have been with masters where they were short, and they used to see about for a job for me, and if one could not be got, I was continued." "If the domestic master was short he wished you to pick up another job, if you could get it; if not, he would continue to give you employment?"—"Yes." (p. 117.) "As to the habit of clothiers keeping the persons they employed, you have stated that to be your habit?"—"Yes." "Would it have been possible for you, without evident disadvantage to yourself, to have kept on persons, paying them wages, without deriving any benefit from their work?"—"We consider it as a duty, and there is that good understanding between the employers and the employed, that we should think it a very irksome task to turn off a workman whom we consider as a good and an honest workman." (p. 131.) And again on p. 40: "I scarcely ever knew a man discharged from his master because his master could not give him employment."

In this domestic system of industry the work was chiefly performed by persons who were its proprietors. It was not so in the system of the "rich master clothiers" which arose in the West of England. They bought the foreign wool directly from the importer, and the native in the fleece, or from the wool-stapler. They then gave it to workmen to work up, partly in their own houses, partly in the masters'. For every single process through which the wool had to go until its completion, the masters gave the ware to another class of workers, none of whom went out of his own line. By this the workers obtained great skill in the performance of their operations. As in this system, so also in the system of the master manufacturers which came into existence with the origin of machinery, the workers were not the owners of the work they worked on. The merchants, for the most part possessors of large capitals, now became manufacturers themselves, and erected mills. In one or several buildings they kept more or less operatives working-up by machinery, under the employers' or their overseers' superintendence, the materials belonging to them.

These changes in the manner of carrying on industry led to others in the position of the journeymen. The first change was, that the apprentices were often no longer bound by indenture, though they mostly still served their seven years without it. In the mills, however, it also soon became usual to employ workers who had served no apprenticeship, besides great numbers of women and children; the latter at an earlier age than would have been possible without machinery, and according to the 5th Eliz. c. 4. Their labour was of course much cheaper than that of skilled workmen. The number of employers who had served no apprenticeship increased more and more. Whereas formerly the cloth of no master who had not served a seven years' apprenticeship was admitted to the cloth-halls, the trustees framed in 1796 a new regulation, according to which those manufacturers also were to be admitted who had carried on the trade of a clothworker for only five years. Soon after, all persons were admitted to the cloth-halls without any qualification.

It seems that at the beginning neither masters nor journeymen resisted at once the violation of the old customs and laws. But the employment of great numbers of children, apprentices, and journeymen who had served no apprenticeship, soon took the bread out of the mouths of the Weavers, and this led in 1796 to the formation of a Trade-Society, the so-called *Institution*, among the Clothworkers at Halifax, to prevent people from carrying on the trade in violation of custom and law. They did not know that, according to the 5th Eliz. c. 4, they might proceed in court

against the transgressors of this law, for they were entirely ignorant that this statute existed at all; they only knew the old restrictions as the customary order. Another object of the Institution was the assistance of sick members. When, by the 39th Geo. III. c. 81, in 1799, all such associations were suppressed, and the accumulation of funds by them especially prohibited, the Institution was nevertheless carried on. The only change was, that instead of keeping accumulated funds, the necessary money was levied by subscriptions in each case of want. The Institution included the workmen of several places.

As the new system spread, the greater irregularity of employment was felt more and more by the workmen. Every small fluctuation of trade affected the capital of a single large manufacturer much more than it had formerly affected a multitude of small ones, who had often even not noticed it. Every stop in the sale led at once to a discharge of workmen. Whereas formerly in bad times the small masters had worked on stock, the master-manufacturers avoided the accumulation of stock, and worked only to order. Whilst formerly wages had been settled for the year, now every fluctuation led to reductions of wages. Besides, "the opulent clothiers made it a rule to have one-third more men than they could employ, and then these had to stand still part of their time¹." At the beginning, on the erection of a mill, the master-manufacturers enticed the workmen by high wages from the service of the domestic clothiers; but then every fluctuation brought reductions of wages and discharges. Whenever such discharged workmen found work again even for less wages at a domestic clothier's, on account of the greater regularity of employment they never wished afterwards to change their place, even for higher wages at the factories².

The position of the domestic master-clothiers was also greatly deteriorated by the spread of the factories. With the growth of these, home-work decreased. Many who had been masters sank to be workmen. Many who would formerly have become masters, now remained workmen for ever. They began to fear that the factory system would entirely supplant the domestic, and they therefore supported the workmen in their resistance.

As, in consequence of the 39th and 40th Geo. III. c. 106 (1800), all combinations were severely prohibited, the workmen

¹ Report, p. 111.

² A journeyman who had formerly worked in a factory, being asked why he works for a small master though at less wages, says: "My reason is, when I have been out of employ, I have gone from house to house to work; and it seldom happens that the smaller clothiers change their men, except in the case of death and sickness. I never could lay hold of such an opportunity before."—Report, p. 115.

combined under the cloak of Friendly-Societies. The Report from the Committee on Woollen-Clothiers' Petitions of March 14th, 1803, contains the rules of a Trade-Society which had been begun as a Friendly-Society on Sept. 24th, 1802, and also an advertisement from a newspaper, "calling a meeting of one weaver out of the parish he represents, in order to determine on prosecuting those who unlawfully exercise or follow the trade of a weaver." At the same time we see the Trade-Society already anxious for the morals of the workmen—as before, the old Gilds—for they offer a reward to him who would detect any workman embezzling materials. The chief object of this and similar Trade-Societies was the legal prosecution of transgressors of the 5th Eliz. c. 4, of the 5th and 6th Edw. VI. c. 22, and the 2nd and 3rd Philip and Mary, c. 11.

After several employers had been condemned, first the master-manufacturers of Somersetshire, Wiltshire, and Gloucestershire¹, and afterwards those of Yorkshire², petitioned Parliament for the repeal of the last-named statutes. They especially urged the fact, that there were no master-manufacturers, and very few journeymen, who had served a seven years' apprenticeship, and that masses of workmen would become breadless if the 5th Eliz. c. 4 was carried out. Others³ desired the repeal of the 5th and 6th Edw. VI. c. 22 only, but wished the maintenance of the two other statutes for the protection of the domestic trade, the 27th, 28th, and 32nd sections of the Statute of Apprentices excepted. On these petitions the said laws were in 1803 (43rd Geo. III. c. 136) suspended for one year for the woollen manufactures, and all prosecutions for violating them were stopped. This suspension was renewed in 1804, 1805, 1806, and so forth, until the final repeal of the laws (49th Geo. III. c. 109) in 1809.

After these petitions had been presented to Parliament, the trustees of the cloth-halls at Leeds assembled the clothworkers of the villages which they represented, to agree on counter measures. They signed counter petitions, and appointed agents to support them before Parliament. The necessary moneys were raised by subscriptions. Besides, the trustees prosecuted employers who violated the laws in question. They acted for both masters and men.

But it soon appeared to their constituents, that the trustees did not proceed with sufficient zeal. "When we saw," says a journeyman, "that they did not advance, and as we knew the evils arising therefrom, and that we thereby should become

¹ Report from the Committee on Woollen-Clothiers' Petition, March 14th, 1803.

² Report on Yorkshire Woollen Petitions, May 5th, 1803.

³ Report on Woollen-Manufacturers' Petition, April 24th, 1804.

breadless," the workmen took the affair into their own hands, petitioned Parliament by themselves, and appointed their own agents. They again formed an Institution, about the year 1803. All journeymen belonged to it, and all working in any workshop contributed together to its funds. Even so early as this, contributions are to be found from members of other trades, as from Bricklayers, Carpenters, &c. Many home-working master Clothiers also, and very wealthy ones among them, joined the Institution to push forward affairs before Parliament, as the trustees seemed to give up the concern. It appears from evidence before the Committee, that the Institution spent from £10,000 to £12,000 on petitions to Parliament.

According to the "Rules and Orders of the Clothiers' Community, 1803," the chief object of the Institution was to carry out the legal regulations as to apprentices, in their original purity. But it is declared at the same time that those who till now had carried on the trade contrary to these regulations should continue without molestation. The activity of the society was only to extend to the future. The Rules complain besides, that the abuses which had arisen, especially the large number of hands who had been driven into the trade, had destroyed the mutual dependence between masters and men, and had produced pride and overbearing on the part of the former. Henceforth all apprentices were to be considered unlawful who had not been bound by indenture for seven years. They were to be bound, moreover, at so early an age, that their term would have expired before their majority, as no indenture was binding after their twenty-first year. The only exception was made in the case of a son of a lawful workman who served his father seven years. I must here mention, that with the factory system a new kind of apprentices sprung up, namely, apprentices bound to journeymen; hitherto all had been bound to the master. Nobody, as the Rules further ordain, was to learn two trades at once. In other Rules, workmen of other trades also stated that this regulation of the 37th Edw. III. c. 5¹ was to be maintained.

To the prosecution of this chief object, the Institution added the assistance of the sick, and of the widows of deceased members, under entirely similar conditions as are still now usual in Trade-Unions. The necessary moneys were collected, in every single case, in the name of the sick, or of the widow of the deceased. In Leeds, the contribution of each member was 1*d.* a week, and at Halifax 3*d.* Twice a year a committee of thirteen was elected by the members at a general meeting, to manage the affairs of

¹ See pp. cxxiii, cxxiv, above.

the Institution. Seven were to form a quorum. Fines were imposed for not accepting office when chosen. On resigning, the committee had to render account of their doings. There were also stewards, who had to provide for the collection of contributions, and the assistance of the sick. Besides, we find here also what we found in the Statutes of all Gilds, from the Gilds of Abbotsbury, Exeter, and Cambridge, namely, that all offences at meetings, by using bad language, ill-behaviour, and the like, should be punished. The committee had the right to alter the rules according to need. If any cause of complaint arose, either as to apprentices or as to some other rule, the men of the workshop were first to inquire into the case, to try and arrange the difficulty. But wherever they did not succeed, the difference was to be brought before the committee, whose decision was to be final.

The masters, however, did not continue long in the Institution. The fact was, that it also assisted men on strike. At one place the workmen of a master-manufacturer quarrelled with him and struck work. The members of the Institution wished to assist them; upon this the masters left the society.

When the master-manufacturers heard that the object of the Institution was to petition Parliament for the maintenance of the 5th Eliz. c. 4, they required their workmen to leave it. On refusing this they were all discharged. The master-manufacturers even entered into combinations for suppressing the Institution, which, strange to say, notwithstanding the 39th and 40th Geo. III. c. 106, was considered allowable by the Parliamentary Committee, though it was hostile to the Institution. On the other hand, the workmen at some places forced the owners of mills who worked for others on hire, to enter their society, as otherwise they declared they would not work for them. They also hindered them from working for such masters as were hostile to the Institution. Once, when a master-manufacturer employed unlawful workers, his journeymen struck work. The rest of the master-manufacturers then promised their colleague assistance, and offered to do his work for him in the meantime. But when they attempted to do this, all their journeymen threatened to leave their factories at once. Finally, the masters signed a contract, according to which they obliged themselves to engage no more workmen for the future, contrary to the 5th Eliz. c. 4.

When, year after year, notwithstanding all petitions of the workmen, the Acts regulating the woollen manufacture were suspended, a factory was burnt down; and in September, 1805, the London Fire Insurance Companies received letters of caution

from workmen, wherein they declared that, as Parliament refused to protect their right, they would do it themselves. Though the Report of the Committee expressly states, that not the Institution, but individuals, must be charged with these nefarious deeds, yet they prove the exasperation prevailing among the workmen. But notwithstanding this exasperation, and the attachment of the journeymen to their Trade-Society, which even then was so great, that as a master said in evidence, if it were prohibited they would rather follow it than the laws of the land, yet this Trade-Society ceased at once, when in Christmas, 1805, the trustees of the cloth-halls again took up the petitions. The workmen at once delivered them all their funds. It is evident from this, that the object of the Institution was nothing but the maintenance of the existing legal and customary regulations of trade. As soon as the State ceased to maintain order, it stepped into its place; and as soon as there was a prospect of a more legitimate authority putting the law into practice, the Institution ceased at once.

The Committee of the House of Commons before which this evidence was taken was, however, not favourable to the cause of the workmen. As ever on such occasions, the followers of the movement were spoken of as "poor deluded wretches," and it was made an especial fault of the Institution, that "its inevitable though gradual result must be the progressive rise of wages among all classes of workmen¹." The Committee met the petitions for the maintenance of the existing laws with the very naïve consolation, that the advantages of the domestic system were so great, that it could never be supplanted by the factory system; and by referring to the "true principles of commerce which were now so generally understood and acknowledged." But as the Committee recommended in the same breath the maintenance of the laws prohibiting the export of raw materials and machinery, the emigration of skilled workmen to foreign countries, and combinations of journeymen, it seems that they accepted Adam Smith's principles with conditions only. Their reason for advising the repeal of the 5th Eliz. c. 4 appears rather to have been the one uttered by one of the members of the Committee, namely, that its "maintenance would put the determination of the price of labour in the power of those who had the means of working²." Indeed, Adam Smith was right in saying, "Whenever the legislature attempts to regulate the differences between masters and workmen, its counsellors are always the masters!"

¹ *Report of 1806*, p. 17.

² *Minutes of 1806*, p. 178.

After the repeal of the said statutes (p. clxxviii) the combinations among the workmen in the woollen manufactures became chronic.

Earlier than the Trade-Society which the Clothworkers began in 1802 under the cover of a Friendly-Society, the Shipwrights of Liverpool had formed themselves in the last century into a Trade-Society, which was nominally a mere benefit-club¹. Here too the abuse of employing chiefly apprentices caused the origin of this union. But much earlier than the Trade-Societies in both these trades were those of the Hatters. Besides being under the 5th Eliz. c. 4, the hat-trade was under two Acts of the 8th Eliz. and the 1st Jac. I., which only confirmed the regulations of the Statute of Apprentices expressly for that trade. In this trade prevailed, early in the eighteenth century, the system of carrying on industry by means of sub-contractors (*alias* sweaters), who were called Little Masters. They received the materials from the master-manufacturers, and got them worked up by apprentices only. This led to combinations of the journeymen. From 1772 an extremely vigorous Trade-Society existed among them for maintaining the existing order and providing for the interests of the operatives. As soon as the employers attempted to give work to sub-contractors, they forced them by strikes to take it back. The society was called the *Congress*, was regulated by statutes, and framed bye-laws. All workmen of the trade belonged to it. Every one had to pay a weekly contribution of 2d. As the workmen thus prevented the masters from employing an excessive number of apprentices, the masters petitioned Parliament in 1777 for the repeal of the legal restrictions as to apprentices, and for prohibitions of combinations of journeymen². Both were granted by the 17th Geo. III. c. 55, which did not however repeal all restrictions, for every master-hatter was to employ one journeyman for every apprentice he might take.

In the Tailors' trade also combinations must have existed early in the eighteenth century, as the 7th Geo. I. c. 13 forbade them. I could, however, find nothing as to the cause of these combinations in the Journals of the House of Commons. But it is probable that here also, as in other trades, as for instance in the woollen manufactures just mentioned, the discontinuance of the legal regulation of wages by the justices of the peace occasioned these combinations. This seems the more probable, as the preamble of the 8th Geo. III. c. 17 speaks of those who by "many subtle devices" tried to evade the regulations of wages by the justices

¹ *Social Science Association's Report on Trade Societies*, p. 480.

² *Journals of the House of Commons*, vol. xxvii. pp. 730-733.

according to the 7th Geo. I. c. 13. 'By these words masters are evidently meant, as the devices of the workmen would have simply been strikes. In any case, however, the combinations of the Tailors seem to have been but transitory, and not to have led to the formation of lasting Trade-Unions. At least, during the entire eighteenth century we hear no more of combinations of journeymen, and not even the 8th Geo. III. c. 17 makes mention of them.

I now turn to the consideration of some trades incorporated by charter.

The trade of Framework-knitting was not yet established in the 5th Eliz.¹ But in the year 1663 Charles II. incorporated "several persons, by the name of Master, Warden, Assistants, and Society, of the Art and Mystery of Framework-knitters, of the Cities of London and Westminster, the Kingdom of England and Dominion of Wales, for ever, with power to exercise their jurisdiction throughout England and Wales; and from time to time to make Bye-laws for the regulation of the said business of Framework-knitting, and to punish persons who should offend against such Bye-laws." By § 33 of the Charter² the Master was directed to "enforce the statute of the 5th Eliz. c. 4, or any other statute as respects apprentices and the occupations of the trade."

By this ordinance of the Charter, therefore, the 5th Eliz. c. 4 had authority also over this trade. But evidently the Charter was not of the same effect as the Statute of Apprentices would have been, if it had had direct authority over the trade. The execution of the ordinances of the Charter depended on the Master and Wardens of the Company, that is, on the good-will of employers. As early as the beginning of the eighteenth century the masters employed apprentices in unlimited numbers, often in the proportion of ten and more apprentices to one journeyman; and there is even a man mentioned who had for thirty years employed constantly twenty-five apprentices to one journeyman. Indeed, this abuse of the want of fixed legal restrictions cannot surprise us, for besides the less wages to be paid to an apprentice, the parishes often paid bounties to the amount of £5 for every boy taken from the workhouse³.

By this system the adult workers immediately after the expiration of their apprenticeship fell into deep misery. They

¹ Felkin's *History of the Machine-wrought Hosiery and Lace Manufactures*, London, 1867, pp. 71, 75.

² See the Charter in the *Report from the Committee on Framework-knitters' Petitions*, 1812, p. 49.

³ Felkin, p. 75.

therefore, in 1710, petitioned the Company to carry out the regulations of the Charter with regard to apprentices. But the Company refused. This was followed by a riot of the workmen; they destroyed about 100 frames, threw them out of the windows, and thrashed the opposing masters and their apprentices. The frightened masters gave in, and promised to observe for the future the ordinances of the Charter with regard to apprentices. But as the system of parish apprentices was continued, the trade, notwithstanding this promise, was so overstocked with lawful journeymen without employment, that the most serious seditions ensued. The extent to which they went may be seen from the fact that in 1727 an Act was passed, prohibiting under penalty of death the breaking of frames, which was the men's chief way of revenging themselves on their masters¹. The overstocking of the trade with breadless parish apprentices who had served their term, brought them, in the years 1740 to 1750, near to starvation, according to Mr. Felkin's² account. "There was often only one coat in a shop, which was worn by each in turn³, as he went out from its precincts; so that one Moss, a Northamptonshire master, refused to employ a man possessed of a good coat, declaring the best workmen were only to be found in ragged ones."

On May 22, 1745, the Company ordained new bye-laws⁴, which were confirmed by the Lord Chancellor in accordance with the 19th Henry VII. c. 7. They enacted once more the old restrictions as to apprentices. Besides, these bye-laws contain the first direct news of the practice which was to bring such infinite misery on the workmen, namely, of owners of frames who, though they did not themselves exercise the trade, let frames out on hire⁵. This is the first intimation of mere capitalist-employers. But when the Company did nothing further but attempt to enforce its authority in favour of the London employers throughout the whole country, this led to the entire loss of its influence.

When, at the beginning and in the middle of the eighteenth century, the trade retired more and more from London to Nottingham, the Company sent its deputies there to maintain its privileges. But the Nottingham manufacturers did not acknowledge them. They were already employers of the modern style; they had (for the most part) not served a seven years' apprenticeship themselves, and employed unlawful workers, such

¹ Felkin, pp. 73, 227-229.

² Among the London tailors such a coat is called a "reliever."

³ *Journals of the House of Commons*, vol. xxvi. pp. 790-794.

⁴ See Felkin, p. 79.

⁵ *Ibid.* p. 82.

as journeymen who had not served their legal term or did not belong to the Company, as well as women and children; of two employers, we are even told that the one worked with twenty-three, the other with forty-nine, apprentices, without employing any journeymen. The Company relying on its Ordinances confirmed by the Lord Chancellor, threatened to enforce these masters' submission at law. But then its former conduct towards the petitions of the journeymen in 1710, and its own degeneration, were revenged upon itself. The retort on it was that its members did not themselves maintain the seven years' apprenticeship as a qualification of trade,—that they had themselves given up the requisite of a masterpiece,—and that instead of preventing frauds they rather committed them themselves. The fact is, that the London manufacturers were quite as much modern employers as those of Nottingham, and their whole proceeding appears nothing but a trick arising from envy. The workmen, however, hailed with joy the proceedings of the Company. The Company also addressed the men especially, asked them to join them, made easier for them the conditions of entrance, promised the re-establishment of the old order, and designated themselves as the true friends of the workmen, whilst they called their other employers their enemies¹. The master-manufacturers, threatened with lawsuits by the Company, petitioned Parliament and accused the Company of ruining the trade by monopolies. As Parliament was of the same opinion, the Company became unable to enforce its bye-laws legally, and therefore ceased henceforth to exercise a real influence over the trade².

Notwithstanding the enormous rise of framework-knitting in the period from 1750 to 1780, the workmen—as Mr. Felkin says—but slowly, partially, and indirectly profited by it. The trade suffered under the constant influx of boys, girls, and non-freed workmen. Whilst these abuses had hitherto produced only violent transitory revolts, they then—when all hope in the efficiency of the Company had been finally destroyed—led to the formation of a Trade-Union of the workmen. Thus arose the Stocking-makers' Association for Mutual Protection in the Midland Counties of England, for the purpose of making regulations as to apprentices, inasmuch as a legal order was wanting. This body soon became so powerful in Nottingham that it influenced the elections for Parliament, and even made them. Mr. Abel Smith was thus returned without opposition in 1778, when the members of this Association marched in procession before his chair, accompanied by two assistants, the clerk, and other

¹ *Journals, &c.*, vol. xxvi. p. 794.

² Felkin, pp. 79, 80.

deputies of the London Framework-knitters Company. "This formerly authoritative body had," as Mr. Felkin says, "another opportunity thus given them, by wise and timely measures, to have rendered themselves useful between the master-hosiers and their discontented workmen. The novelty of high rents exacted for frames, with other charges, had not yet settled into a legalized custom; the best of the journeymen and wisest of the masters might have been conciliated, and the Charter revived; but the time was wasted in squabbles about fees, and the Company lost almost its last hold on the trade¹."

As the complete abandonment of the workmen to the discretion of the employers plunged them, notwithstanding the flourishing state of the trade, into the greatest misery, they petitioned the House of Commons in 1778 for a legal regulation of the rate of wages. In consequence of low wages, the payment of frame-rents, and other charges of the employers, they were, according to their statement, unable to maintain themselves and their families. As the master-hosiers made a counter-petition, a Committee was appointed to inquire into the complaints of the workmen. The witnesses examined confirmed the justice of the journeymen's statements in an alarming manner. The earnings of a workman were affirmed to be about 6*s.* a week. Besides, there were the most infamous exactions on the part of the employers. According to the evidence of an examined master, many of them hired workmen without giving them sufficient employment, for the mere purpose of obtaining frame-rents². But notwithstanding the Report of the Committee, the influence of the masters prevailed, and the motion for enacting a law according to the petition remained in the minority. On this the employers in the silk branch of the trade attempted at once to reduce the prices paid for the work 25 per cent., and a strike was the immediate result³.

On the 2nd of February, 1779, the Framework-knitters of Nottingham and the environs again petitioned the House for the regulation of the trade of framework-knitting. This petition was followed by similar ones from Tewkesbury, Godalming, Derby, London, Westminster, and Northampton. Witnesses from all these places were examined by a Committee⁴. The shameless exactions on the workmen by their masters unveiled by this Committee find their equal only in the articles of the

¹ See for these statements Felkin, pp. 115-117.

² *Journals of the House of Commons*, vol. xxxvi. pp. 635, 728, 740-742.

³ Felkin, pp. 115-117.

⁴ *Journals of the House of Commons*, vol. xxxvii. pp. 117, 295, 301, 370-372.

*Morning Chronicle*¹ in 1849, on the position of the London Tailors, and their oppressions by Sweaters. According to the evidence of all witnesses examined, wages had constantly fallen during the then last twenty years, whilst the prices of food had risen. The employers had always endeavoured to reduce wages. After various deductions—which the workmen had to submit to—for frame-rent, winding, seaming, needles, candles, &c., their wages are stated as 6*s.* or 8*s.* weekly. Numbers of workmen could not even earn as much. The most disgraceful abuse was carried on as to frame-rents. The value of a frame is stated as £6 or £8. But for its use the workmen had to pay rents from 1*s.* 3*d.* to 2*s.* a week, that is, up to 86 per cent. The workmen were obliged to hire these frames, if they wished to get work; if a workman had himself a frame, he was refused work. This rent the workmen had to pay whether they worked or not, even during their sickness, for Sundays and holidays, or when they had no materials, which the employers had to furnish. Many employers in Nottingham stinted their workmen from making more than a certain number of stockings a week, though they could have made more,—evidently that they might thus be able to deduct the more frame-rent from a certain sum of wages. The workmen had to buy from the employers the materials for making the stockings. The latter then rebought the stockings from the workmen. But they also often left them on the workmen's hands. The workmen, says the Report, were in a state of starvation. They had to submit to any conditions of their employers. A number of workmen who had signed the last year's petition to Parliament had had to leave off work.—The witnesses brought forward the fact that the masters and men at Dublin had agreed on a price list, and that the Lord Mayor had confirmed it; that both parties were there now content, and that the workmen had bettered themselves in consequence of the list, and earned more wages. They desired a Bill fixing prices, which would, as they thought, produce a very wholesome effect.

On this Report the House resolved that a Bill should be introduced for regulating the trade of framework-knitting, and for preventing the frauds and abuses therein. Mr. Meadows, one of the members for Nottinghamshire, brought in the Bill on May the 10th, 1779. It was strenuously supported by Mr. Robert Smith (afterwards Lord Carrington), who said "the measure was moistened and saturated by the tears of the poor distressed families of framework-knitters²." Leave was given to bring in

¹ The numbers of December 14th and 18th. See also *Cheap Clothes and Nasty* by Parson Lot, 1850.

² Felkin, pp. 115-117.

the Bill, with only one dissentient voice. Upon this the employers counter-petitioned. They said that if the Bill should become law, this, "from various reasons" (*sic!*), would be most injurious to the petitioners, and to the wholesale merchants in the trade of framework-knitting. A Committee was appointed, which was once more to inquire into the state of the workmen. On the 9th of June they reported that the former statements of the workmen were *true*, and proposed only a few amendments in the Bill. The second reading was carried by twenty-four against twenty-three. But it was thrown out upon the third reading by a majority of fifty-two to eighteen¹. Indeed, I was wrong in approving above of the saying of Adam Smith, that whenever the Legislature has attempted to regulate the differences between masters and workmen, its counsellors have always been the masters. This statement contains but half the truth. It has also always been the same whenever the Legislature refused such regulation.

Upon the rejection of the Bill, great excitement of the workmen ensued. They crowded to Nottingham, broke the frames of those manufacturers by whose special influence the Bill had been lost—as well as of other employers—threw them out of the windows, burned a house down, and destroyed much property belonging to the employers. More than 300 frames were broken on this occasion. The whole of the employers then promised, if the riots would at once cease, to remove all grievances. On this, peace ensued. Public opinion seems to have been on the side of the journeymen, for the workman accused of having set fire to the house was acquitted. But the employers kept their word badly. They had formed a union of their own. After the ferment had subsided, they issued an address, stating that they would oppose all regulations, whether by charter or Acts of Parliament, as tending to drive the manufacture to France, where workmen were contented with low wages².

The grievances of the workmen in the trade increased more and more. From 1780, in consequence of the system of rent-charge for the use of stocking frames having become fully established, the construction of machinery proceeded very rapidly for the next thirty years. The cost bore so small a proportion to the rent, as to induce many persons not in the trade to purchase frames³. On this came a vast increase in the number of apprentices. Mr. Felkin mentions an instance of a father and son in Nottingham having, in 1810, twenty-four apprentices; and two framework-knitters at Hinchley having 100 between them.

¹ *Journals of the House of Commons*, vol. xxxvii. pp. 386, 396, 421, 441.

² Felkin, pp. 117, 227-229.

³ *Ibid.* p. 117.

The whole district was accordingly in a constant state of riot. In their distress the workmen turned their attention once more to the powers entrusted to the chartered London Company, and sought its intervention for their relief. But it was then too late for its action. The Company proceeded, indeed, at law against a manufacturer for taking apprentices in violation of the bye-laws of the Company, but the manufacturer was condemned in 1s. damages only. As wages became more and more dependent on the discretion of the employers, the workmen again applied in 1812 to Parliament to enforce payment by statement-lists. But though a Bill embodying such clauses passed the Commons, the appeal was unsuccessful in the Lords. On this the workmen in all the branches of the trade entered into union in 1814¹. Since then, until the time of Mr. Mundella, attempts to fix statement-lists of prices have changed with strikes, when these were violated by the masters, and with unsuccessful applications to Parliament for laws regulating the trade.

To mention another incorporated trade, I take the Cutlers in Sheffield. Already before 1790 the masters there must have attempted to violate the customary restrictions as to apprentices; and they were probably hindered in this by the journeymen. But far from withdrawing from the corporation, they complained of these restrictions in 1790 to Parliament, and petitioned for alleviations in the bye-laws of the Company². These were granted in an Act of June the 7th, 1791³; and forthwith, on the 9th of September of the same year, we find combinations among the Scissor-grinders and other workmen. On the 3rd of April following the Scissor-smiths' Benefit Society was formed. According to Mr. Hill's account⁴, it was a Trade-Society to oppose the actions of the employers, which probably took the shape of a Friendly-Society to evade the 39th and 40th Geo. III. chap. 106.

The same phenomena which we observed in the trades incorporated by charter, or under the 5th Eliz. chap. 4, recur in those which had been always free from any legal restrictions. Among these was the trade of the Calico-printers⁵. Nevertheless, though the regulations of the 5th Eliz. chap. 4 had no power over this trade, yet they were observed in it as the order sanctioned by the general

¹ Felkin, pp. 435-439 and foll.—The London Company existed till 1835.

² *Journals*, vol. xlvii. pp. 11, 12.

³ *Ibid.* p. 717.

⁴ *S. S. A. Rep. on Trades' Societies*, p. 526.

⁵ See for the following statements, "Minutes of evidence taken before the Committee, to whom the petition of the several journeymen Calico-Printers and others working in that trade, &c., was referred," July 4, 1804; and the Report from the Committee on these minutes, July 17, 1806.

custom of trade before the introduction of machinery. But simultaneously with the introduction of machinery, about the year 1790, the unlimited employment of apprentices in the place of adult journeymen became general in this trade. And the disproportion between journeymen and apprentices which, not restricted by even the possibility of a legal prosecution, arose in the counties of Lancaster, Derby, Cheshire, and Stafford in England, and in those of Lanark, Renfrew, Dumbarton, Stirling, and Perth in Scotland, surpassed by far that existing in all other trades. In Lancashire there were cases of fifty-five apprentices to two journeymen only; and in the county of Dumbarton cases of sixty to two. These proportions had however been in no way caused by a want of hands from the great rise of the trade after the introduction of machinery. On the contrary, whilst all apprentices were working full time in the factories, the journeymen sought in vain for work. And whenever the state of the trade necessitated a discharge of hands, the journeymen were always discharged first, whilst the apprentices remained fully employed. The reason was rather this, that the masters, by employing apprentices instead of journeymen, saved one-third in wages. And it was not rare "that apprentices were discharged immediately upon the expiration of their apprenticeship, although the work was unfinished, the masters being unwilling to pay them journeymen's wages, even until such work was finished." Against the evil consequences naturally to be apprehended from the comparative unskilfulness of boys, the masters provided, by making at their discretion an adequate deduction from their wages, whenever work was spoiled by the boys. The position of the apprentices was just as precarious as the situation of the journeymen was miserable. The employers declined taking apprentices on indenture, and accepted them only on verbal promises of serving seven years. To enforce the observation of this agreement, they required from the parents of the boy a bond of £50, and also retained a certain part of their earnings—as a rule £10—until the term of apprenticeship agreed to had elapsed. Besides, the apprentices often had to serve from eight to ten years instead of seven; for when at any time the employer had no work for his apprentice, he forced him to serve more than his term for the time in which he had no work. The employer, on the other hand, did not take upon himself any legal obligation whatever towards his apprentices. He could discharge him at will, and very often did so. These apprentices were partly parish apprentices, partly children of workmen, who were forced by their employers by threats of instant dismissal in case of refusal to apprentice their children. And whilst the trade "produced

among the generality of workers a great difficulty of breathing, diseases of the lungs, &c.; whilst their sight was apt to fail them at an early age, and the period of old age very soon reached them," and they thus became unfit for any other employment, they were mostly discharged at once after the expiration of their apprenticeship. There is also evidence as to workers being dismissed immediately on their sight beginning to fail them¹.

This abuse of power on the part of the masters, and their aggressions, especially on the journeymen's customary right of preference to employment, which they had acquired by a regular apprenticeship, led at once, as might be expected, to the formation of Trade-Societies. All journeymen of the trade belonged to this Calico-printers' Trade-Society, as all Clothworkers did to their Institution. At first there were no regular obligatory payments, but all contributed voluntarily to a common fund. From this fund the sick members, and those out of work, were assisted. When such accumulations of funds had been prohibited by the 39th and 40th Geo. III. chap. 106, the Calico-printer Unionists gave each member a ticket. On presenting this, the bearer—like the wandering journeymen in Germany—received a donation from the workers in every workshop he passed. Originally, everybody was free to give what he pleased; but gradually there arose too great a disproportion, as the zealous often gave 6*d.*, whilst the lukewarm gave nothing. Then the journeymen were bound to fixed contributions, in England to a halfpenny, in Scotland to 1*d.* each. It seems that as the trade developed further, only the more zealous journeymen belonged to the Union, and that thus a closer and more restricted association arose, which no longer comprehended all workers in the trade. Another rule among these workmen which has a certain likeness to those of the German journeymen's fraternities, was, that every apprentice or workman who wished to work in a workshop, had first to apply to the journeymen, before asking the masters for work. The reason was, that if discontent existed, or there was not plenty of work, the employers might not take advantage of the new offer of labour to discharge their journeymen or reduce wages. If new apprentices were taken, a strike ensued. When the journeymen struck work, the apprentices generally went with them, and were assisted during the turn-out by the journeymen. In London and the parts adjacent, however, the most friendly relations existed between masters and men; but it was also shown, on inquiry into fourteen workshops, that the proportion of apprentices to journeymen was only 37 to 216.

¹ Compare Sheridan's speech on these abuses in *Hansard*, vol. ix. pp. 534-537.

These combinations existed until the year 1802, when the journeymen first applied to the House of Commons for redress, and "the moment they found their petition entertained, and felt any ground of hope that their grievances would be fairly considered, all combination ceased, and their reliance for redress was entirely founded upon the justice and liberality of Parliament¹."

The Committee appointed by the House made an excellent Report on the evidence which it had taken, and warmly recommended measures for the relief of the Calico-printers. The Report dwelt specially on the fact, that the legislation of the then last years for the working-classes "had operated only in favour of the strong and against the weak." "Everything," it says, "is made subservient to the interest of the masters, and exclusively too; for the diminution of expense, considerable as it is, the manufacture arising out of their multiplication of apprentices at reduced wages, and the introduction of machinery, do not appear to have produced any reduction whatever in the price of the fabric to the consumer." Mr. Sheridan brought in a Bill in accordance with this Report, proposing (among other things) to lessen the number of apprentices. Parliament, however, refused the Bill a second reading, especially on a speech of Sir Robert Peel (the father), who opposed it in the name of the master-printers. He was a party to the question, as the evidence shows, for his manufactory at Church Bank, in Lancashire, was as overstocked with apprentices as those of other employers. This refusal caused the revival of Trade-Unions among the journeymen Calico-printers; and it is worth mentioning, that the precarious condition of the apprentices themselves caused them even later on, in 1831, to form a Trade-Society of their own², which was to assist and supplement the Trade-Society of the journeymen in their endeavours, just as the journeymen's fraternities of the fifteenth century on the Continent supplemented the Craft-Gilds.

As regards the Cotton-trade, I have not been able to find accounts of the first Trade-Societies among its journeymen. But the following statement about it agrees with what occurred in all other trades, when the exceedingly well-informed author of the essay *On Combinations of Trades* says (p. 15), "that this manufacture, which was of too modern an origin to be obnoxious to the 5th Eliz. c. 4, was never without unions among its artisans." An early organization of the journeymen Cotton-workers may also be inferred from the evidence contained in a Parliamentary Report

¹ The words are Sheridan's. Compare also *Report*, p. 6.

² See the account of the Young Society of Block-Printers in Manchester, in the essay *On Combinations of Trades*, pp. 73-76. London, 1831.

of 1811¹. It is said there, that for seventy years statement-lists of prices had existed in that trade, which were agreed upon by masters and men, and that they had been given up thirteen years before, by which great misery had been caused to the workmen.

Though the examples mentioned sufficiently prove my assertion as to the origin of Trade-Unions, I will yet give an account of the Trade-Societies in the Silk-manufacture; for the real nature of Trade-Unions comes out nowhere more clearly than here. Already before 1773 the assessment of wages by justices of the peace or by the Lord Mayor had fallen into disuse in the silk-manufacture in London, Westminster, Middlesex, and within the liberties of the Tower of London. In consequence, the competition of employers to undersell each other had lowered the wages of workmen. This led to continual differences as to wages between masters and men. Several deeds of violence were committed by the exasperated workmen, and much property belonging to those employers who would not pay the customary wages was destroyed². Strikes were frequent; and the men on strike were assisted by contributions from all the workmen of the trade. They chose a committee for managing all matters connected with the trade. But when the committee once ordered a levy of 2d. for every loom used by a workman, quarrels ensued with the masters, which finally led to the enactment of the 13th Geo. III. c. 68³. According to this Act, the justices of the peace or the Lord Mayor at the above-named places were, from July 1st, 1773—from time to time, after demand so to do had been made to them—to assess the wages of the journeymen in the silk-manufacture. Employers giving more or less than the assessed wages to their workmen, or evading the Act, as well as journeymen entering into combinations to raise wages, were to pay certain fines, the amount of which, after the deduction of the necessary expenses, was to be applied to the relief of needy weavers and their families. By the 32nd Geo. III. c. 44, of the year 1792, these regulations were extended to the manufactories of silk mixed with other materials; and by the 51st Geo. III. c. 7, of 1811, to the female workers in the respective trades. These three Acts were called the Spitalfields Acts.

After the enactment of the first Spitalfields Act, no more strikes

¹ *Report on Petitions of Several Weavers*, June 13th, 1811.

² *Minutes of Evidence taken before the Committee to consider of the Several Petitions relating to the Ribbon Weavers*, March 18th, 1818, p. 40.

³ *Second Report of Minutes of Evidence*, April 20th and 28th, and May 8th, 1818, p. 57.

took place in Spitalfields¹. Masters and men were unanimous in their praise of the effects of these Acts; and an employer even declared, that in case of their repeal, he would instantly retire from the trade². In the year 1795 a general price-list was fixed in conformity with the 13th Geo. III. c. 68; and this was followed by several others, the last in 1806³. The great expenses caused by the publication of these price-lists, amounting sometimes to £300, were defrayed by subscriptions of the workmen⁴. But as all did not contribute to them properly and equally, the men elected in 1805 a "committee of ways and means," which levied contributions according to the number of looms worked on by a journeyman⁵. But as the masters frequently endeavoured to violate the list agreed on before the magistrates, further subscriptions were required, first to assist those workmen who had been discharged for insisting on their lawful wages, until they should again get work, and then for prosecuting in court those masters who violated the law⁶. This led to a confederation of those journeymen who were more zealous for the common weal, into a Trade-Society.

According to its statutes⁷, the "Rules to be observed by a few friends called the Good Intent," it had as standing officers only a few collectors of contributions, who were called "The Finance," and, besides, a paid secretary. The entrance-fee was twopence, the weekly contribution a halfpenny. If a member was out of work he received a donation. Yet this case was evidently a rare one, as is proved by the rule of the statutes, that in case of more than one journeyman being out of work, the sum which was to be applied to the assistance of men out of work should not be augmented, but equally distributed between them. This proves therefore, apart from the distinct evidence on the point, that after the enactment of the Spitalfields Acts no more strikes occurred; that strikes were not the object of the society. And indeed, as the journeymen could protect their interests at law, there was no room for strikes. If differences broke out between masters and men, the latter chose a committee *ad hoc*, which was

¹ *Minutes*, p. 40; *Second Report*, p. 194.

² If the Spitalfields' Acts should be repealed, "I should in all probability leave the trade, and for this reason: I allude to no individual, but I have sufficient experience of human nature, and I have seen enough to know, that there are many people who would so oppress the poor to get goods manufactured very cheap, that I should not have a disposition to enter into competition with them, and I should in all probability retire from the trade." (*Minutes*, p. 43.)

³ *Second Report*, p. 188.

⁴ *Ibid.* p. 54.

⁵ *Ibid.* p. 56.

⁶ *Ibid.* pp. 59, 194.

⁷ Compare as to this Trade-Society the *Second Report*, pp. 54, 56, 57, 59, 165, 166, 168, 180, 188, 194, 195, 196.

again dissolved after the case had been settled. The journeymen sometimes also elected on this committee masters who had before been workmen themselves, and who, even after their rise, had known how to preserve the confidence of their former associates. This committee prosecuted, in the name of the journeymen, those employers who violated the said Acts. It represented them also whenever a new price-list had to be fixed. In opposition to this society of the journeymen the employers formed another, with the object of defending its members in court when prosecuted by the journeymen. It also represented the masters on the settlement of a new price-list. Whenever such a new price-list was to be fixed, the committees of both societies met; and after an agreement as to the prices had been come to, the committee of the journeymen brought the change, or the new regulation, before the magistrates to receive their sanction. The complaint of the employers, that the magistrates regulated the prices always more according to the statements of the workmen than according to theirs, proves that the journeymen were not badly off under these legal regulations of prices. Sometimes, also, such new regulations led to discussions before the magistrates. But "in most cases," says a master silk-manufacturer, "where a dispute as to the fixing of prices has occasioned a discussion before the magistrates, it has arisen from the contending masters not being operative weavers; there would not then (i.e. if they had been operative weavers) be such disputes as there have been, as the masters were not capable of answering those articles which the journeymen have put them." On the 4th of December, 1813, the journeymen's society consisted of 83 members, and was in possession of £5 8s. 11½d. In October, 1817, its finances seem to have been embarrassed. It accordingly circulated an address to its members, calling for contributions. This address gives at the same time an account of the society's operations. "Within the last nine months upwards of fifty persons (by means of the Trade-Society) have obtained the lawful prices of their work, which was withheld from them to a very great extent by their employers; the expenses of obtaining which, with other things, have borne so heavy upon your finances, that you are embarrassed to a very large amount."

After a contest of almost a hundred years—for the violations of the 5th Eliz. c. 4 began about the eighteenth century—the master-manufacturers at last obtained the victory in 1814. For the woollen manufacture the Statute of Apprentices had previously been repealed; by the 54th Geo. III. c. 96 the industrial system, which was as old as the Craft-Gilds, was abolished for all trades. Indubitably, the condition of things before this repeal

had become untenable; for whilst the law was nominally in force, it was practically not observed. All agreed, therefore, that a new law had become necessary. But whilst some wished for the amendment of the statute, others desired its entire repeal. Petitions were presented to Parliament by the followers of both views. But whilst 300,000 were for the maintenance of the statute, there were but 2000 for its repeal¹. A Parliamentary Committee was appointed in 1813 to inquire into the facts of the question. All witnesses examined were against the repeal. The arguments of the workmen brought round to their side even the Chairman of the Committee, who had formerly been little inclined to their views². The workmen's petitions also laid particular stress on the point, that by the thitherto prevailing laws the journeymen lawfully educated for their trade had acquired a right similar to property, and that the repeal of the statute of Elizabeth would be to them what the deprivation of land or any other property would be to owners thitherto protected by the laws³. And, indeed, in this the workmen were right. For what else is land but an opportunity of getting an income? and what else had the journeymen acquired by their seven years' apprenticeship, and by the expenses incurred for their education in the trade, but the opportunity of getting an income? and does not our age, which on expropriations pays compensations to land-owners for the loss of this opportunity, owe such compensations also to those journeymen; at the least to the amount of the cost incurred by their education to their trades during the seven years required? But we acknowledge only rights of capital, and these only when they are fixed in saleable commodities.

The debates in Parliament on the repeal of the statute show as its enemies, either employers or mere theoreticians, who, with the entire superciliousness of the followers of a still young theory, spoke with contempt of the glorious reign of Queen Elizabeth as of the time when nothing was yet known of the infallible doctrine of the new era⁴. It is remarkable, however, that these enlightened adherents of the new theory differed from Adam Smith in his justification of combinations of workmen⁵. The employers, on the other hand, described this openly as a chief reason for the repeal of the statute, that the seven years' apprenticeship restricted the number of workmen, and thereby enabled them to combine with success against their masters⁶.

¹ *Hansard*, vol. xxvii. p. 574.

² *Ibid.* p. 570.

³ See *Report from the Committee on the Petitions of Watchmakers of Coventry, &c.*, July 11, 1817, p. 47.

⁴ Compare *Hansard*, vol. xxvii. pp. 564, 572, 884.

⁵ *Hansard*, vol. xxvii. p. 572.

⁶ *Ibid.* vol. xxvi. p. 213.

The spirit of the repealers may be seen by the assertion, that "the persons most competent to form regulations with respect to trade were the master-manufacturers¹." Thus at last the statute was repealed in the interest of the employers.

I am not going to criticise further here the repeal of the 5th Eliz. c. 4, but I may be allowed a word on the dodge of the cry against State or Government interference by which this repeal was carried, and so many other regulations of trade desired by the workmen were refused. It seems to me, on the contrary, that this repeal was an interference; and I can also imagine refusals of such regulations, which would constitute interferences. For what does interference mean? Evidently an unjust meddling with the affairs of another. But what is the State, and what is Government; or rather, what ought they to be? The State is the organization of the people, and Government the natural centre of popular life. When this is really the case, there can be no question of State interference, so long as the State fulfils the will of the people. For nobody who acts according to his own will can be said to interfere with himself. The whole term "State interference" presupposes therefore a condition of the State as it ought not to be; it presupposes a State which is something else than the organization of the people, a government which is not the natural centre of popular life; both, something foreign to the people. And such *was* the State when the 5th Eliz. c. 4 was repealed, and when those regulations of trade were refused. If it had been otherwise, it would not have acted in favour of the 2000 against the interests of the 300,000; and, in the case of those refusals, not against the expressed will of the majority of the interested part of the people. This repeal, and these refusals, were acts of interference on the part of a minority with the wishes of the people. And, indeed, the then existing Parliament did not even nominally represent the latter. This was also shown by the debates on the repeal. A general want of interest prevailed on the deliberation of a law of such grave importance to the life of the people; the House was even counted out².

The repeal of the 5th Eliz. c. 4 declared the state of industrial disorganization and disorder as the only lawful state. This state became only too soon the prevailing one in all trades. Parliamentary reports³ on the condition of the ribbon-trade and the silk-manufacture at Coventry, Nuneaton, and Macclesfield, describe, as the immediate consequence of the repeal, such a

¹ *Hansard*, vol. xxvii. p. 572.

² *Ibid.* vol. xxviii. p. 14.

³ See the two above-referred-to *Reports on the State of the Ribbon Trade* (p. clxxxix, notes 1, 2).

growth of the system of sweaters and half-pay apprentices, that the journeymen were driven to famine, and the female workers to prostitution¹. "Whilst the statute of the 5th Eliz. was in force," says the Report, "the distressing circumstances now complained of never occurred." The whole of the masters and weavers, therefore, petitioned in 1818 for the extension of the Spitalfields Acts to the silk-trade in the said places. Reports of the years 1817 and 1818 give an absolutely identical account of the condition of the Watchmakers at Coventry². Further, as the justices of the peace no longer assessed wages after having heard masters and men, the workmen now endeavoured to introduce regulation of wages by statement-lists of prices, agreed upon by masters and men³. But they were violated upon every occasion by the employers. The words which Pitt⁴ spoke on the subject of the Arbitration Act were now completely fulfilled. "The time will come," he said, "when manufactures will have been so long established, and the operatives not having any other business to flee to, that it will be in the power of any one man in a town to reduce the wages, and all the other manufacturers must follow. If ever it does arrive at this pitch, Parliament, if it be not then sitting, ought to be called together, and if it cannot redress your grievances, its power is at an end. Tell me not that Parliament cannot—it is omnipotent to protect." The workmen were quite of the opinion of Pitt, and numberless were the petitions which, after 1814, they addressed to Parliament for the legal regulation of their trades. But as Parliament thought it could not redress their grievances, they tried self-help. After the repeal of the Act of Elizabeth combinations and unions therefore arose in all trades. But whilst, on the one hand, the workmen were refused legal protection, self-help, in consequence of the 39th and 40th Geo. III. c. 106, was considered a crime. In 1818, bail to the amount of £200, and two sureties for £100 each, were required for the appearance of a common workman at the next Session to answer a charge of combining⁵. The greatest mischief was, however, that the Combination Laws, by confounding right and wrong, led men to

¹ *Minutes of Evidence on the Ribbon Trade*, March 18, 1818, pp. 5, 24, 33.

² *Report from the Committee on the Petitions of Watchmakers at Coventry, &c.*, July 11, 1817; *Report from the Select Committee to consider the Laws relating to Watchmakers*, March 18, 1818.

³ Compare especially, as to the Silk-weavers of Macclesfield, the *Second Report on the Ribbon Trade* referred to; moreover, the *Report on Petitions of Several Weavers*, June 13, 1811.

⁴ I quote from Mr. Maxwell's speech, May 15, 1834, *Hansard*, Third Series, vol. xxiii. p. 1091.

⁵ *Report of the Artisans' Committee*, 1824, p. 405.

regard with less aversion things really vicious. The people, in their despair, did not shrink from the greatest deeds of violence and the most infamous crimes, in self-defence. The Combination Laws had deteriorated the character of the people to such a degree, that even after their repeal in 1824 such deeds of violence still occurred, as was disclosed by the 'Cotton-spinners' trial at Glasgow in 1838; and in several trades the instances descend, as we all know, to the latest times.

I will now briefly sum up the evidence with regard to the origin of Trade-Unions, supplied by this sketch of the condition of the workmen in the several trades during their transition from small to great industry. We see first that the old regulations of trade by the Craft-Gilds and by the 5th Eliz. c. 4—which had originally been ordained in the interest of the public for securing good quality of work—now appear as really framed for the "better relief and comodytie of the poorer sorte." Wherever an alteration of the order established by them occurred, the artisans and small masters were menaced in their secure and well-to-do situation, and the harmony between masters and men was destroyed. And as soon as attempts were made to abolish this order, and legal protection was refused, the men combined for its maintenance. I refer to the instances of the combinations of the Framework-knitters in 1710, of the Clothworkers in 1720 and 1756, and to the London Silk-weavers before the enactment of the Spitalfields Acts. And, indeed, in the time after the repeal of the Statute of Apprentices it was notorious¹ that wherever labour was not regulated by law, or by an order agreed upon by masters and men, combinations of workmen prevailed.

As soon as the disorganization spread and the gravest abuses became general, whilst the prospect of a maintenance of order by the State disappeared, the workmen formed their Trade-Unions against the aggressions of the then rising manufacturing lords, as in earlier times the old freemen formed their Frith-Gilds against the tyranny of medieval magnates, and the free handicraftsmen their Craft-Gilds against the aggressions of the Old-burghers. And like the objects of those Gilds, the object of the Trade-Unions was the maintenance of independence, and of an entire system of order, in a time of industrial and social club-law. The Clothworkers give an example of this. Already, in 1796, the non-observance of the 5th Eliz. c. 4 had become so general in the cloth trade, that the trustees of the cloth-halls at Leeds admitted to them masters who had served no appren-

¹ Compare the *Second Report on the Ribbon Trade* of 1818, p. 60.

ticeship. And in the same year there arose a Trade-Society of workmen for the maintenance of the customary order. Thus also originated the Congress of the Hatters, the Union of the Calico-printers, and the rest of the above-mentioned Trade-Societies.

But these societies arose only when those who had hitherto been obliged to protect the order of the trade refused this protection. Thus the Stocking-makers' Association for Mutual Protection was only formed after the London Framework-knitters' Company had proved itself either unwilling or insufficient to maintain the regulations of the trade. The Clothworkers formed an Institution in 1803 only, when the trustees of the cloth-halls had ceased to perform their duty. But as soon as the trustees again showed themselves ready to fulfil that duty, the Institution was dissolved. And with this agrees Sheridan's account of the combinations of the Calico-printers. The societies themselves also only resorted to self-help to maintain their regulations when legal aid was denied them. Thus Trade-Unions arose in all trades under the 5th of Elizabeth, first, for the legal prosecution of employers who had violated this Act; and, indeed, in the silk-trade the Trade-Society existed merely for the better execution of the Spitalfields Acts. On the other hand, we find incendiarism by the Clothworkers on the suspension of the 5th of Elizabeth, and riots of the Framework-knitters on the refusal of protection by the legislature.

Originally the organization of the Trade-Society comprehended all the workers of a trade in the place: thus was it with the Silk-weavers, with the Calico-printers, with the Institution of the Clothworkers. Likewise the amount of contributions depended originally on the free-will of the members. It is only later that we find closer and more restricted associations among the more zealous, and fixed contributions. As combinations of workmen were prohibited, especially after the 39th and 40th George III. c. 106, Benefit-Societies were frequently made the cloak of Trade-Societies. Such Trade-Societies were the Friendly-Society of the Clothworkers in 1802, the Benefit-Club of the Liverpool Shipwrights, the Scissor-smiths' Benefit-Society at Sheffield: and indeed this was almost the rule until 1824¹. During the whole of the Middle Ages after Charlemagne, the Political Gilds abroad concealed themselves in like manner under cover of the Religious Gilds².

¹ See the ninth resolution of the Committee of the House of Commons in 1824.

² See Pertz, vol. i. p. 68, cap. 10. Oudin-Lacroix, pp. 423-425, cites a series of prohibitions of Religious Gilds by councils, kings, and barons, because they were "conjuraciones vel conspiraciones laicorum, quibus nomen confraternitatis imponunt, impietatem pollicentes sub nomine pietatis."

Mr. Dunning's account of the London Bookbinders' Society shows also that societies first instituted merely for the purpose of "taking a social pint of porter together," changed afterwards into Trade-Societies. Such changes of Friendly-Societies may often have happened. I have pointed in Part IV. to the similar transformations of Religious into Craft-Gilds¹. If in the times of the Craft-Gilds in England journeymen's Associations had existed there like those on the Continent, there can be no doubt that later on Trade-Unions would also have arisen from those Associations. I have already referred in Part IV.² to the different points by which this opinion can be supported. The Trade-Society of the Calico-printers also showed similar regulations to those that prevailed in the German journeymen's Associations.

The rules of Trade-Societies cited in the foregoing pages are still very imperfect. Yet even they show the essence of the Gilds as defined in Part I.³ Like the oldest Gild-Statutes, they show merely the outlines of an organization. The system is not yet worked out into details. But if one considers the statutes of one of our modern Trade-Unions, as, for instance, those of the Amalgamated Engineers, one finds an organization elaborated into the minutest details, which is very similar to the later Craft-Gilds. It would be very interesting to show from the history of this queen of Trade-Unions, which now (like the Hanse in former times) has its ramifications in all parts of the world, how its organization gradually developed itself in the same phases as that of the old Gilds did. Attempts at General Trade-Associations by the Trade-Unions were also not wanting, quite as vain and short-lived as the German Town-Confederations. I refer to the National Association for the Protection of Labour of 1830, and to the later similar experiment of Thomas Duncombe. It would also be very interesting to show how the workmen, after the disuse of the customary regulations of wages, laboured continually to bring about an orderly condition of wages by statement-lists of prices; how they were constantly opposed in this, on principle, by the employers, who would not suffer restrictions where they considered themselves as alone having rights, until, in consequence of the threatening attitude of the workmen, they have, since the example set by Mr. Mundella, agreed at last to an institution which is nothing but an amended edition of the regulation of wages by the Craft-Gilds⁴. And in some noble instances

¹ See p. cxviii, above. ² See pp. clix, clx, above. ³ See p. lxvii, above.

⁴ See pp. cxxxvi, cxl, note 2, above. It appears from the *Report on the Petitions of Several Weavers*, June 13th, 1811, that statement-lists of prices, agreed on by masters and men, existed early in the eighteenth century in the Cotton-

we already see the return to the sharing of profits with the workmen, as it existed in Bruges before the degeneration of the Craft-Gilds¹. I believe that to show this would not only produce a "dim" consciousness that "the world is settling into a new order after more or less of disorder²," but that it would prove that social order has to a great extent already taken the place of disorder³. But to prove this in detail would require special essays which cannot be added here.

I shall be satisfied now if I have proved that the spread of disorder called forth at once in each single trade Gild-like organizations of those suffering by it, to maintain the old order, or to create a new one. I wish only further to point to the fact that the English, among whom the old Gilds probably originated, have in this new movement again preceded all other nations. As each new political era has begun in England—whether they were barons who wrung from King John the *Magna Charta Libertatum*, or the middle-classes who in the seventeenth century obtained here first the dominion in the State—so the era of the working-classes comes first to development on English soil. And as in the earlier Middle Ages from the days of Charlemagne the Frith-Gilds, and in the thirteenth and fourteenth centuries the Craft-Gilds, so now the Trade-Unions will be the great engines for obtaining the sway. Already since 1824 they have enjoyed a kind of recognition; and already they have fought contests quite as fierce as, if not fiercer than, those of the old craftsmen against the patricians. The history of their sufferings since the end of the eighteenth century, and of the privations endured for their independence, is a real record of heroism. It is only to be hoped that now, when they are free from all legal restrictions, they may use only—instead of the arms of violence, which belong to former times—the legal means which belong to our days, and which are thrown open to them by the franchise. May the English working-men, like the English barons and middle-classes in former times, be a bright example in the attainment of freedom to their brethren on the Continent!

trade. About the beginning of this century they fell into disuse. Masters and men therefore petitioned Parliament in 1811 for the appointment of a Committee, consisting of both parties, which from time to time should regulate wages, and which would have been very similar to the boards of arbitration of Mr. Mundella or Mr. Kettle.

¹ See p. cxxxvi, above.

² Mr. Congreve in the *Fortnightly Review*, New Series, vol. v. p. 417.

³ Consider also the account of the Trade-Union of the "Knights of St. Crispin" in Massachusetts in the article in the *Spectator*, Dec. 11, 1869, on "The Workmen's Revolt in Massachusetts."

P.S. Attention may be called to the "History of the Holy Trinity Guild at Sleaford [in Lincolnshire], with an Account of its Miracle-Plays, Religious Mysteries, and Shows, as practised in the Fifteenth Century," &c., by the Rev. G. Oliver, D.D. Lincoln, 1837. 5s. The account of the Gild—a Social or Religious Gild—is provokingly meagre, and the amount of talk in the book very great; but it states, at p. 50, that an ancient MS. *Compotus* Book belonging to the Gild was then in the possession of Dr. Yerburch, the Vicar; and that it ranges from A.D. 1477 to 1545, when the Gild was dissolved at the Reformation, though two later informal entries in 1585 and 1613 are made in it. I have sent inquiries after this book. Dr. Yerburch's History of Sleaford may contain further information about this Gild. Dr. Oliver, at p. 52, note 20, states the income of the Sleaford Gild at 80*l.*, while that of the three principal Gilds at Boston was less, the Gild of Corpus Christi there being valued at 32*l.*, that of the Virgin at 24*l.*, and that of St. Peter and St. Paul at 10*l.* 3*s.*—F. J. F.

